

FORTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Tuesday, February 23, 2021

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Heck presiding.

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

The Washington State Patrol Honor Guard presented the Colors.

Miss Rycki Cruz, student at Seattle Pacific University, led the Senate in the Pledge of Allegiance.

The prayer was offered by Pastor Mark Welch of Seventh-Day Adventist Church, Olympia.

MOTIONS

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

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

INTRODUCTION AND FIRST READING

SB 5464 by Senators Wilson, L., Braun, Brown, Dozier, Muzzall, Padden, Wagoner, and Wilson, J.

AN ACT Relating to requiring the option of in-person learning unless prohibited by the governor, secretary of health, or a local health officer; amending RCW 28A.335.030; creating a new section; and declaring an emergency.

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

SB 5465 by Senators Padden, and Wilson, J.

AN ACT Relating to elevating road maintenance and preservation in transportation planning; amending RCW 47.04.280; and creating a new section.

Referred to Committee on Transportation.

SJR 8206 by Senators Wilson, L. and Brown

Amending the state Constitution to provide a homestead property tax exemption.

Referred to Committee on Ways & Means.

MOTIONS

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

At 10:07 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Short announced a meeting of the Republican Caucus.

AFTERNOON SESSION

The Senate was called to order at 12:10 p.m. by President Heck.

MOTION

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

SECOND READING

SENATE BILL NO. 5322, by Senators Robinson, and Wilson, C.

Prohibiting dual enrollment between school employees' benefits board and public employees' benefits board programs.

The measure was read the second time.

MOTION

On motion of Senator Robinson, the rules were suspended, Senate Bill No. 5322 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Robinson and Wilson, L. spoke in favor of passage of the bill.

The President excused Senator Ericksen.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5322.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5322 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Ericksen

SENATE BILL NO. 5322, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Robinson: "Since this is the first bill that I have passed in the Senate, I want to take a moment to thank everyone for the warm welcome to this side of the rotunda and let you all know that I hear that it's the Senate tradition and that when you pass your first bill you give everyone a gift and there is an art center in downtown Everett called The Schack Art Center that includes glass hot shop and so you all that will be receiving a hand blown glass float from the Schack Art Center delivered to your

office in the next few weeks.”

REPLY BY THE PRESIDENT

President Heck: “Thank you Senator Robinson. Congratulations and just to remind you that tradition includes the President of the Senate as well.”

PERSONAL PRIVILEGE

Senator Liias: “Thank you Mr. President. It was sad to lose Senator McCoy last interim, but it was with great joy that we welcome Senator Robinson to our midst and to those who are not with us on the Senate floor Senator Robinson is literally sitting in the very last row in extra seating that's been added which I think is probably where she sat in every classroom she ever participated in when she was in school in the proverbial back row and Mr. President I have had the pleasure to work with Senator Robinson since before she was elected to the legislature June was an incredible advocate for those in our community that don't have a place to call home and we met through our shared passion for affordable housing so when she joined the legislature it's been wonderful to partner with her on affordable housing issues but also to pass our state's landmark Paid Family Medical Leave Act It was a delight to work with her there as well I know that she brings a tremendous amount of compassion but more importantly than that a calm and quiet reserve which our caucus can always use in these difficult debates and I know that she despite the calm quiet reserve is a little bit nervous to join us in the Senate was a little bit nervous even during that first speech I could detect so I hope we will all extend her a warm welcome and Mr President I think you deserve gifts as long as you refer to us as the Senate you deserve a gift so as long as we can keep to that part of the agreement I'm in full agreement.”

REPLY BY THE PRESIDENT

President Heck: “Point well taken for the record I'm only down five bucks. I stand corrected I am down ten dollars.”

PERSONAL PRIVILEGE

Senator Billig: “Thank you Mr. President, I assure you it does not. I also wanted to welcome Senator Robinson. I wanted to congratulate her on her first speech because I was going to vote against this bill. It's about dual enrollment and I thought it was about Jules and I thought it was really inappropriate to be considering that on the Senate floor and her speech really explained it she did a great job I think of bodes well for her future on the Senate floor.

But seriously I am so glad that Senator Robinson has joined us here in the Senate I've gotten to know her over the years and while she was serving in the other body and she was a budget negotiator for the other body and she did a great job in that role and I feel like not only do we have a passionate advocate for working people and for environmental causes and for all of the issues Senator Liias had mentioned that she's been such an advocate for public health but we also have somebody who is really an expert on our state budget and who is really a capable and productive and effective negotiator as well so she's a terrific addition to the Senate overall and particularly to the budget team and I welcome her and look forward to continuing to work with her thank you

PERSONAL PRIVILEGE

Senator Hawkins: “I would just also like to congratulate

Senator Robinson. I think Senator Liias and Senator Billig said it really well, but I have the pleasure of serving with Senator Robinson in the House, and I'm really excited that she is now over here in the Senate. She is a very thoughtful legislator and I enjoyed working with her over there and look forward to continuing to work with her over here and like to congratulate her on her passage of the first of probably many many Robinson sponsored senate bills. Thank you, Mr. President.”

PERSONAL PRIVILEGE

Senator Saldaña: “Thank you Mr. President. I too rise a little disconcerted by the bill that was before us and because it really is about making sure that people have choice and it felt like maybe we're taking away a choice from folks. But I know that really it might lie under her maybe a commitment to no double dipping because as a public health advocate you want to make sure that people are getting coverage that they're getting care and that there's no double dipping whether that's about health care or about sharing chips and salsa so which I look forward to one day being able to do that again with the people with and the good members and colleagues here including Senator Robinson and just and a note when I first came to the legislative community and family I was in the minority but was able to do some of the cross negotiations as we got later into session and one of those was on was with Senator Robinson and I really appreciated her graciousness. how she showed up in negotiations and as both a legislator and as a woman really saw in her own something some aspects and that I wanted to emulate as a legislator showing up with graciousness but showing up fierce showing up with clear interests and ability to hold bottom lines and were all qualities that I saw in Senator Robinson and continue to see her both as a mentor and as a colleague so thank you so much Senator Robinson for joining us.”

SECOND READING

SENATE BILL NO. 5225, by Senators Hunt, Padden and Pedersen

Concerning direct appeals to the court of appeals of cases brought under the administrative procedure act and the land use petition act.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5225 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt and Padden 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. 5225.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5225 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers,

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Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Senators Van De Wege and Warnick spoke in favor of passage of the bill.

SENATE BILL NO. 5225, 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 declared the question before the Senate to be the final passage of Senate Bill No. 5146.

SECOND READING

SENATE BILL NO. 5271, by Senators Wagoner, Pedersen and Dhingra

Amending the necessary elements of proof of injury during the state of emergency declared due to the COVID-19 pandemic.

MOTIONS

On motion of Senator Wagoner, Substitute Senate Bill No. 5271 was substituted for Substitute Senate Bill No. 5271 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Wagoner, the rules were suspended, Substitute Senate Bill No. 5271 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5271.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5271 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5271, 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. 5146, by Senator Van De Wege

Authorizing the fish and wildlife commission to indemnify the federal government as a condition of securing certain funds.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5146 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5146 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5146, 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 12:39 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 2:01 p.m. by President Heck.

SECOND READING

SENATE BILL NO. 5021, by Senators Hunt, Conway, Saldaña, and Wilson, C.

Concerning the effect of expenditure reduction efforts on retirement benefits for public employees, including those participating in the shared work program.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5021 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hunt spoke in favor of passage of the bill.

Senators Schoesler and Wilson, L. spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5021.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5021 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 20; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Gildon, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

SENATE BILL NO. 5021, 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 Mullet, Wellman, Conway, Darneille, Hasegawa, Kuderer, Liias, Lovelett, Nguyen, Rivers, Salomon, and Wilson, C.

Developing comprehensive school counseling programs.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5030 was substituted for Senate Bill No. 5030 and the substitute bill was placed on the second reading and read the second time.

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

Senators Mullet and Hawkins 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. 5030.

ROLL CALL

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

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Saldaña

SUBSTITUTE 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.

SECOND READING

SENATE BILL NO. 5066, by Senators Dhingra, Das, Darneille, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Saldaña, Salomon, Stanford, and Wilson, C.

Concerning a peace officer's duty to intervene.

MOTION

On motion of Senator Dhingra, Substitute Senate Bill No. 5066 was substituted for Senate Bill No. 5066 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following floor amendment no. 089 by Senator Short be adopted:

On page 1, line 7, after "another" insert "identifiable on-duty"

Senators Short and Wagoner spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 089 by Senator Short on page 1, line 7 to Substitute Senate Bill No. 5066.

The motion by Senator Short did not carry and floor amendment no. 089 was not adopted by voice vote.

MOTION

Senator Wilson, J. moved that the following floor amendment no. 090 by Senator Wilson, J. be adopted:

On page 1, line 7, after "on-duty" insert "Washington"

On page 1, at the beginning of line 8, insert "Washington"

On page 1, line 15, after "on-duty" insert "Washington"

On page 1, line 16, after "another" insert "Washington"

On page 1, line 17, after "another" insert "Washington"

Senators Wilson, J. and Short spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 090 by Senator Wilson, J. on page 1, line 7 to Substitute Senate Bill No. 5066.

The motion by Senator Wilson, J. did not carry and floor amendment no. 090 was not adopted by voice vote.

MOTION

Senator McCune moved that the following floor amendment no. 095 by Senator McCune be adopted:

On page 2, line 2, after "intervening" insert "in good faith"

On page 2, line 4, after "wrongdoing" insert "in good faith"

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

Senator Dhingra spoke against adoption of the amendment.

MOTION

On motion of Senator Randall, Senator Hasegawa was excused.

The President declared the question before the Senate to be the adoption of floor amendment no. 095 by Senator McCune on page 2, line 2 to Substitute Senate Bill No. 5066.

The motion by Senator McCune did not carry and floor amendment no. 095 was not adopted by voice vote.

MOTION

Senator Padden moved that the following floor amendment no. 091 by Senator Padden be adopted:

On page 2, line 12, after "means" strike all material through "agency" on line 13 and insert "force that is clearly beyond that

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which is objectively reasonable under the circumstances"

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

Senator Pedersen spoke against adoption of the amendment.

Senator Short demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Padden on page 2, line 12 to Substitute Senate Bill No. 5066.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Fortunato moved that the following floor amendment no. 092 by Senator Fortunato be adopted:

On page 2, line 14, after "that" strike all material through "violation" on line 16 and insert ":

- (i) Knowingly violates clearly established rights of any person while on duty; or
- (ii) Constitutes a criminal act, whether on duty or off duty"

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 092 by Senator Fortunato on page 2, line 14 to Substitute Senate Bill No. 5066.

The motion by Senator Fortunato did not carry and floor amendment no. 092 was not adopted by voice vote.

MOTION

Senator Short moved that the following floor amendment no. 093 by Senator Short be adopted:

On page 2, line 19, after "By" strike "December 1, 2021" and insert "June 1, 2022"

On page 2, line 25, after "By" strike "June 1, 2022" and insert "December 1, 2022"

On page 2, line 31, after "By" strike "January 31, 2022" and insert "June 1, 2023"

On page 2, line 34, after "by" strike "December 31, 2023" and insert "June 1, 2024"

Senator Short spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the

adoption of floor amendment no. 093 by Senator Short on page 2, line 19 to Substitute Senate Bill No. 5066.

The motion by Senator Short did not carry and floor amendment no. 093 was not adopted by voice vote.

MOTION

Senator Holy moved that the following floor amendment no. 100 by Senator Holy be adopted:

On page 2, after line 34, insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 41.56 RCW to read as follows:

Notwithstanding any provisions of this chapter, the provisions of chapter . . ., Laws of 2021 (this act) and the implementation thereof do not constitute personnel matters, working conditions, or any other change that requires collective bargaining.

NEW SECTION. Sec. 4. To the extent that any provision of this act conflicts with any local regulation, ordinance, collective bargaining agreement, memorandum of understanding, policy, or practice, the provisions of this act prevail and the conflicting provisions are null and void. If the application of this section to a collective bargaining agreement in effect on the effective date of this section would result in impairing contractual obligations under that agreement, then the existing collective bargaining agreement prevails until such time as the agreement expires, renews, or is amended."

On page 1, line 2 of the title, after "10.93 RCW;" strike all material through "RCW" on line 3 and insert "adding a new section to chapter 43.101 RCW; adding a new section to chapter 41.56 RCW; and creating a new section"

Senators Holy and King spoke in favor of adoption of the amendment.

Senator Dhingra spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 100 by Senator Holy on page 2, line 34 to Substitute Senate Bill No. 5066.

The motion by Senator Holy did not carry and floor amendment no. 100 was not adopted by voice vote.

MOTION

Senator Wagoner moved that the following striking floor amendment no. 097 by Senator Wagoner be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 10.93 RCW to read as follows:

(1) Any identifiable on-duty Washington peace officer who witnesses another on-duty Washington peace officer engaging or attempting to engage in the excessive use of force against another person shall intervene when in a position to do so to end the excessive use of force or attempted excessive use of force, or to prevent the further use of excessive force. A peace officer shall also render aid at the earliest safe opportunity in accordance with RCW 36.28A.445, to any person injured as a result of the use of force.

(2) Any identifiable on-duty Washington peace officer who observes any wrongdoing committed by another Washington peace officer, or has a good faith reasonable belief that another peace officer committed wrongdoing, shall report such wrongdoing to the officer's supervisor or other supervisory peace officer in accordance with the peace officer's employing agency's

policies and procedures for reporting such acts committed by a peace officer.

(3) A member of a law enforcement agency shall not discipline or retaliate in any way against a peace officer for intervening in good faith as required by subsection (1) of this section or for reporting wrongdoing in good faith.

(4) A law enforcement agency shall send notice to the criminal justice training commission of any disciplinary decision resulting from a peace officer's failure to intervene or failure to report wrongdoing as required by this section to determine whether the officer's conduct may be grounds for suspension or revocation of certification under RCW 43.101.105.

(5) For purposes of this section:

(a) "Excessive force" means force that is clearly beyond that which is objectively reasonable under the circumstances.

(b) "Wrongdoing" means conduct that:

(i) Knowingly violates clearly established rights of any person while on duty; or

(ii) Constitutes a criminal act, whether on duty or off duty.

NEW SECTION. Sec. 2. A new section is added to chapter 43.101 RCW to read as follows:

(1) By December 1, 2021, the Washington state criminal justice training commission, the Washington state patrol, the Washington association of sheriffs and police chiefs, and organizations representing state and local law enforcement officers shall develop a written model policy on the duty to intervene, consistent with the provisions of section 1 of this act.

(2) By June 1, 2022, every Washington law enforcement agency shall adopt and implement a written duty to intervene policy. The policy adopted may be the model policy developed under subsection (1) of this section. However, any policy adopted must, at a minimum, be consistent with the provisions of section 1 of this act.

(3) By January 31, 2022, the commission shall incorporate training on the duty to intervene in the basic law enforcement training curriculum. Existing peace officers must receive training on the duty to intervene by December 31, 2023.

NEW SECTION. Sec. 3. A new section is added to chapter 41.56 RCW to read as follows:

Notwithstanding any provisions of this chapter, the provisions of chapter . . . , Laws of 2021 (this act) and the implementation thereof do not constitute personnel matters, working conditions, or any other change that requires collective bargaining.

NEW SECTION. Sec. 4. To the extent that any provision of this act conflicts with any local regulation, ordinance, collective bargaining agreement, memorandum of understanding, policy, or practice, the provisions of this act prevail and the conflicting provisions are null and void. If the application of this section to a collective bargaining agreement in effect on the effective date of this section would result in impairing contractual obligations under that agreement, then the existing collective bargaining agreement prevails until such time as the agreement expires, renews, or is amended."

On page 1, line 1 of the title, after "intervene;" strike the remainder of the title and insert "adding a new section to chapter 10.93 RCW; adding a new section to chapter 43.101 RCW; adding a new section to chapter 41.56 RCW; and creating a new section."

Senators Wagoner, Short, Gildon and Fortunato spoke in favor of adoption of the striking amendment.

Senator Pedersen spoke against adoption of the striking amendment.

Senator Short demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Wagoner to Substitute Senate Bill No. 5066.

ROLL CALL

The Secretary called the roll on the adoption of the striking amendment by Senator Wagoner and the striking amendment was not adopted by the following vote: Yeas, 21; Nays, 28; Absent, 0; Excused, 0.

Voting yea: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

MOTION

Senator Holy moved that the following striking floor amendment no. 101 by Senator Holy be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The criminal justice training commission shall convene a work group to make recommendations regarding when a peace officer must intervene or report wrongdoing observed by another peace officer.

(2) The work group must include:

(a) One representative from the superior court judges association;

(b) One representative from the Washington association of prosecuting attorneys;

(c) Two community members with experience in police accountability;

(d) One member who is a police chief or sheriff;

(e) One member who is a law enforcement officer; and

(f) One member of the defense bar.

(3)(a) The work group shall make recommendations regarding:

(i) Elements that should be included in a model policy regarding a peace officer's duty to intervene; and

(ii) Other instances in which a peace officer should be required to report conduct of another officer.

(b) In making its recommendations, the work group must consider:

(i) The status of the reporting officer and status of the officer being reported;

(ii) The definition of wrongdoing that should be reported by peace officers;

(iii) The impact of reporting or failure to report on a peace officer's certification; and

(iv) The relation of these issues to collective bargaining.

(4) The work group must report its recommendations to the governor and the appropriate committees of the legislature no later than December 1, 2021.

(5) The work group must operate within existing funds.

(6) This section expires June 30, 2022."

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

Senators Holy, Rivers, Wilson, J. and Padden spoke in favor of adoption of the striking amendment.

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Senators Dhingra and Salomon spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking floor amendment no. 101 by Senator Holy to Substitute Senate Bill No. 5066.

The motion by Senator Holy did not carry and striking floor amendment no. 101 was not adopted by voice vote.

MOTION

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5066 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Salomon and Pedersen spoke in favor of passage of the bill.

Senators Wilson, L., Holy, Fortunato and McCune spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5066.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5066 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Stanford, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Gildon, Hawkins, Holy, Honeyford, King, McCune, Muzzall, Padden, Rivers, Schoesler, Sheldon, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5066, 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. 5384, by Senators Warnick, Short, and Wilson, L.

Concerning volunteer firefighters.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5384 was substituted for Senate Bill No. 5384 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5384 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.

Senator Keiser spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5384.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5384 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SUBSTITUTE SENATE BILL NO. 5384, 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. 5303, by Senator Hunt

Exempting United States food and drug administration nonpublic information from disclosure under the state public disclosure act.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hunt 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. 5303.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5303 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5303, 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. 5115, by Senators Keiser, Liias, Conway, Kuderer, Lovelett, Nguyen, Salomon, Stanford, and Wilson, C.

Establishing health emergency labor standards.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 5115

was substituted for Senate Bill No. 5115 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator King moved that the following floor amendment no. 102 by Senator King be adopted:

On page 1, at the beginning of line 20, strike "clear and convincing" and insert "a preponderance of the"

Senator King spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 102 by Senator King on page 1, line 20 to Substitute Senate Bill No. 5115.

The motion by Senator King carried and floor amendment no. 102 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, floor amendment no. 103 by Senator King on page 3, line 30 to Substitute Senate Bill No. 5115 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, floor amendment no. 104 by Senator King on page 3, line 33 to Substitute Senate Bill No. 5115 was withdrawn.

MOTION

Senator King moved that the following floor amendment no. 105 by Senator King be adopted:

On page 6, line 8, after "that" strike "five percent" and insert "10"

On page 6, beginning on line 13, strike all of subsection (1)(b) Reletter the remaining subsections consecutively and correct any internal references accordingly.

On page 6, line 26, after "The" strike all material through "(b)" and insert "report required in (a)"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 105 by Senator King on page 6, line 8 to Substitute Senate Bill No. 5115.

The motion by Senator King carried and floor amendment no. 105 was adopted by voice vote.

MOTION

Senator King moved that the following floor amendment no. 106 by Senator King be adopted:

On page 7, beginning on line 18, after "were" strike all material through "as" on line 19 and insert "within close proximity for more than 15 minutes of"

POINT OF INQUIRY

Senator King: "Thank you. Thank you, Mr. President. Senator Keiser, under this amendment, the written notice to employees, my understanding is that it would be construed as maybe posting it on an informational board, texting or emailing. Is that a fair

assumption?"

Senator Keiser: "Senator King, as we discussed earlier, yes, notification to employees could take many forms. It could take posting on the workplace bulletin board, it could take a text, or a direct email. It does not have to be a personal letter. And as we discussed I hope that that suffices and there's no need for this amendment."

WITHDRAWAL OF AMENDMENT

On motion of Senator King and without objection, floor amendment no. 106 by Senator King on page 7, line 18 to Substitute Senate Bill No. 5115 was withdrawn.

MOTION

Senator King moved that the following floor amendment no. 107 by Senator King be adopted:

On page 9, after line 4, insert the following:

"NEW SECTION. Sec. 6. This act expires upon the expiration or termination of proclamation 20-05, and any subsequent orders extending or amending the proclamation, declaring a state of emergency on February 29, 2020, for all counties in Washington due to COVID-19."

On page 1, line 3 of the title, after "section;" insert "providing a contingent expiration date;"

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

The President declared the question before the Senate to be the adoption of floor amendment no. 107 by Senator King on page 9, line 4 to Substitute Senate Bill No. 5115.

The motion by Senator King carried and floor amendment no. 107 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5115 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, King, Mullet and Lias 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. 5115.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5115 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5115, having received the constitutional majority, was declared passed.

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There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5292, by Senators Nobles, Cleveland, Das, Keiser, Lovelett, Nguyen, Randall, Salomon, Stanford, Van De Wege, and Wilson, C.

Concerning the use of parks and recreation spaces, trails, and facilities in the design of parks Rx pilot program collaboratively designed with the health care and insurance industry sectors.

MOTIONS

On motion of Senator Nobles, Substitute Senate Bill No. 5292 was substituted for Senate Bill No. 5292 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Nobles, the rules were suspended, Substitute Senate Bill No. 5292 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Nobles, Lovelett, Rivers, Ericksen and Cleveland spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

REMARKS BY THE PRESIDENT

President Heck: "Thank you Senator. However apropos to the subject at hand your attire was, I would remind you of the rules of decorum in the Senate and the requirement to wear a sports jacket. Bolo ties accepted."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5292.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5292 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Braun, Padden and Schoesler

SUBSTITUTE SENATE BILL NO. 5292, 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. 5354, by Senators Saldaña, King and Nguyen

Addressing traffic control in large cities.

The measure was read the second time.

MOTION

On motion of Senator Saldaña, the rules were suspended, Senate Bill No. 5354 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Honeyford: "Thank you. I know that the University Presbyterian Church has to hire police officer to direct traffic coming out of their parking garages in midblock. Would this then free them from that requirement?"

Senator Saldaña: "Thank you, Senator Honeyford. My understanding is this would allow for someone besides a police officer, it would still have to meet the standards of a traffic plan of the local jurisdiction. So, whether that is the City of Seattle or another, but it would allow for a regular civilian flagger to be able to do that work. And it seems like, without having conferred with our counsel, but it seems like, it seems like that is exactly the type of situation that would no longer need a badged officer but could be a flagger. So, I'm about 90% sure that the answer is yes."

Senators King, Hobbs, Dozier, and Wilson, J. 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. 5354.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5354 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Ericksen, Rivers and Wagoner

SENATE BILL NO. 5354, 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. 5179, by Senators Liias, Rivers, Das, Randall, and Wilson, C.

Concerning blood donation.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5179 was substituted for Senate Bill No. 5179 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5179 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias, Muzzall, Braun and Wagoner 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. 5179.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5179 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Erickson, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senator Rolfes

SUBSTITUTE SENATE BILL NO. 5179, 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. 5356, by Senators Short, Kuderer and Conway

Concerning prime contractor bidding submission requirements on public works contracts.

The measure was read the second time.

MOTION

Senator Short moved that the following floor amendment no. 087 by Senator Short be adopted:

On page 2, line 37, after "apply" insert "to design-build requests for proposals under RCW 39.10.330, to general contractor/construction manager requests for proposals under RCW 39.10.350, or"

On page 3, line 6, after "2020" insert ", and a second report by November 1, 2022"

On page 3, line 6, after "The" strike "report" and insert "reports"

Senators Short and Kuderer spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 087 by Senator Short on page 2, line 37 to Senate Bill No. 5356.

The motion by Senator Short carried and floor amendment no. 087 was adopted by voice vote.

MOTION

On motion of Senator Short, the rules were suspended, Engrossed Senate Bill No. 5356 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5356.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5356 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Erickson, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

ENGROSSED SENATE BILL NO. 5356, 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 4:42 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

Senator Hasegawa announced a meeting of the Democratic Caucus.

EVENING SESSION

The Senate was called to order at 6:21 p.m. by President Heck.

REMARKS BY THE PRESIDENT

President Heck: "Before we begin, two general purpose announcements. The first of which is Leg-Tech has alerted us that you may need to click refresh in your browser to refresh FAR voting. After refreshing, if you do not see the request to speak button, please click the login button in the top-right of the screen. And of course, as always, if you still have an issue with FAR voting, please contact Leg-Tech. Secondly, we had this conversation earlier that we have attempted with outstanding staff support, in the cooperation of almost all of you, to have this hybrid system of in person and remote participation simulate to the highest degree possible the same thing as though you were here. So, I remind you one more time that in order to be able to vote you must be seen. Staff up here can see whether or not you're on camera. You can not, you are prohibited from voting off camera. If we do not see you, and I am alerted by staff, your vote will not count."

SECOND READING

SENATE BILL NO. 5127, by Senators Dhingra, Padden, Kuderer, Nguyen, Short, Wagoner, Warnick, and Wilson, C.

Concerning courthouse facility dogs.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5127 was substituted for Senate Bill No. 5127 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended,

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Substitute Senate Bill No. 5127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra, Padden and Wilson, J. spoke in favor of passage of the bill.

MOTION

On motion of Senator Wagoner, Senator Sheldon was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5127.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5127 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Sheldon

SUBSTITUTE SENATE BILL NO. 5127, 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. 5296, by Senators Schoesler, Conway, Dozier, Muzzall, Rivers, Van De Wege and Warnick

Modifying the definition of index for the Washington state patrol retirement system.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 5296 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler 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. 5296.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5296 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson,

J. and Wilson, L.

Excused: Senator Sheldon

SENATE BILL NO. 5296, 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. 5300, by Senators Van De Wege, Das, Hunt, Randall, and Wilson, C.

Prohibiting the feeding of garbage to swine.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5300 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Warnick and Muzzall spoke in favor of passage of the bill.

Senator Fortunato spoke on passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5300.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5300 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Sheldon

SENATE BILL NO. 5300, 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. 5101, by Senators Stanford, Conway, Dhingra, Hasegawa, Hunt, Nguyen, Randall, Saldaña, Wagoner, and Wilson, C.

Establishing tribal representation on the emergency management council.

The measure was read the second time.

MOTION

On motion of Senator Stanford, the rules were suspended, Senate Bill No. 5101 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stanford 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. 5101.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5101 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Sheldon

SENATE BILL NO. 5101, 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. 5018, by Senators Rivers, Cleveland, Dhingra, Lovelett, Short, and Wilson, C.

Concerning acupuncture and Eastern medicine.

The measure was read the second time.

MOTION

On motion of Senator Rivers, the rules were suspended, Senate Bill No. 5018 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Cleveland and Muzzall 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. 5018.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5018 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Sheldon

SENATE BILL NO. 5018, 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. 5026, by Senators Salomon, Cleveland, Conway, Das, Hasegawa, Hunt, Keiser, Lovelett, Nguyen,

Nobles and Randall

Concerning moneys available to a port district allocated for the purchase of zero and near zero emissions cargo handling equipment.

The measure was read the second time.

MOTION

Senator Van De Wege moved that the following floor amendment no. 056 by Senator Van De Wege be adopted:

On page 1, after line 19, insert the following:

"(4) This section expires December 31, 2031."

On page 1, line 3 of the title, after "equipment;" strike the remainder of the title and insert "adding a new chapter to Title 53 RCW; and providing an expiration date."

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

The President declared the question before the Senate to be the adoption of floor amendment no. 056 by Senator Van De Wege on page 1, line 19 to Senate Bill No. 5026.

The motion by Senator Van De Wege carried and floor amendment no. 056 was adopted by voice vote.

MOTION

On motion of Senator Salomon, the rules were suspended, Engrossed Senate Bill No. 5026 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Salomon, Short, Nobles, King, Cleveland and Wilson, J. spoke in favor of passage of the bill.

Senators Braun and Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5026.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5026 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Gildon, Hasegawa, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Mullet, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Short, Stanford, Van De Wege, Warnick, Wilson, C. and Wilson, J.

Voting nay: Senators Braun, Brown, Dozier, Ericksen, Fortunato, Hawkins, Honeyford, McCune, Muzzall, Padden, Schoesler, Wagoner, Wellman and Wilson, L.

Excused: Senator Sheldon

ENGROSSED SENATE BILL NO. 5026, 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. 5131, by Senator Holy

Concerning county clerks duties related to recall petitions.

FORTY FOURTH DAY, FEBRUARY 23, 2021

2021 REGULAR SESSION

The measure was read the second time.

MOTION

On motion of Senator Holy, the rules were suspended, Senate Bill No. 5131 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Holy, Hunt and Wilson, J. 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. 5131.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5131 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Dozier, Ericksen, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Hobbs, Holy, Honeyford,

Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Short, Stanford, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Excused: Senator Sheldon

SENATE BILL NO. 5131, 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 7:06 p.m., on motion of Senator Lias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 24, 2021.

DENNY HECK, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

5018		Third Reading Final Passage	2
	Second Reading		12
	Third Reading Final Passage		12
5021			
	Second Reading		3
	Third Reading Final Passage		3
5026			
	Second Reading		12
5026.E			
	Third Reading Final Passage		12
5030			
	Second Reading		4
5030-S			
	Second Reading		4
	Third Reading Final Passage		4
5066			
	Second Reading		4
5066-S			
	Second Reading	4, 5, 6	
	Third Reading Final Passage		7
5101			
	Second Reading		11
	Third Reading Final Passage		12
5115			
	Second Reading		7
5115-S			
	Other Action.....		8
	Second Reading		7, 8
5115-S.E			
	Third Reading Final Passage		8
5127			
	Second Reading		10
5127-S			
	Second Reading		10
	Third Reading Final Passage		11
5131			
	Second Reading		12
	Third Reading Final Passage		13
5146			
	Second Reading		3
	Third Reading Final Passage		3
5179			
	Second Reading		9
5179-S			
	Second Reading		9
	Third Reading Final Passage		10
5225			
	Second Reading		2
		Third Reading Final Passage	2
5271			
	Second Reading		3
5271-S			
	Second Reading		3
	Third Reading Final Passage		3
5292			
	Second Reading		9
5292-S			
	Second Reading		9
	Third Reading Final Passage		9
5296			
	Second Reading		11
	Third Reading Final Passage		11
5300			
	Second Reading		11
	Third Reading Final Passage		11
5303			
	Second Reading		7
	Third Reading Final Passage		7
5322			
	Second Reading		1
	Third Reading Final Passage		1
5354			
	Second Reading		9
	Third Reading Final Passage		9
5356			
	Second Reading		10
5356.E			
	Third Reading Final Passage		10
5384			
	Second Reading		7
5384-S			
	Second Reading		7
	Third Reading Final Passage		7
5464			
	Introduction & 1st Reading.....		1
5465			
	Introduction & 1st Reading.....		1
8206			
	Introduction & 1st Reading.....		1
CHAPLAIN OF THE DAY			
	Welch, Mr. Mark, Pastor, Seventh Day Adventist Church, Olympia		1
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	Washington State Patrol Honor Guard		1
GUESTS			
	Cruz, Miss Rycki, Pledge of Allegiance.....		1

PRESIDENT OF THE SENATE

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WASHINGTON STATE SENATE

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Personal Privilege, Senator Hawkins 2

Personal Privilege, Senator Lias 2

Personal Privilege, Senator Robinson..... 1

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