

FIFTIETH DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Monday, February 27, 2017

The Senate was called to order at 1:00 o'clock p.m. by the President Pro Tempore of the Senate, Senator Sheldon presiding. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miss Lillian Williamson and Mr. Tyler Yim, presented the Colors. Page Miss Joan Fort led the Senate in the Pledge of Allegiance. The prayer was offered by Senator Jan Angel, 26th Legislative District, Port Orchard.

MOTION

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

MOTION

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

MESSAGE FROM STATE OFFICERS

For your information, the following reports have been submitted by various agencies, departments, and taskforces and received by the Office of the Secretary of the Senate:

Department of Social & Health Services – “*WorkFirst Wage Progression and Returns Report: through fourth quarter 2015*” pursuant to 74.08A.411 RCW, report date July, 1, 2016;

Department of Social & Health Services, - “*Continuum of Care Report*” in accordance with Second Engrossed Substitute House Bill No. 2376, report date December 1, 2016;

Department of Social & Health, Services – “*Feasibility Study of Policy Options to Finance Long-Term Services and Supports*” in accordance with Engrossed Substitute Senate Bill No. 6052, report date January 31, 2017;

Department of Transportation – “*Violations of Environmental Permits and Regulations for State Highway Projects*” in accordance with Second Engrossed Substitute Senate Bill No. 5996, report date February 1, 2017;

Department of Transportation – “*Department of Local Governments Determination on Permits*” pursuant to 47.01.485 RCW, report date February 1, 2017;

Department of Transportation – “*Recycled Concrete Usage in Aggregate Materials, 2016 Annual Report*” pursuant to 70.95.805 RCW, report date February 14, 2017;

Department of Transportation – “*Capital Projects and Nickel/TPA Projects Quarterly Reports, 2015-17 Biennium Quarter 6*” in accordance with Second Engrossed Substitute House Bill No. 1299, report date February 15, 2017;

Department of Transportation – “*Fund Transfers Report, October - December 2016*” in accordance with Engrossed Substitute House Bill No. 2524, report date February 15, 2017.

MESSAGE FROM THE GOVERNOR

February 22, 2017

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on February 22, 2017, Governor Inslee approved the following Senate Bill entitled:

Substitute Senate Bill No. 5079
Relating to dental health services in tribal settings.

Sincerely,

/s/Drew Shirk, Executive Director of Legislative Affairs

MOTION

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

INTRODUCTION AND FIRST READING

SB 5855 by Senators Hobbs, Mullet, Takko and Palumbo

AN ACT Relating to adopting retail sale nexus standards to require retail sales tax collection by remote sellers selling into Washington; amending RCW 82.04.066, 82.04.067, 82.04.220, 82.08.050, 82.08.052, 82.12.040, 82.32.762, and 82.32.045; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.32 RCW; adding a new chapter to Title 82 RCW; creating new sections; repealing RCW 82.04.424; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5856 by Senators Hobbs, Mullet, Takko and Palumbo

AN ACT Relating to adopting retail sale nexus standards to require sales tax collection by remote sellers in order to fund safety net programs; amending RCW 82.04.066, 82.04.067, 82.04.220, 82.08.050, 82.08.052, 82.12.040, 82.32.762, and 82.32.045; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.32 RCW; adding a new section to chapter 74.04 RCW; adding a new chapter to Title 82 RCW; creating new sections; repealing RCW 82.04.424; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5857 by Senator Chase

AN ACT Relating to automatic voter registration; amending RCW 29A.08.410, 29A.08.420, and 29A.08.720; adding a new section to chapter 29A.04 RCW; adding new sections to chapter 29A.08 RCW; adding a new section to chapter 29A.84 RCW; creating a new section; making an appropriation; and providing an effective date.

Referred to Committee on State Government.

SB 5858 by Senator Fain

AN ACT Relating to professional certification for teachers and school administrators; amending RCW 28A.410.210, 28A.410.220, 28A.410.250, and 28A.410.270; adding new sections to chapter 28A.410 RCW; and providing an expiration date.

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

MOTION

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

MOTION

At 1:08 p.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of caucuses.

Senator Liias announced a meeting of the Democratic Caucus.

AFTERNOON SESSION

The Senate was called to order at 4:22 p.m. by President Pro Tempore Sheldon.

MOTION

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

SECOND READING

SENATE BILL NO. 5051, by Senators Brown, Warnick, Honeyford, Becker and Schoesler

Concerning nondefault termination provisions in state land leases for agricultural or grazing purposes. Revised for 1st Substitute: Concerning nondefault or early termination provisions in state land leases for agricultural or grazing purposes.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5051 was substituted for Senate Bill No. 5051 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5051 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Chase spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5051.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5051 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5051, 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. 5041, by Senators Baumgartner, Bailey, Conway, Rolfes, Darneille, Zeiger, Chase and Wellman

Concerning consumer protections for military service members on active duty.

The measure was read the second time.

MOTION

On motion of Senator Baumgartner, the rules were suspended, Senate Bill No. 5041 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Baumgartner and Pedersen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5041.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5041 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5041, 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. 5322, by Senators King, Frockt, Miloscia, Conway, Hobbs and Becker

Concerning agreements between dentists and third parties that provide supportive services to dentists.

MOTIONS

FIFTIETH DAY, FEBRUARY 27, 2017

2017 REGULAR SESSION

On motion of Senator King, Substitute Senate Bill No. 5322 was substituted for Senate Bill No. 5322 and the substitute bill was placed on the second reading and read the second time.

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

Senators King, Keiser and Cleveland spoke in favor of passage of the bill.

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

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5322 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE 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.

SECOND READING

SENATE BILL NO. 5046, by Senators Hasegawa, Chase, Darneille and Rolfes

Providing public notices of public health, safety, and welfare in a language other than English.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 5046 was substituted for Senate Bill No. 5046 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 5046 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hasegawa and Schoesler spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5046.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5046 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Honeyford, Hunt, Keiser, King, Kuderer, Lias, McCoy, Miloscia, Mullet, Nelson, O'Ban, Padden, Palumbo,

Pearson, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson and Zeiger

SUBSTITUTE SENATE BILL NO. 5046, 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. 5244, by Senators O'Ban, Hobbs, Takko and Wilson

Concerning the means of communication between a buyer or lessee and an auto dealer during the "bushing" period.

The measure was read the second time.

MOTION

On motion of Senator O'Ban, the rules were suspended, Senate Bill No. 5244 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators O'Ban and Lias spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5244.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5244 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5244, 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. 5161, by Senators Keiser, Wilson and Takko

Modifying theater license provisions.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5161 was substituted for Senate Bill No. 5161 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5161 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Honeyford, Baumgartner and Angel spoke in favor of passage of the bill.

Senators Darneille and Miloscia spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5161.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5161 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 13; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Billig, Braun, Brown, Chase, Cleveland, Conway, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, Keiser, King, Kuderer, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rivers, Rolfes, Rossi, Saldaña, Schoesler, Sheldon, Short, Takko, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Becker, Carlyle, Darneille, Hasegawa, Hunt, Liias, McCoy, Miloscia, O'Ban, Padden, Pearson, Van De Wege and Wellman

SUBSTITUTE SENATE BILL NO. 5161, 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. 5472, by Senator Pearson

Requiring ballot drop boxes in all communities.

MOTIONS

On motion of Senator Pearson, Substitute Senate Bill No. 5472 was substituted for Senate Bill No. 5472 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pearson, the rules were suspended, Substitute Senate Bill No. 5472 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pearson, Hunt and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5472.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5472 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5472, 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. 5077, by Senators Angel, Darneille, Padden, Wilson, Rolfes, Keiser, Mullet, Wellman, Conway and Saldaña

Allowing the department of corrections to provide temporary housing assistance to individuals being released from the Washington corrections center for women. Revised for 1st Substitute: Allowing the department of corrections to provide temporary housing assistance to individuals being released from certain corrections centers for women.

MOTIONS

On motion of Senator Angel, Substitute Senate Bill No. 5077 was substituted for Senate Bill No. 5077 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Angel, the rules were suspended, Substitute Senate Bill No. 5077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5077.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5077 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5077, 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 Liias: "Thank you Mr. President. I am so proud and honored to be welcoming our friend Kevin Van De Wege to the Senate. And Senator Van De Wege is very shy so he doesn't want to stand up and explain that he's got gifts to be distributed to us in appreciation for his first speech last week on the Senate floor. So I just wanted for my part to say that I really enjoyed serving with Senator Van De Wege in the House, where we were roommates and became great friends. I have enjoyed our camping trips and opportunities to see the beautiful parts of Washington state. I also reflect on the fact that when I first met Senator Van De Wege, his kids were knee-high to a grasshopper and today they are in middle school and high school, and it has been amazing to watch them grow up. So I want to welcome Senator Van De Wege to the Senate family and to continue to serve with him and I appreciate the gifts that are being distributed to us. And I hope he will explain to us what they are, but if he

doesn't want to, that is ok, he can be shy. We welcome him nonetheless. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Van De Wege: "Thank you Mr. President. I do have gifts. I have gift bags today because I was convinced to do a bill that wasn't mine on Friday. So I thought I would hand out the gift bags today. They contain soda pop made in Port Angeles from Bedford Soda. When you are thirsty, drink Bedford Soda. They contain soap, which I kind of find interesting, the soap, that I am the third person to have soap in their gift bags. I don't know if that tells something of the way people smell over here or what, but there is soap made in Sequim. And from Port Angeles there is some chocolate. It is great chocolate and then my Legislative Aide Linda Barnfather is a wonderful photographer and there is a postcard in each bag that she took and had made. So, I hope you enjoy your gifts. Thank you."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Sheldon: "Thank you, Senator Van De Wege. It is all about aromatherapy here in the Senate, so I am very excited."

PERSONAL PRIVILEGE

Senator Pearson: "Thank you Mr. President and I do welcome Senator Van De Wege. We served a number of years in the House, and it is a delight serving with him on the Natural Resources & Parks Committee as Ranking Member, and I know Senator Hargrove is a tough act to follow, but at least what I love about Kevin is he is not pressing into me when he is talking on things, and pushing his way. He is much more subtle. But, I am going to enjoy working with him for many years. Thank you."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Sheldon: "Well, Senator Van De Wege, all the way from the Olympic Peninsula, we sure appreciate you being here. Thank you very much."

The Senate rose and recognized new Senator Van De Wege.

SECOND READING

SENATE BILL NO. 5359, by Senators Conway, Zeiger, Bailey, Rolfes, Hobbs and Kuderer

Requiring annual reporting on the implementation of laws to streamline licensing processes for military service members and their spouses.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5359 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Miloscia spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5359.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5359 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5359, 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.

Senator Honeyford, Vice President Pro Tempore, assumed the Chair.

SECOND READING

SENATE BILL NO. 5186, by Senators Padden and Pearson

Concerning the collection of blood samples for forensic testing.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5186 was substituted for Senate Bill No. 5186 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5186 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden, Pedersen, Becker, O'Ban and Liias spoke in favor of passage of the bill.

Senators Hasegawa, Carlyle, Van De Wege and Takko spoke against passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5186.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5186 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 19; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Ericksen, Fain, Fortunato, Frockt, Hawkins, Hobbs, Honeyford, King, Liias, Miloscia, O'Ban, Padden, Pearson, Pedersen, Rivers, Rossi, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Carlyle, Chase, Cleveland, Conway, Darneille, Hasegawa, Hunt, Keiser, Kuderer, McCoy, Mullet, Nelson, Palumbo, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

SUBSTITUTE SENATE BILL NO. 5186, 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. 5263, by Senator Warnick

Concerning the procurement of seeds by state agencies.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 5263 was substituted for Senate Bill No. 5263 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Warnick moved that the following floor amendment no. 11 by Senator Warnick be adopted:

On page 1, beginning on line 19, after "tree seed" strike "and seed of woody species" and insert ", seed of woody species, and seed of aquatic species"

Senator Warnick spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 11 by Senator Warnick on page 1, line 19 to Substitute Senate Bill No. 5263.

The motion by Senator Warnick carried and floor amendment no. 11 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5263 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Warnick and Chase spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5263.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5263 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5263, 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 6:03 p.m. the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 6:05 p.m. by Vice President Pro Tempore Honeyford.

SECOND READING

SENATE BILL NO. 5806, by Senators Cleveland, Rivers, Wilson, Hobbs, Chase and Nelson

Concerning preliminary work to develop a process for planning for a new Interstate 5 bridge spanning the Columbia river.

MOTIONS

On motion of Senator Cleveland, Substitute Senate Bill No. 5806 was substituted for Senate Bill No. 5806 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Cleveland, the rules were suspended, Substitute Senate Bill No. 5806 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Cleveland, Wellman, Hobbs, King and Lias spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5806.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5806 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

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

Voting nay: Senators Baumgartner, Ericksen, Padden and Pearson

SUBSTITUTE SENATE BILL NO. 5806, 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. 5649, by Senators Hawkins and Saldaña

Modifying the eligibility requirements for certain counties to form a regional transportation planning organization.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Senate Bill No. 5649 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hawkins spoke in favor of passage of the bill.

SECOND READING

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5649.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5649 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5649, 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. 5675, by Senators Mullet and Angel

Addressing the minimum operating requirements and the review of plans necessary to be included in the small business retirement marketplace.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5675 was substituted for Senate Bill No. 5675 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. 5675 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5675.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5675 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Senators Chase, Ericksen, Hasegawa, Padden and Short

SUBSTITUTE SENATE BILL NO. 5675, 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.

SENATE BILL NO. 5560, by Senators Brown, Palumbo and Walsh

Creating a special permit for certain wine auctions.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5560 was substituted for Senate Bill No. 5560 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5560 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brown spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5560.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5560 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

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

Voting nay: Senator Pearson

SUBSTITUTE SENATE BILL NO. 5560, 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. 5388, by Senators Zeiger, Sheldon, Kuderer, Padden, Wilson, Conway, Fortunato, Hobbs, Becker, Warnick and Honeyford

Concerning unlawful entry on certain properties. Revised for 1st Substitute: Concerning the removal of unauthorized persons from certain premises.

MOTION

On motion of Senator Zeiger, Substitute Senate Bill No. 5388 was substituted for Senate Bill No. 5388 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Zeiger moved that the following floor amendment no. 23 by Senator Zeiger be adopted:

On page 2, beginning on line 33, after "persons" strike all material through "tenants" on line 34 and insert "are not a tenant

or tenants and have not been a tenant or tenants for the last twelve months"

Senators Zeiger and Pedersen spoke in favor of adoption of the amendment.

The Vice President Pro Tempore declared the question before the Senate to be the adoption of floor amendment no. 23 by Senator Zeiger on page 2, line 33 to Substitute Senate Bill No. 5388.

The motion by Senator Zeiger carried and floor amendment no. 23 was adopted by voice vote.

MOTION

On motion of Senator Zeiger, the rules were suspended, Engrossed Substitute Senate Bill No. 5388 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger, Pedersen and Angel spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5388.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5388 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5388, 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. 5691, by Senators Bailey, Rivers, Becker and Warnick

Modifying or terminating a guardianship when a less restrictive alternative is available to provide for the needs of an incapacitated person.

The measure was read the second time.

MOTION

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 5691 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Cleveland spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5691.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5691 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5691, 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. 5754, by Senators Short and Schoesler

Concerning the management of noxious weeds on state lands.

The measure was read the second time.

MOTION

On motion of Senator Short, the rules were suspended, Senate Bill No. 5754 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Short spoke in favor of passage of the bill.

Senator Hasegawa spoke against passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5754.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5754 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Senators Chase, Hasegawa, Liias, McCoy and Mullet

SENATE BILL NO. 5754, 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.

President Pro Tempore Sheldon resumed the chair.

SECOND READING

SENATE BILL NO. 5228, by Senators Honeyford, Rivers, Fortunato, Becker, Bailey, Ericksen, Warnick and Pearson

Concerning the definition of hydraulic project in relation to the hydraulic project approval permits. Revised for 1st Substitute:

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Establishing the joint legislative task force on hydraulic project approval program jurisdiction.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5228 was substituted for Senate Bill No. 5228 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5228 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Honeyford spoke in favor of passage of the bill.

Senator Van De Wege spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5228.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5228 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Ericksen, Fain, Fortunato, Hawkins, Hobbs, Honeyford, King, Miloscia, Mullet, O'Ban, Padden, Pearson, Rivers, Rossi, Schoesler, Sheldon, Short, Takko, Walsh, Warnick, Wilson and Zeiger

Voting nay: Senators Billig, Carlyle, Chase, Cleveland, Conway, Darneille, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Lias, McCoy, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Van De Wege and Wellman

SUBSTITUTE SENATE BILL NO. 5228, 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. 5734, by Senators Chase, Baumgartner, Miloscia, Saldaña, Keiser, Conway, Hasegawa, McCoy, Braun, Honeyford, Brown, Kuderer, Rivers and Warnick

Bringing Washington state government contracting provisions into compliance with federal law as it relates to small works bonding requirements.

The measure was read the second time.

MOTION

On motion of Senator Chase, the rules were suspended, Senate Bill No. 5734 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Chase and Miloscia spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5734.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5734 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5734, 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. 5655, by Senators Angel and Mullet

Concerning the delivery of insurance notices and documents by electronic means.

MOTIONS

On motion of Senator Angel, Substitute Senate Bill No. 5655 was substituted for Senate Bill No. 5655 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Angel, the rules were suspended, Substitute Senate Bill No. 5655 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5655.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5655 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5655, 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. 5241, by Senators Carlyle, O'Ban, Darneille, Hasegawa and Wellman

Concerning the educational success of youth in foster care. Revised for 1st Substitute: Concerning the educational success of youth who are homeless or in foster care.

MOTIONS

On motion of Senator Carlyle, Substitute Senate Bill No. 5241 was substituted for Senate Bill No. 5241 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Carlyle, the rules were suspended, Substitute Senate Bill No. 5241 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle and Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5241.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5241 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5241, 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. 5338, by Senators Wilson and Takko

Concerning registration enforcement for off-road vehicles and snowmobiles.

MOTION

On motion of Senator Wilson, Substitute Senate Bill No. 5338 was substituted for Senate Bill No. 5338 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Wilson moved that the following floor striking amendment no. 24 by Senator Wilson be adopted:

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 328.** The legislature finds that many residents of Washington enjoy recreational opportunities for off-road vehicle and snowmobile use afforded by the natural beauty of the state and do so in compliance with vehicle titling and registration laws and other laws that govern off-road vehicle and snowmobile use. At the same time, the legislature recognizes that the current law and corresponding enforcement regime may not be robust enough to ensure full compliance with legal registration requirements and a level playing field for all users. It is therefore the intent of the legislature to modify the statutory framework governing penalties for off-road vehicle and snowmobile registration violations and to add requirements to the department of licensing in order to improve registration compliance.

NEW SECTION. Sec. 329. A new section is added to chapter 46.09 RCW under the subchapter heading "uses and violations" to read as follows:

(1) It is a gross misdemeanor, punishable as provided under chapter 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to knowingly fail to apply for a Washington state certificate of title for, or to knowingly fail to register, an off-road vehicle within fifteen days of receiving or refusing a notice issued by the department under section 4 of this act.

(2) Excise taxes owed and fines assessed must be deposited in the manner provided under RCW 46.16A.030(6).

NEW SECTION. Sec. 330. A new section is added to chapter 46.10 RCW under the subchapter heading "uses and violations" to read as follows:

(1) It is a gross misdemeanor, punishable as provided under chapter 9A.20 RCW, for a resident, as identified in RCW 46.16A.140, to knowingly fail to register a snowmobile within fifteen days of receiving or refusing a notice issued by the department under section 4 of this act.

(2) Excise taxes owed and fines assessed must be deposited in the manner provided under RCW 46.16A.030(6).

NEW SECTION. Sec. 331. A new section is added to chapter 46.93 RCW to read as follows:

(1) By the first business day in February of each year, beginning in 2018, motorsports vehicle manufacturers must report to the department of licensing a listing of all motorsports vehicle warranties for off-road vehicles under chapter 46.09 RCW and snowmobiles under chapter 46.10 RCW sold to Washington residents by out-of-state motorsports vehicle dealers in the previous calendar year. The report must be transmitted such that the department receives the listing no later than the first business day in February. Failure to report a complete listing as required under this subsection results in an administrative fine of one hundred dollars for each day after January that the department has not received the report.

(2) The department of licensing shall examine the listing reported in subsection (1) of this section to verify whether the vehicles are properly registered in the state. Beginning in 2018, and to the extent that it has received the listing required under subsection (1) of this section, the department shall notify by certified mail from the United States postal service, with return receipt requested, by the end of February of each year, the purchasers of the warranties of the off-road vehicles and snowmobiles that are not properly registered in the state of the owner's obligations under state law regarding vehicle titling, registration, and use tax payment, as well as of the penalties for failure to comply with the law.

(3) Fines received under this section must be paid into the state treasury and credited to the nonhighway and off-road vehicle activities program account under RCW 46.09.510 and to the snowmobile account under RCW 46.68.350. The state treasurer must apportion the fines between the accounts according to the pro rata share of the number of off-road vehicle and snowmobile registrations in the previous calendar year. The department must provide the state treasurer with the information needed to determine the apportionment.

NEW SECTION. Sec. 332. Section 4 of this act applies to the sales of off-road vehicles and snowmobiles beginning in January 2017.

NEW SECTION. Sec. 333. This act takes effect August 1, 2017."

On page 1, line 2 of the title, after "snowmobiles;" strike the remainder of the title and insert "adding a new section to chapter 46.09 RCW; adding a new section to chapter 46.10 RCW; adding

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a new section to chapter 46.93 RCW; creating new sections; prescribing penalties; and providing an effective date."

The President Pro Tempore declared the question before the Senate to be the adoption of floor striking amendment no. 24 by Senator Wilson to Substitute Senate Bill No. 5338.

The motion by Senator Wilson carried and floor striking amendment no. 24 was adopted by voice vote.

MOTION

On motion of Senator Wilson, the rules were suspended, Engrossed Substitute Senate Bill No. 5338 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson and Liias spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5338.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5338 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5338, 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. 5404, by Senators Rivers, Liias, Zeiger, Wellman, Keiser, Fain, Kuderer and Carlyle

Permitting the possession and application of topical sunscreen products at schools.

MOTIONS

On motion of Senator Rivers, Substitute Senate Bill No. 5404 was substituted for Senate Bill No. 5404 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rivers, the rules were suspended, Substitute Senate Bill No. 5404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Liias, Baumgartner, Darneille, Keiser, Chase and Saldaña spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5404.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5404 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5404, 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 7:38 p.m., on motion of Senator Fain, the Senate adjourned until 9:00 o'clock a.m. Tuesday, February 28, 2017.

TIM SHELDON, President Pro Tempore of the Senate

PABLO G. CAMPOS, Deputy Secretary of the Senate