

TENTH DAY, JANUARY 19, 2022

2022 REGULAR SESSION

TENTH DAY**AFTERNOON SESSION**Senate Chamber, Olympia
Wednesday, January 19, 2022

The Senate was called to order at 1:30 p.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 Ximena Juarez of Lake Washington High School led the Senate in the Pledge of Allegiance. Miss Juarez was a guest of Senator Dhingra.

Pastor Chris Rule, Orting Community Baptist Church offered the prayer.

MOTIONS

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

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

REPORTS OF STANDING COMMITTEES

January 18, 2022

SB 5602 Prime Sponsor, Senator Mullet: Concerning service providers working with state-regulated financial institutions. Reported by Committee on Business, Financial Services & Trade

MAJORITY recommendation: Do pass. Signed by Senators Dozier, Ranking Member; Mullet, Chair; Hasegawa, Vice Chair; Brown; Frockt; Lovick and Wilson, L.

Referred to Committee on Rules for second reading.

January 18, 2022

SB 5607 Prime Sponsor, Senator Wilson, L.: Including individuals in jails and hospitals who were homeless before entering such facilities in the state's annual homeless census. Reported by Committee on Housing & Local Government

MAJORITY recommendation: Do pass. Signed by Senators Fortunato, Ranking Member; Gildon, Assistant Ranking Member; Kuderer, Chair; Das, Vice Chair; Cleveland; Lovelett; Sefzik; Trudeau and Wilson, J.

Referred to Committee on Rules for second reading.

January 18, 2022

SB 5787 Prime Sponsor, Senator Nguyen: Concerning the linked deposit program. Reported by Committee on Business, Financial Services & Trade

MAJORITY recommendation: Do pass. Signed by Senators Dozier, Ranking Member; Mullet, Chair; Hasegawa, Vice Chair; Brown; Frockt; Lovick and Wilson, L.

Referred to Committee on Rules for second reading.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated.

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

INTRODUCTION AND FIRST READING**SB 5898** by Senators Liias, King and Saldaña

AN ACT Relating to the use of vehicle-related fees to fulfill certain state general obligation bonds; amending RCW 47.10.883, 47.10.884, 47.10.885, 47.10.876, 47.10.877, 47.10.878, 47.10.864, 47.10.865, 47.10.866, 47.10.846, 47.10.847, 47.10.848, 47.10.838, 47.10.839, 47.10.841, 47.26.504, 47.26.505, 47.10.822, 47.10.823, 47.10.824, 47.10.815, 47.10.816, 47.10.817, 47.02.160, 47.02.170, 47.02.190, 47.26.424, 47.26.4252, 47.26.4254, 47.26.4255, and 39.53.120; adding a new section to chapter 47.10 RCW; and creating new sections.

Referred to Committee on Transportation.

SB 5899 by Senators Liias, Pedersen, Kuderer, Mullet and Saldaña

AN ACT Relating to a sales and use tax deferral for projects to improve the state route number 520 corridor; amending RCW 47.01.412; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 5900 by Senators Van De Wege, Keiser, Conway, Hasegawa, Lovick, Randall and Saldaña

AN ACT Relating to creating a provisional paramedic or emergency medical technician license; amending RCW 18.73.081 and 18.71.205; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Health & Long Term Care.

SB 5901 by Senators Randall, Billig, Holy, Mullet, Nguyen and Saldaña

AN ACT Relating to economic development tax incentives for targeted counties; amending RCW 82.08.820 and 82.12.820; adding a new chapter to Title 82 RCW; creating a new section; providing an effective date; and providing expiration dates.

Referred to Committee on Business, Financial Services & Trade.

SB 5902 by Senator Wellman

AN ACT Relating to the implementation of high school graduation credit requirements; amending RCW 28A.230.090, 28A.230.300, 28A.230.215, 28A.230.310, 28A.230.320, 28A.655.250, and 28A.300.900; creating a new section; and repealing RCW 28A.655.270.

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

SB 5903 by Senators Billig, Rivers, Das, Dhingra, Hunt, Keiser, Kuderer, Lias, Lovelett, Lovick, Nguyen, Randall, Saldaña, Trudeau and Wellman

AN ACT Relating to providing multimodal transportation options at drive-up services; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SB 5904 by Senators Das, Nobles, Lovelett, Nguyen, Rolfes and Saldaña

AN ACT Relating to requiring fashion retail sellers and manufacturers to disclose environmental and social due diligence policies; adding a new chapter to Title 70A RCW; and prescribing penalties.

Referred to Committee on Labor, Commerce & Tribal Affairs.

SB 5905 by Senators Hunt, Nguyen and Saldaña

AN ACT Relating to establishing the outdoor school for all program; amending RCW 28A.300.790 and 28A.320.173; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

SB 5906 by Senators Cleveland, Rivers, Stanford and Wilson, L.

AN ACT Relating to health plan coverage for contralateral prophylactic mastectomies; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long Term Care.

SB 5907 by Senators Wilson, J., Lovick, Fortunato, Lovelett, Randall, Saldaña, Stanford and Wilson, L.

AN ACT Relating to roadside safety measures and public awareness of emergency vehicles providing roadside assistance; amending RCW 46.61.212; adding new sections to chapter 46.61 RCW; and creating new sections.

Referred to Committee on Transportation.

SB 5908 by Senators Lias, Carlyle, Hunt, Nguyen and Saldaña

AN ACT Relating to creating the clean car authority as a new state government agency; adding a new section to chapter 41.06 RCW; and adding a new chapter to Title 43 RCW.

Referred to Committee on State Government & Elections.

SB 5909 by Senators Randall, Van De Wege, Carlyle, Conway, Hunt, Mullet, Rolfes and Stanford

AN ACT Relating to legislative oversight of gubernatorial powers concerning emergency proclamations and unanticipated receipts; amending RCW 43.06.210, 43.06.220, and 43.79.270; and adding a new chapter to Title 44 RCW.

Referred to Committee on State Government & Elections.

SB 5910 by Senators Carlyle, Billig, Conway, Hawkins, Hunt, Mullet, Saldaña and Stanford

AN ACT Relating to accelerating the availability and use of renewable hydrogen in Washington state; amending RCW 80.50.020, 54.04.190, 35.92.050, 82.08.816, 82.12.816, and 82.29A.125; adding new sections to chapter 43.330 RCW; adding a new section to chapter 82.16 RCW; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

SB 5911 by Senators Cleveland, Keiser, Billig, Conway, Das, Lovelett, Lovick, Nguyen, Randall, Saldaña, Stanford and Trudeau

AN ACT Relating to providing hazard pay retention bonuses to certain health care employees; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Labor, Commerce & Tribal Affairs.

SB 5912 by Senators Sefzik, Braun, Fortunato, Honeyford, Muzzall, Nguyen, Randall, Robinson and Short

AN ACT Relating to improving health outcomes for children on medicaid by ensuring early and periodic screening, diagnosis, and treatment; and amending RCW 74.09.470.

Referred to Committee on Health & Long Term Care.

SB 5913 by Senators Sefzik, Braun, Brown, Dozier, Fortunato, Gildon, Holy, McCune, Muzzall and Wilson, J.

AN ACT Relating to property tax relief for senior citizens and service-connected disabled veterans; amending RCW 84.36.383 and 84.36.385; and creating new sections.

Referred to Committee on Ways & Means.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5913 which had been designated to the Committee on Business, Financial Services & Trade and was referred to the Committee on Ways & Means.

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

MOTION

Senator Hunt moved adoption of the following resolution:

SENATE RESOLUTION

8635

By Senators Hunt, Robinson, Das, Dhingra, Hasegawa, Lovick, Nobles, Randall, Saldaña, Wellman, and C. Wilson

WHEREAS, When The Evergreen State College's first class entered in 1971, the college was seen by many as a grand experiment; and

WHEREAS, Former Governor and United States Senator Daniel J. Evans signed legislation authorizing the formation of the college and played a key role in shaping the college as

Evergreen President; and

WHEREAS, The creation of a four-year public college that prioritized teaching and learning over grades or majors signaled that the people were ready to explore new possibilities for their educational institutions—to see what would happen if we empowered people to formally pursue what they were most passionate about; and

WHEREAS, Evergreen's unique design put students and faculty in close collaboration with each other, and the college quickly became a place bursting with creativity and innovation; and

WHEREAS, Ever-evolving to meet the needs of students and the state of Washington, Evergreen continues to carry that spirit for learning as it celebrates its 50th anniversary; and

WHEREAS, Famous Evergreen graduates include Ben Haggerty (known as Macklemore), Matt Groening, Joyce McConnell (first female president of Colorado State University), Elizabeth Furse (first African-born naturalized citizen elected to Congress), Denny Heck, Yasmin Trudeau, Sharon Tomiko Santos, and Jessica Bateman; and

WHEREAS, The way that Evergreen teaches people to work together has played a big role in the success of its alumni; and

WHEREAS, From the beginning, Evergreen has sought to bolster access to its dynamic learning model, especially for populations who have historically been excluded from higher education; and

WHEREAS, Evergreen welcomes those who seek an affordable education that will launch them into the future they envision for themselves, and the college does everything in its power to help them achieve success; and

WHEREAS, Evergreen has always been about giving people the support they need, whether it is an advisor showing a first-generation student how to navigate their career opportunities, a faculty member empowering someone to overcome their fear of math, or a tutor encouraging a fellow student to dig deeper into their ideas; and

WHEREAS, Evergreen has prepared people to meet their futures with confidence, equipping graduates for careers in public service, science, entrepreneurship, education, and the arts; and

WHEREAS, No longer an experiment, this year Evergreen honors its past, celebrates the present, and projects its strengths toward the future;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate The Evergreen State College and its 50 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to President John Carmichael, the Board of Trustees of The Evergreen State College, and Lieutenant Governor Denny Heck.

Senator Hunt spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8635.

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

MOTION

At 1:42 p.m., on motion of Senator Pedersen, 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 Warnick announced a meeting of the Republican Caucus.

The Senate was called to order at 3:00 p.m. by President Heck.

MOTION

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

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Keiser moved that Bud E. Sizemore, Senate Gubernatorial Appointment No. 9089, be confirmed as a member of the Gambling Commission.

Senators Keiser and Conway spoke in favor of passage of the motion.

APPOINTMENT OF BUD E. SIZEMORE

The President declared the question before the Senate to be the confirmation of Bud E. Sizemore, Senate Gubernatorial Appointment No. 9089, as a member of the Gambling Commission.

The Secretary called the roll on the confirmation of Bud E. Sizemore, Senate Gubernatorial Appointment No. 9089, as a member of the Gambling Commission and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Bud E. Sizemore, Senate Gubernatorial Appointment No. 9089, having received the constitutional majority was declared confirmed as a member of the Gambling Commission.

THIRD READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Dhingra moved that Evelyn P. Yenson, Senate Gubernatorial Appointment No. 9231, be confirmed as a member of the Clemency and Pardons Board.

Senators Dhingra and Wilson, C. spoke in favor of passage of the motion.

APPOINTMENT OF EVELYN P. YENSON

The President declared the question before the Senate to be the confirmation of Evelyn P. Yenson, Senate Gubernatorial Appointment No. 9231, as a member of the Clemency and Pardons Board.

The Secretary called the roll on the confirmation of Evelyn P. Yenson, Senate Gubernatorial Appointment No. 9231, as a member of the Clemency and Pardons Board and the appointment

was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

Evelyn P. Yenson, Senate Gubernatorial Appointment No. 9231, having received the constitutional majority was declared confirmed as a member of the Clemency and Pardons Board.

MOTION

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

SECOND READING

SENATE BILL NO. 5653, by Senators Rolfes, Van De Wege and Warnick

Changing the name of the commission on pesticide registration to the commission on integrated pest management.

The measure was read the second time.

MOTION

On motion of Senator Rolfes, the rules were suspended, Senate Bill No. 5653 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and 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. 5653.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5653 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, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5653, 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. 5002, by Senators Hunt, Carlyle, Conway, Dhingra, Hasegawa, Hawkins, Mullet, Rivers and Wilson, C.

Addressing the state auditor's duties and procedures.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5002 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators 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. 5002.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5002 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, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SENATE BILL NO. 5002, 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. 5519, by Senators Dozier, Mullet, Brown, Gildon, Rivers, Wilson, J. and Wilson, L.

Replacing an inactive certificate status with an inactive license designation.

The measure was read the second time.

MOTION

On motion of Senator Dozier, the rules were suspended, Senate Bill No. 5519 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dozier and Mullet 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. 5519.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5519 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, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

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SENATE BILL NO. 5519, 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.

REMARKS BY THE PRESIDENT

SECOND READING

SENATE BILL NO. 5155, by Senators Kuderer, Wellman, Das and Pedersen

Concerning prejudgment interest.

MOTION

On motion of Senator Dhingra, Second Substitute Senate Bill No. 5155 was substituted for Senate Bill No. 5155 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following amendment no. 940 by Senator Short be adopted:

On page 1, at the beginning of line 17, strike "~~(of entry)~~ the cause of action accrued" and insert "of entry"

On page 2, beginning on line 1, after "entry." strike "~~(In any case where a court is directed on review to enter judgment on a verdict or in any case where a judgment entered on a verdict is wholly or partly affirmed on review, interest on the judgment or on that portion of the judgment affirmed shall date back to and shall accrue from the date the verdict was rendered.)~~" and insert "In any case where a court is directed on review to enter judgment on a verdict or in any case where a judgment entered on a verdict is wholly or partly affirmed on review, interest on the judgment or on that portion of the judgment affirmed shall date back to and shall accrue from the date the verdict was rendered."

Senators Short, Braun and Fortunato spoke in favor of adoption of the amendment.

Senators Dhingra and Kuderer spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 940 by Senator Short on page 1, line 17 to Second Substitute Senate Bill No. 5155.

The President declared the motion by Senator Short did not carry and amendment no. 940 was not adopted by voice vote.

MOTION FOR IMMEDIATE RECONSIDERATION

Having voted on the prevailing side, Senator Short moved to immediately reconsider the vote by which amendment no. 940 to Second Substitute Senate Bill No. 5155 was declared to have not been adopted.

The President declared the question before the Senate to be the motion by Senator Short that the Senate immediately reconsider the vote by which amendment no. 940 to Second Substitute Senate Bill No. 5155 was not adopted.

The motion by Senator Short for immediate reconsideration carried by voice vote.

The President declared the question before the Senate to be the adoption of amendment no. 940 by Senator Short on page 1, line 17 to Second Substitute Senate Bill No. 5155 on reconsideration.

President Heck: "The President reminds the body that this is not an individually recorded vote. Please use the buttons in the FAR voting system and please understand that the President cannot instantaneously see changes in vote at the last nano-second. Please. The vote is now open. Please vote."

The motion by Senator Short carried and amendment no. 940 was adopted by voice vote on reconsideration.

PARLIAMENTARY INQUIRY

Senator Rolfes: "In the last motion, those of us who were not on the floor did not have an opportunity to vote on whether the amendment should have been reconsidered. And I am wondering if you could tell us what the procedures are for that. It seems inherently unfair, if there are more Democrats on the floor at any time than Republicans, that a floor vote would not always be in the best interest of this body. Thank you."

REPLY BY THE PRESIDENT

President Heck: "Senator Rolfes, thank you very much for your point of inquiry. The President would like to inform the body that it was apparent too late on the initial roll call for the President to stop his gavel in motion. But that the vote had changed. And that there was a majority vote in favor of the amendment. And as a consequence, requested a vote for reconsideration. Heretofore going forward we will use the FAR [Floor Activity Report] voting system for that to ensure that the circumstance that was presented with us today does not repeat itself. But I do, the President wants you to know, that this sequence of events was done after consultation with Leadership."

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5155 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kuderer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5155.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5155 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 18; Absent, 0; Excused, 0.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Das, Dhingra, Frockt, Hasegawa, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Nguyen, Nobles, Padden, Pedersen, Randall, Robinson, Rolfes, Saldaña, Salomon, Sheldon, Stanford, Trudeau, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Braun, Brown, Dozier, Fortunato, Gildon, Hawkins, Honeyford, McCune, Mullet, Muzzall, Rivers, Schoesler, Sefzik, Short, Wagoner, Warnick, Wilson, J. and Wilson, L.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5155, having received the constitutional majority, was declared

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

MOTION

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 5342, by Senate Committee on Housing & Local Government (originally sponsored by Schoesler, Dozier, Hunt and Mullet)

Concerning irrigation district elections.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Kuderer, the rules were suspended and Substitute Senate Bill No. 5342 was returned to second reading for the purposes of amendment.

On motion of Senator Kuderer, Second Substitute Senate Bill No. 5342 was substituted for Substitute Senate Bill No. 5342 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kuderer, the rules were suspended, Second Substitute Senate Bill No. 5342 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 Second Substitute Senate Bill No. 5342.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5342 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, Das, Dhingra, Dozier, Fortunato, Frockt, Gildon, Hasegawa, Hawkins, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, McCune, Mullet, Muzzall, Nguyen, Nobles, Padden, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Schoesler, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

SECOND SUBSTITUTE SENATE BILL NO. 5342, 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.

THIRD READING

SENATE BILL NO. 5196, by Senators Billig, Braun, Fortunato, Holy, Hunt, Van De Wege, Wagoner and Wilson, C.

Describing how the legislature may convene a special session.

The bill was read on Third Reading.

Senators Billig and Braun spoke in favor of passage of the bill. Senator Fortunato spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5196.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5196 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

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

Voting nay: Senators Brown, Fortunato, Honeyford and Schoesler

SENATE BILL NO. 5196, 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.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5127, by Senate Committee on Law & Justice (originally sponsored by Dhingra, Padden, Kuderer, Nguyen, Short, Wagoner, Warnick and Wilson, C.)

Concerning courthouse facility dogs.

The bill was read on Third Reading.

Senators Dhingra 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. 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, 49; Nays, 0; Absent, 0; Excused, 0.

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

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.

MOTION

On motion of Senator Randall, Senator Carlyle was excused.

THIRD READING

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SENATE BILL NO. 5017, by Senators Wellman, Honeyford, Mullet and Wilson, C.

Clarifying school district procurement requirements for personal service contracts for construction management, value engineering, constructibility review, and building commissioning.

The bill was read on Third Reading.

MOTION

On motion of Senator Wellman, the rules were suspended and Senate Bill No. 5017 was returned to second reading for the purposes of amendment.

MOTION

Senator Randall moved that the following striking amendment no. 931 by Senator Randall be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28A.335.190 and 2013 c 223 s 1 are each amended to read as follows:

(1) When, in the opinion of the board of directors of any school district, the cost of any furniture, supplies, equipment, building, improvements, or repairs, ~~((or))~~ other construction work by a contractor who meets the criteria in RCW 39.04.350, or other purchases, except books, will equal or exceed the threshold levels specified in subsections (2) and (4) of this section, complete plans and specifications for such work or purchases shall be prepared and notice by publication given in at least one newspaper of general circulation within the district, once each week for two consecutive weeks, of the intention to receive bids and that specifications and other information may be examined at the office of the board or any other officially designated location. The cost of any public work, improvement, or repair for the purposes of this section shall be the aggregate of all amounts to be paid for labor, material, and equipment on one continuous or interrelated project where work is to be performed simultaneously or in close sequence. The bids shall be in writing and shall be opened and read in public on the date and in the place named in the notice and after being opened shall be filed for public inspection.

(2) Every purchase of furniture, equipment, or supplies, except books, the cost of which is estimated to be in excess of forty thousand dollars, shall be on a competitive basis. The board of directors shall establish a procedure for securing telephone and/or written quotations for such purchases. Whenever the estimated cost is from forty thousand dollars up to seventy-five thousand dollars, the procedure shall require quotations from at least three different sources to be obtained in writing or by telephone, and recorded for public perusal. Whenever the estimated cost is in excess of seventy-five thousand dollars, the public bidding process provided in subsection (1) of this section shall be followed.

(3) Any school district may purchase goods produced or provided in whole or in part from class II inmate work programs operated by the department of corrections pursuant to RCW 72.09.100, including but not limited to furniture, equipment, or supplies. School districts are encouraged to set as a target to contract, beginning after June 30, 2006, to purchase up to one percent of the total goods required by the school districts each year, goods produced or provided in whole or in part from class II inmate work programs operated by the department of

corrections.

(4) The board may make improvements or repairs to the property of the district through a department within the district without following the public bidding process provided in subsection (1) of this section when the total of such improvements or repairs does not exceed the sum of seventy-five thousand dollars. Whenever the estimated cost of a building, improvement, repair, or other public works project is one hundred thousand dollars or more, the public bidding process provided in subsection (1) of this section shall be followed unless the contract is let using the small works roster process in RCW 39.04.155 or under any other procedure authorized for school districts. One or more school districts may authorize an educational service district to establish and operate a small works roster for the school district under the provisions of RCW 39.04.155.

(5) The contract for the work or purchase shall be awarded to the lowest responsible bidder as described in RCW 39.26.160(2) but the board may by resolution reject any and all bids and make further calls for bids in the same manner as the original call. On any work or purchase the board shall provide bidding information to any qualified bidder or the bidder's agent, requesting it in person.

(6) In the event of any emergency when the public interest or property of the district would suffer material injury or damage by delay, upon resolution of the board declaring the existence of such an emergency and reciting the facts constituting the same, the board may waive the requirements of this section with reference to any purchase or contract: PROVIDED, That an "emergency," for the purposes of this section, means a condition likely to result in immediate physical injury to persons or to property of the school district in the absence of prompt remedial action.

(7) This section does not apply to the direct purchase of school buses by school districts and educational services in accordance with RCW 28A.160.195.

(8) This section does not apply to the purchase of Washington grown food.

(9) At the discretion of the board, a school district may develop and implement policies and procedures to facilitate and maximize to the extent practicable, purchases of Washington grown food including, but not limited to, policies that permit a percentage price preference for the purpose of procuring Washington grown food.

(10) As used in this section, "Washington grown" has the definition in RCW 15.64.060.

(11) As used in this section, "price percentage preference" means the percent by which a responsive bid from a responsible bidder whose product is a Washington grown food may exceed the lowest responsive bid submitted by a responsible bidder whose product is not a Washington grown food.

(12) For purposes of this section, "construction work" does not include the following services: (a) Construction management services; (b) value engineering; (c) constructability review; (d) building commissioning; and (e) other construction-related professional and personal services.

(13) Beginning January 1, 2023, requests for proposals or qualifications, advertisements, bids, or calls for bids pursuant to this section for the services listed under subsection (12) of this section, must include the standard clauses required under RCW 39.19.050.

(14) Beginning January 1, 2023, requests for proposals or qualifications, advertisements, bids, or calls for bids pursuant to this section for the services listed under subsection (12) of this section, are subject to the procurement requirements of chapter 39.10 or 39.80 RCW, as applicable to the method of project delivery.

(15) Beginning January 1, 2023, school districts may use interlocal agreements under chapter 39.34 RCW to procure the services listed under subsection (12) of this section only if the agreements are executed following a competitive, qualification-based procurement process for these services pursuant to chapter 39.10 or 39.80 RCW."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "clarifying school district procurement requirements for service contracts for construction management, value engineering, constructibility review, and building commissioning; and amending RCW 28A.335.190."

Senators Randall and Wellman spoke in favor of adoption of the striking amendment.

Senators Hawkins and Short spoke against adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 931 by Senator Randall to Senate Bill No. 5017.

The motion by Senator Randall carried and striking amendment no. 931 was adopted by voice vote.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed Senate Bill No. 5017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wellman spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5017.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5017 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 20; Absent, 0; Excused, 1.

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

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

Excused: Senator Carlyle

ENGROSSED SENATE BILL NO. 5017, 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.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5004, by Senate Committee on Ways & Means (originally sponsored by Keiser, Warnick, Conway, Das, King, Kuderer, Saldaña and Wilson, C.)

Providing a tax exemption for medical marijuana patients.

The bill was read on Third Reading.

MOTIONS

On motion of Senator Keiser, the rules were suspended and Substitute Senate Bill No. 5004 was returned to second reading for the purposes of amendment.

Senator Keiser moved that the following amendment no. 927 by Senator Keiser be adopted:

On page 1, line 20, after "January 1," strike "2025" and insert "2027"

On page 4, line 15, after "December 1," strike "2024" and insert "2025"

On page 4, line 16, after "January 1," strike "2022" and insert "2023"

Senators Keiser and Wilson, L. spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of amendment no. 927 by Senator Keiser on page 1, line 20 to Substitute Senate Bill No. 5004.

The motion by Senator Keiser carried and amendment no. 927 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5004 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Rivers 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. 5004.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5004 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Cleveland, Conway, Das, Dhingra, Frockt, Gildon, Hasegawa, Hawkins, Holy, Hunt, Keiser, King, Kuderer, Liias, Lovelett, Lovick, Mullet, Muzzall, Nguyen, Nobles, Pedersen, Randall, Rivers, Robinson, Rolfes, Saldaña, Salomon, Sefzik, Sheldon, Short, Stanford, Trudeau, Van De Wege, Wagoner, Warnick, Wellman, Wilson, C., Wilson, J. and Wilson, L.

Voting nay: Senators Braun, Brown, Dozier, Fortunato, Honeyford, McCune, Padden and Schoesler

Excused: Senator Carlyle

ENGROSSED SUBSTITUTE SENATE BILL NO. 5004, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

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

SECOND READING

SENATE BILL NO. 5264, by Senators Wagoner, Brown, Conway, Das, Dhingra, Hasegawa, Honeyford, Kuderer, Lovelett, Pedersen, Rivers, Schoesler, Stanford, Warnick and Wilson, C.

TENTH DAY, JANUARY 19, 2022

2022 REGULAR SESSION

Declaring January as Chinese American history month and encouraging public schools to commemorate the month.

The measure was read the second time.

MOTION

Senator Wagoner moved that the following striking amendment no. 928 by Senator Wagoner be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 43.117 RCW to read as follows:

(1) January of each year will be known as Americans of Chinese descent history month. Each January is designated as a time for people of this state to commemorate the contributions of Americans of Chinese descent to the history and heritage of Washington state and the United States.

(2) Public schools are encouraged to designate time for appropriate activities in commemoration of Americans of Chinese descent history month and the lives, history, achievements, and contributions of Americans of Chinese descent."

On page 1, line 1 of the title, after "to" strike the remainder of the title and insert "recognizing contributions of Americans of Chinese descent; and adding a new section to chapter 43.117 RCW."

Senator Wagoner spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of striking amendment no. 928 by Senator Wagoner to Senate Bill No. 5264.

The motion by Senator Wagoner carried and striking amendment no. 928 was adopted by voice vote.

MOTION

On motion of Senator Wagoner, the rules were suspended,

Engrossed Senate Bill No. 5264 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wagoner, Kuderer, Warnick, Wellman and Muzzall 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. 5264.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5264 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Carlyle

ENGROSSED SENATE BILL NO. 5264, 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 4:35 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, January 20, 2022.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

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2022 REGULAR SESSION

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