

SIXTY FIRST DAY, MARCH 10, 2017

2017 REGULAR SESSION

## SIXTY FIRST DAY

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MORNING SESSION

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Senate Chamber, Olympia  
Friday, March 10, 2017

The Senate was called to order at 10:00 o'clock a.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

## MOTION

On motion of Senator Honeyford, 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

March 9, 2017

HB 1064 Prime Sponsor, Representative Morris: Removing expiration dates, obsolete dates, and an outdated statutory reference from the enforcement provisions of the underground utility damage prevention act. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown; Hobbs; Honeyford; Ranker; Short and Wellman.

Referred to Committee on Rules for second reading.

March 9, 2017

SHB 1121 Prime Sponsor, Committee on Environment: Concerning the frequency of Puget Sound action agenda implementation strategy and science work plan updates. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown; Hobbs; Honeyford; Ranker; Short and Wellman.

Referred to Committee on Rules for second reading.

March 9, 2017

HB 1150 Prime Sponsor, Representative DeBolt: Clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass as amended. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown; Hobbs; Honeyford; Ranker; Short and Wellman.

Referred to Committee on Rules for second reading.

March 9, 2017

HB 1162 Prime Sponsor, Representative Kilduff: Concerning requirements for providing notice regarding court review of initial detention decisions under the involuntary treatment act. Reported by Committee on Law & Justice

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Padden, Chair; Pedersen, Ranking Minority Member; Angel; Darneille; Frockt and Wilson.

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

March 9, 2017

SHB 1189 Prime Sponsor, Committee on Health Care & Wellness: Concerning exemptions from the massage therapy law. Reported by Committee on Health Care

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

Referred to Committee on Rules for second reading.

March 9, 2017

HB 1267 Prime Sponsor, Representative DeBolt: Creating the wastewater treatment plant operator certification account. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown; Hobbs; Honeyford; Ranker; Short and Wellman.

Referred to Committee on Rules.

March 9, 2017

HB 1337 Prime Sponsor, Representative Riccelli: Creating the interstate medical licensure compact. Reported by Committee on Health Care

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

Referred to Committee on Rules for second reading.

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ESHB 1431 Prime Sponsor, Committee on Health Care & Wellness: Increasing the number of members on the board of osteopathic medicine and surgery. Reported by Committee on Health Care

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

Referred to Committee on Rules for second reading.

March 9, 2017

SHB 1738 Prime Sponsor, Committee on Environment: Continuing to protect water quality by aligning state brake friction material restrictions with the requirements of a similar nationwide agreement. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Hobbs; Ranker and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brown; Honeyford and Short.

Referred to Committee on Rules for second reading.

March 9, 2017

SHB 1755 Prime Sponsor, Committee on Labor & Workplace Standards: Requiring notice to state fund employers for certain workers' compensation third-party settlements. Reported by Committee on Commerce, Labor & Sports

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Keiser, Ranking Minority Member; Conway; Hasegawa; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

March 9, 2017

ESHB 1796 Prime Sponsor, Committee on Appropriations: Providing reasonable accommodations in the workplace for pregnant women. Reported by Committee on Commerce, Labor & Sports

MAJORITY recommendation: Do pass as amended. Signed by Senators Baumgartner, Chair; Keiser, Ranking Minority Member; Conway; Hasegawa; Saldaña and Wilson.

Referred to Committee on Rules.

March 9, 2017

SHB 1893 Prime Sponsor, Committee on Commerce & Gaming: Concerning the use of credit cards for purchases of spirits and wine by a purchaser licensed to sell spirits and/or wine for consumption on the licensed premises. Reported by Committee on Commerce, Labor & Sports

MAJORITY recommendation: Do pass as amended. Signed by Senators Baumgartner, Chair; Keiser, Ranking Minority Member; Conway; Hasegawa; Saldaña and Wilson.

Referred to Committee on Rules for second reading.

March 9, 2017

SHJM 4008 Prime Sponsor, Committee on Technology & Economic Development: Requesting that the Bonneville Power Administration consider a rate design for the Eastern Intertie that

eliminates or reduces the transmission rate associated with that part of the Eastern Intertie known as the Montana Intertie. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown; Hobbs; Honeyford; Ranker; Short and Wellman.

Referred to Committee on Rules for second reading.

March 9, 2017

SGA 9010 RUSSELL E OLSEN, appointed on May 1, 2013, for the term ending at the governors pleasure, as Director of the Pollution Liability Insurance Program. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Carlyle, Ranking Minority Member; Brown; Hobbs; Honeyford; Ranker; Short and Wellman.

Referred to Committee on Rules for second reading.

#### MOTION

On motion of Honeyford, the recommendations of the Standing Committees were accepted and all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of House Bill No. 1267 and Engrossed Substitute House Bill No. 1796 which had been designated to the Committee on Rules and were referred to the Committee on Ways & Means.

#### MOTION

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

#### MESSAGE FROM STATE OFFICERS

The following reports were submitted to the Office of the Secretary and received by the Senate:

**Department of Ecology** – “*Achieving Attainment with National Ambient Air Quality Standards*” pursuant to 70.94.605 RCW, report date December 1, 2016;

**Health Benefit Exchange** – “*Financial Report for February 2017*” in accordance with Second Engrossed Substitute House Bill No. 2376, report date February 28, 2017;

**Department of Social & Health Services** – “*Racial Disproportionality and Disparity in Washington State, 2016 Report*” pursuant to 74.13.096 RCW, report date December 1, 2016;

**Department of Transportation** – “*Fund Transfers Report (Nickel and TPA Accounts), February 2017*” in accordance with Engrossed Substitute House Bill No. 2524, report date February 17, 2017.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

SB 5866 by Senators Brown, Hobbs, Braun and Mullet

AN ACT Relating to creating a tax court for the state of Washington; amending RCW 2.04.110, 34.05.030, 39.88.060, 79.125.450, 82.01.090, 82.29A.060, 82.32.150, 82.32.160, 82.32.170, 82.32.180, 82.49.060, 84.08.060, 84.08.130, 84.33.091, 84.34.065, 84.36.850, 84.39.020, 84.40.038, 84.48.080, 84.52.018, 84.56.290, 84.69.020, 84.69.030, and 84.69.180; reenacting and amending RCW 34.12.020 and 42.17A.705; adding a new chapter to Title 2 RCW; creating new sections; repealing RCW 82.03.010, 82.03.020, 82.03.030, 82.03.040, 82.03.050, 82.03.060, 82.03.070, 82.03.080, 82.03.090, 82.03.100, 82.03.110, 82.03.120, 82.03.130, 82.03.140, 82.03.150, 82.03.160, 82.03.170, 82.03.180, 82.03.190, and 82.03.200; and providing contingent effective dates.

Referred to Committee on Law & Justice.

SJM 8011 by Senators Baumgartner, King, Padden, Schoesler and Short

Requesting that certain portions of state route number 395 be named the "Samuel Grashio Memorial Highway" and the "Thomas S. 'Tom' Foley Memorial Highway."

Referred to Committee on Transportation.

SJR 8209 by Senators Brown, Hobbs, Braun and Mullet  
Authorizing a tax court.

Referred to Committee on Law & Justice.

HB 1042 by Representatives Springer, Harris, Jinkins, Fitzgibbon, Tharinger and Sawyer

AN ACT Relating to eliminating the office of the insurance commissioner's school district or educational service district annual report; amending RCW 28A.400.275; and repealing RCW 48.02.210 and 48.62.181.

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

HB 1058 by Representative MacEwen

AN ACT Relating to court-ordered restitution; and amending RCW 9.94A.750 and 9.94A.753.

Referred to Committee on Law & Justice.

HB 1148 by Representatives J. Walsh, Chapman, Vick, Blake, Orcutt and Muri

AN ACT Relating to extending the expiration date for reporting requirements on timber purchases; amending RCW 84.33.088; and providing an expiration date.

Referred to Committee on Natural Resources & Parks.

HB 1281 by Representatives Fitzgibbon and Stokesbary

AN ACT Relating to modifying the appointment process for trustees of rural county library districts in counties with one million or more residents; amending RCW 27.12.190; and adding a new section to chapter 27.12 RCW.

Referred to Committee on Local Government.

ESHB 1316 by House Committee on Health Care & Wellness  
(originally sponsored by Representatives Calder,

Cody, Jinkins, Wylie, Bergquist, Harris, Clibborn, Rodne, Griffey and Appleton)

AN ACT Relating to fair dental insurance practices; amending RCW 48.43.520, 48.43.525, and 48.43.740; creating a new section; and providing an expiration date.

Referred to Committee on Health Care.

E2SHB 1375 by House Committee on Appropriations  
(originally sponsored by Representatives Van Werven, Tarleton, Orwall, Griffey, Haler, Holy, McCabe, Young, Dent, Riccelli, Bergquist, Buys, Kraft, Kagi, Ryu, Muri, Goodman, Lovick, Frame and Hargrove)

AN ACT Relating to providing students with the costs of required course materials; adding a new section to chapter 28B.50 RCW; and creating new sections.

Referred to Committee on Higher Education.

SHB 1472 by House Committee on Public Safety (originally sponsored by Representatives Hudgins, Koster, Haler, Griffey, Manweller, Muri and Ormsby)

AN ACT Relating to criminalizing damaging, destroying, tampering, or removing ballot return boxes or contents; amending RCW 9A.48.070, 9A.48.080, and 29A.84.540; and prescribing penalties.

Referred to Committee on Law & Justice.

EHB 1476 by Representatives Peterson, Buys, Van Werven and Short

AN ACT Relating to ensuring the ongoing viability of safe, reliable, on-site sewage systems in marine counties by identifying best management practices with accountability in on-site program management plans without creating or newly authorizing a fee or other program funding source; amending RCW 70.118A.030, 70.118A.070, 70.118A.020, 70.118A.080, 70.118A.050, and 70.118A.060; and creating new sections.

Referred to Committee on Local Government.

E2SHB 1495 by House Committee on Finance (originally sponsored by Representatives Fey, Muri, Sawyer, Sells, Jinkins and Doglio)

AN ACT Relating to incentivizing the development of commercial office space in cities with a population of greater than fifty thousand and located in a county with a population of less than one million five hundred thousand; adding a new section to chapter 82.14 RCW; adding a new chapter to Title 35 RCW; and creating new sections.

Referred to Committee on Local Government.

ESHB 1503 by House Committee on Environment (originally sponsored by Representatives Short, Taylor, Van Werven, Buys, Haler, Kraft and Hargrove)

AN ACT Relating to preventing unfunded mandates involving on-site sewage systems from affecting local governments and property owners; adding a new section to chapter 36.70A RCW; adding a new section to chapter 70.118A RCW; and adding a new section to chapter 70.05 RCW.

Referred to Committee on Local Government.

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EHB 1506 by Representatives Senn, Pellicciotti, Slatter, Macri, Peterson, Chapman, Ortiz-Self, Bergquist, Sawyer, Frame, Gregerson, Farrell, Kilduff, Kagi, Dolan, Clibborn, Pollet, McBride, Stanford, Doglio, Appleton, Robinson, Fitzgibbon, Sells, Goodman, Tharinger, Hudgins, Ormsby, Riccelli, Fey and Pettigrew

AN ACT Relating to workplace practices to achieve gender pay equity; amending RCW 49.12.175; adding a new chapter to Title 49 RCW; recodifying RCW 49.12.175; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce, Labor & Sports.

EHB 1656 by Representatives Dent, Gregerson, Hargrove, Tarleton, Klippert and Clibborn

AN ACT Relating to a community aviation revitalization loan program; reenacting and amending RCW 42.56.270; adding new sections to chapter 47.68 RCW; and creating new sections.

Referred to Committee on Transportation.

HB 1716 by Representatives Hudgins and Manweller

AN ACT Relating to creating the construction registration inspection account as a dedicated account to fund contractor registration and compliance, manufactured and mobile homes, recreational and commercial vehicles, factory built housing and commercial structures, elevators, lifting devices, and moving walks; amending RCW 70.87.210; adding a new section to chapter 18.27 RCW; adding a new section to chapter 43.22 RCW; adding a new section to chapter 51.44 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce, Labor & Sports.

2SHB 1777 by House Committee on Capital Budget (originally sponsored by Representatives Kagi, Johnson, Doglio, Dent, Ryu, MacEwen, Senn, Farrell, Nealey, Ortiz-Self, McBride, Macri, Fey, Slatter and Jinkins)

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

Referred to Committee on Ways & Means.

ESHB 1851 by House Committee on Transportation (originally sponsored by Representatives Dolan, Harris, Hudgins, MacEwen, Kilduff, Haler, Robinson, Bergquist, Fitzgibbon, Doglio, Pollet, Ormsby and Stanford)

AN ACT Relating to protecting taxpayers by providing for accountability and transparency in government contracting; amending RCW 39.26.180, 43.19.008, and 39.26.200; adding a new section to chapter 39.26 RCW; and creating new sections.

Referred to Committee on State Government.

HB 1861 by Representatives Pollet, Haler, Stanford, Tharinger and Santos

AN ACT Relating to the University of Washington's alternative process for awarding contracts; amending RCW 28B.20.744; repealing RCW 43.131.413 and 43.131.414; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

ESHB 1886 by House Committee on Education (originally sponsored by Representatives Harris, Santos and Pollet)

AN ACT Relating to the responsibilities of the office of the superintendent of public instruction and the state board of education; amending RCW 28A.305.130, 28A.657.030, 28A.657.050, 28A.657.050, 28A.657.060, 28A.657.090, 28A.657.100, 28A.657.105, 28A.657.080, 28A.150.550, 28A.657.110, 28A.230.093, 28A.655.061, 28A.655.065, 28A.700.070, 28A.150.220, 28A.150.230, 28A.225.010, 28A.150.250, 28A.230.010, 28B.50.250, 28B.50.535, 28B.50.536, 28A.195.010, 28A.195.030, 28A.195.050, 28A.195.060, 28A.310.020, 28A.630.083, 28A.655.180, 28A.655.180, 28A.300.545, 28A.300.020, 28A.305.021, 28A.525.025, and 28A.210.320; reenacting and amending RCW 28A.230.097; adding a new section to chapter 28A.657 RCW; adding a new section to chapter 28A.150 RCW; adding new sections to chapter 28A.230 RCW; adding new sections to chapter 28A.305 RCW; repealing RCW 28A.305.140, 28A.305.141, 28A.305.142, and 28A.305.190; providing an effective date; and providing expiration dates.

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

EHB 1967 by Representatives Stanford, Ormsby and Pollet

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

Referred to Committee on Commerce, Labor & Sports.

EHB 2008 by Representatives Kagi, Jinkins and Senn

AN ACT Relating to the budgeting process for core state services for children; amending RCW 43.88C.010; adding a new section to chapter 74.13 RCW; adding a new section to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 2066 by Representative Kretz

AN ACT Relating to the creation of regional transportation planning organizations by large counties; and amending RCW 47.80.020.

Referred to Committee on Transportation.

HCR 4402 by Representatives Sells, Haler, Pollet, Senn, Condotta, Stambaugh, Kilduff, Dolan, Bergquist, Stonier, Muri, Tarleton, Gregerson, Ormsby and Ortiz-Self

Approving the 2016 state comprehensive plan for workforce training and education.

Referred to Committee on Higher Education.

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

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SENATE BILL NO. 5023.

MOTION

At 10:03 a.m., on motion of Senator Honeyford, the Senate adjourned until 12:00 o'clock noon Monday, March 13, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate