NOON SESSION

Senate Chamber, Olympia, Friday, June 26, 2015

The Senate was called to order at 12:00 o’clock p.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Benton, Conway, Hobbs, Mullet, Ranker and Rolfes.

The Sergeant at Arms Color Guard consisting of Greg Vogel and Alex Bolton, presented the Colors. Senator Pearson offered the prayer.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

June 24, 2015

SHB 1157  Prime Sponsor, Committee on Transportation: Modifying the apportionment of quick title service fees collected by appointed subagents. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Benton, Vice Chair; Fain, Vice Chair; Baumgartner, Ericksen; Litzow; Miloscia; Rivers and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Liias, Assistant Ranking Minority Member; Cleveland; Habib and Jayapal.

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

Passed to Committee on Rules for second reading.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

June 25, 2015

MR. PRESIDENT:
The House has passed:
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541
and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6139  by Senators Miloscia and Roach
AN ACT Relating to electronic signatures for initiative and referendum petitions; and amending RCW 29A.04.611 and 29A.72.150.

Referred to Committee on Government Operations & Security.

SB 6140 by Senators Kohl-Welles, Pearson, McAuliffe, Hatfield, Warnick, Hewitt and Roach
AN ACT Relating to the application of the discover pass requirement to motor vehicles used subject to certain agreements; and amending RCW 79A.80.020 and 79A.80.110.

Referred to Committee on Natural Resources & Parks.

SB 6141 by Senators Baumgartner, Billig, Schoesler, Kohl-Welles, Bailey, Parlette, Angel, Pearson, Litzow, Padden, Brown, Erickson, Warnick, Dammeier, Braun, Miloscia, Hewitt, Hobbs, Jayapal, Cleveland, McAuliffe, Froelki, Nelson, Hasegawa, Hargrove, Hatfield, Habib, Keiser, Lias, McCoy, Fraser and Chase
AN ACT Relating to naming a school of medicine at Washington State University after Elson S. Floyd; and amending RCW 28B.30.001.

Referred to Committee on Higher Education.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1067 by House Committee on Judiciary
(originally sponsored by Representatives Jinkins, Holy, Magendanz, Nealey, Goodman, Muri, Gregerson, Cody, Kilduff and Pollet)
AN ACT Relating to the medicare fraud false claims act; and amending RCW 43.131.419 and 43.131.420.

Referred to Committee on Health Care.

SHB 1274 by House Committee on Appropriations
(originally sponsored by Representatives Cody, Jinkins, Johnson, Harris and Tharinger)
AN ACT Relating to implementing a value-based system for nursing home rates; amending RCW 74.46.431, 74.46.501, and 74.42.360; adding new sections to chapter 74.46 RCW; creating a new section; repealing RCW 74.46.431, 74.46.435, 74.46.506, 74.46.508, 74.46.511, 74.46.515, and 74.46.521; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

EHB 2212 by Representatives Cody, Schmick and Fagan
AN ACT Relating to exempting hospitals licensed under chapter 70.41 RCW that receive capital funds to operate new psychiatric services from certain certificate of need requirements; adding a new section to chapter 70.38 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Health Care.

HB 2195 by Representatives Lytton, Walkinshaw, Orwall, Chandler and Fagan
AN ACT Relating to auditor's fees; and amending RCW 36.18.010.

Referred to Committee on Ways & Means.

2EHB 2151 by Representatives Jinkins, Schmick and Bergquist
AN ACT Relating to continuation of the hospital safety net assessment for two additional biennia; amending RCW 74.60.005, 74.60.020, 74.60.030, 74.60.050, 74.60.090, 74.60.100, 74.60.120, 74.60.130, 74.60.150, 74.60.160, and 74.60.901; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

EHB 2217 by Representatives Hunter, Sullivan and Carlyle
AN ACT Relating to the juvenile offender basic training camp program; and amending RCW 13.40.320.

Referred to Committee on Ways & Means.

MOTION
On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6141, an act relating to naming a medical school at Washington State University.

MOTION
MOTION

On motion of Senator Fain, the rules were suspended and Substitute House Bill No. 1274; Second Engrossed House Bill No. 2151; and Senate Bill 6141 were placed on the day’s second reading calendar.

MOTION

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

MOTION

Senator Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION
8686

By Senators Hasegawa, Roach, Fraser, and Kohl-Welles

WHEREAS, In 1990, Herbert Tsuchiya, a retired pharmacist and long-time community activist; Bertha Lung Tsuchiya, his wife; and Sam Mitsui, a World War II veteran of the Counterintelligence Corps under General MacArthur, decided to take community ownership of the issue of hunger by organizing a fund-raising walk to help the Asian Counseling and Referral Service (ACRS) Food Bank provide rice and other culturally familiar foods to the most vulnerable among us, including Asians, Pacific Islanders, and others in need; and

WHEREAS, 25 years ago, Herb and Sam organized the first Walk for Rice at the Chinese Baptist Church in Beacon Hill under the sponsorship of the Blaine Methodist Church, Chinese Baptist Church, and Japanese Baptist Church, in which 45 participants raised $1,800 towards ending hunger in their community; and

WHEREAS, For 25 consecutive years, Sam and Herb have dedicated themselves to the issue of hunger by organizing, walking, and running in Walk for Rice, which in 2014 had over 1,000 participants and raised a record high of $274,538 in donations; and

WHEREAS, Each year at Walk for Rice, the community gathers to honor the legacy Sam, Herb, and Bertha created by coming together to fight hunger in our communities and support the ACRS Food Bank; and

WHEREAS, Through the ongoing efforts of Herb and Sam, Walk for Rice has helped the ACRS Food Bank distribute over 969,801 pounds of food to 5,665 families that visit the food bank over 120,000 times annually; and

WHEREAS, Herb and Sam, with many others, continue to support ACRS, Walk for Rice, and other organizations and projects that enrich and strengthen our community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and celebrate the achievements and impact of Herb Tsuchiya's and Sam Mitsui's many contributions to our community; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Herb Tsuchiya, Sam Mitsui, and the Asian Counseling and Referral Service, for further distribution to the community.

Senator Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8686.

The motion by Senator Hasegawa carried and the resolution was adopted by voice vote.
not know [gesturing to the floor], but his father was Director of Fisheries a number of years ago. It was a great honor to serve with him.”

Senator Fraser announced a meeting of the Senate Democratic Caucus immediately upon going at ease.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

MOTION

At 12:24 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:02 p.m. by President Owen.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1274, by House Committee on Appropriations (originally sponsored by Representatives Cody, Jinkins, Johnson, Harris and Tharinger)

Implementing a value-based system for nursing home rates.

The measure was read the second time.

MOTION

On motion of Senator Parlette, the rules were suspended, Substitute House Bill No. 1274 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1274.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1274 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.


Voting nay: Senators Baumgartner, Dansel, Ericksen, Padden and Rivers

Excused: Senators Benton, Conway, Mullet, Ranker and Rolfs

SECOND ENGROSSED HOUSE BILL NO. 2151, 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

SECOND ENGROSSED HOUSE BILL NO. 2151, by Representatives Jinkins, Schmick and Bergquist

Extending the hospital safety net assessment.

The measure was read the second time.

MOTION

On motion of Senator Becker, the rules were suspended, Second Engrossed House Bill No. 2151 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Frockt spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed House Bill No. 2151.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed House Bill No. 2151 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 5; Absent, 0; Excused, 5.


Voting nay: Senators Baumgartner, Dansel, Ericksen, Padden and Rivers

Excused: Senators Benton, Conway, Mullet, Ranker and Rolfs

SECOND ENGROSSED HOUSE BILL NO. 2151, 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. 6141, by Senators Baumgartner, Billig, Schoesler, Kohl-Welles, Bailey, Parlette, Angel, Pearson, Lizow, Padden, Brown, Ericksen, Warnick, Dammeier, Braun, Miloscia and Hewitt

Naming a medical school at Washington State University after Elson S. Floyd.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Senate Bill No. 6141 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Baumgartner and Billig 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. 6141.

ROLL CALL
SENATE BILL NO. 6141, 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 Pedersen: “Thank you Mr. President. This is really an historic day for our country and I just wanted to rise and acknowledge and thank the United States Supreme Court for a really important decision that will make a difference in lives for hundreds of thousands of Americans and their families and tens of thousands of couples here in Washington State. As probably everyone is aware, the Supreme Court this morning decided that the equal protection and due process clauses of the fourteenth amendment to the U. S. Constitution do not permit states to deny marriage to same sex couples all over this country and require them to recognize the valid marriages of same sex couples from the states that have allowed couples to get married, including our own state. A few things that I wanted to reflect on, number one: It’s eight years ago now that a woman from here in Olympia, Janice Langbehn, traveled with her children and her partner Lisa Pond to Florida to get on a cruise and, as they were waiting to board, Janice’s partner had an aneurysm, in her brain, burst, was rushed to Jackson Memorial Hospital in Miami and Janice and her children were, unfortunately, were not allowed to her partner’s side even though she had a signed durable health care power of attorney, all the documents that she should have had, the hospital told her that they were in an anti-gay state, that they were not going to be allowed to spend those last moments with her. I reflect on that a lot because my husband Eric and our four kids, Erik, Leif, Anders and Trygve are about to embark on our first trip to Disney World here, in a couple of weeks, and the security that comes with knowing that as we travel through Virginia, North Carolina, South Carolina, Georgia and Florida, that we don’t have to check our marriage license at the border but that we know that our family will be respected and given legal effect is a profound gift and one that I celebrate. I celebrate that even more because it is a mere three years since many of us stood here in this chamber and watched an historic debate as Washington’s legislature became the first in the country to undo a state enacted defense of marriage act and then watched as that debate proceeded in the other chamber and then out into the streets and watched the citizens of our state engage in a really historic debate in which, in a way that I can’t tell how affirming it is, they ultimately decided that those civil rights to marry ought to belong equally to everyone in our state. Now, I don’t think that fundamental rights ought to be up for vote and I’m delighted that from this day forward they won’t have to be but I am incredibly proud of the people in this chamber, in this legislature and in this state for helping turn around that conversation and point the way to a day when all couples who love each in our country are able to marry and have protection for their families. Thank you Mr. President.”

PERSONAL PRIVILEGE

Senator Padden: “Well, I too, Mr. President wanted to comment on the decision today, a five to four decision by the Supreme Court, and mention the defense that Chief Justice Roberts had. And it was the first time as I understand it, that he ever read his decision from the bench, highlighting the importance, I guess, of his concern. And, while he agreed that
folks might want to celebrate those that have reached a goal, he said – they can do that – but this was not in the Constitution and he was joined in that dissent. And my personal concern, I remember when we debated this on the floor of the senate. When I was a very new senator, I offered an amendment that would allow judges to exercise their religious freedom whether or not they wanted to perform same sex weddings. The fact of the matter is they don’t really have the freedom to do that now. If they perform weddings, they must perform same sex weddings or they are going to be called up before the Judicial Conduct Commission and that’s been made very clear. So, those at the time that we debated this talk so much about religious freedom I just haven’t seen it there and I worry about it. We’ve seen examples be it the florist in the Tri-Cities or the bakers down in Oregon or the pizza fellow in Indiana, their religious freedom rights have been impinged and have suffered. So, I guess I offer a word of caution, I think there’s a lot of people that still believe that marriage is an institution between one man and one women and I think they should have the right to express that opinion. I am concerned about where we are headed as a society with this decision and I respect my colleagues all from here – especially the two gentlemen that spoke on the other side of this issue – but I did want to express Mr. President my feelings also. Thank you.”

Senator Fain announced a hearing of the Committee on Rules in the Majority Leader’s office immediately upon adjournment of the day’s session.

Senator Fraser announced an invitation to those wearing commemorative ribbons to the bar of the senate for a photograph immediately upon adjournment of the day’s session.

MOTION

At 1:26 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o’clock noon, Saturday, June 27, 2015.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate
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