MORNING SESSION

The Senate was called to order at 9:05 a.m. by the President of the Senate, Lt. Governor Heck presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Sheldon and Short.

The Washington State Patrol Honor Guard presented the Colors.

Mr. Thomas Stimson, student at WSU-Vancouver and Intern to Senator McCune led the Senate in the Pledge of Allegiance.

The prayer was offered by Reverend Jeffery Spencer of Oak Harbor Lutheran Church. Reverend Spencer is a guest of Senator Muzzall.

MOTIONS

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

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

INTRODUCTION AND FIRST READING

SB 5459 by Senators Mullet, and Wilson, L.
AN ACT Relating to creating a business and occupation tax deduction for credit card processing companies; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5460 by Senator Nguyen
AN ACT Relating to implementing recommendations of the autonomous vehicle work group; amending RCW 46.92.010 and 46.37.480; and providing an effective date.

Referred to Committee on Transportation.

HB 1072 by Representatives Lekanoff, Valdez, Wylie, Simmons, Kloba, Gregerson, Santos, Macri and Pollet
AN ACT Relating to removing only one of the restrictions on the use of civil legal aid funds; and amending RCW 2.53.030.

Referred to Committee on Law & Justice.

HB 1119 by Representatives Jacobsen, Simmons, Young, Graham, Pollet, Leavitt, Dolan and Rule
AN ACT Relating to notifying students of courses with low-cost instructional materials and open educational resources at the four-year institutions of higher education; and amending RCW 28B.10.590.

Referred to Committee on Higher Education & Workforce Development.

HB 1198 by Representatives Dent and Orwall
AN ACT Relating to the state commercial aviation coordinating commission; amending 2019 c 396 ss 1-5 (uncodified); providing expiration dates; and declaring an emergency.

Referred to Committee on Transportation.

SHB 1279 by House Committee on Finance (originally sponsored by Rule, Ramel, Bateman, Boehnke, Shewmake, Chapman, Ryu, J. Johnson, Wicks, Senn, Hoff, Walen, Peterson, Hackney, Rude, Callan, Leavitt, Vick and Harris-Talley)
AN ACT Relating to modifying the Washington main street program tax incentive to respond to the economic impacts of the COVID-19 pandemic; amending RCW 82.73.030; adding a new section to chapter 82.73 RCW; creating a new section; repealing 2017 3rd sp.s. c 37 s 1406 (uncodified); and providing an expiration date.

Referred to Committee on Business, Financial Services & Trade.

MOTION

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

Senator Hasegawa announced a meeting of the Democratic Caucus.

Senator Gildon announced a meeting of the Republican Caucus.

MOTION

At 9:11 a.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:17 a.m. by President Heck.

MOTION

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

PERSONAL PRIVILEGE

Senator King: “Thank you Mr. President. Well, as all of your aware last Thursday the Governor announced all the regions except one got to move to Phase 2. Fortunately, we had a commissioner that in Yakima, a new commissioner in Yakima, Amanda McKinney, who said these numbers don't look right. And rather than just saying that, she took it on herself and started to call the departments of the health districts, the other commissioners in the other five counties in the south-central region, and they discovered there was an error by one hospital in Walla Walla. And it was a relatively large number. And is what kept the south-central region from moving to phase 2. They've got that fixed. They've found the error. They reported it to DOH. And I want to thank the Governor and the Governor's office and DOH for their their prompt response to that. I want to thank Commissioner McKinney for her perseverance, so to speak. She
ramrodded that all the way through. And then I publicly want to thank the good Senator Billig. I called him on Saturday, maybe morning I think it was, and asked him for his help to expedite the recalculation of those numbers and and talking to the Governor to see if we couldn't get that region released with everybody else. And not only did he say yes, he said ‘I will do it right away and not only will I call the Governor’s office I will call the Department of Health’. And I think it was like a half hour later he texted me back and said, ‘I’ve done that’. Well, I just want to say thank you. I know that having a bipartisan effort to get to this point is very important and it’s a great deal for our region and our county and all the citizens and all the businesses. So, Senator Billig, thank you very much.”

SECOND READING

ENGROSSED HOUSE BILL NO. 1121, by Representatives Santos, Ybarra, Ortiz-Self, Gregerson, Paul, Stonier, Pollet, Bergquist and Harris-Talley

Concerning the emergency waiver of graduation requirements.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed House Bill No. 1121 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

REMARKS BY THE PRESIDENT

President Heck: “It has been painfully brought to my attention that on more than one occasion my language may have slipped, and I referred to this Chamber incorrectly. I apologize to you in the deepest of sincerity. I also pledge to you that I am creating a fine jar, and every time I refer to the Senate as the House, I’m going to put five bucks in that fine jar. And at the end of session, I will donate it to charity, I will count upon you to remind me when I do that since I do that subconsciously. But you have a part of this deal, if anybody, especially the new House members, ever refers to me as Mr. Speaker, you gotta put five bucks into the fine jar. And let’s hope that we can make a difference in some peoples lives by the end of session because of mistakes you’ve made not mistakes I’ve made.”

MOTION

On motion of Senator Wagoner, Senators Sheldon and Short was excused.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1121.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1121 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

ENGROSSED HOUSE BILL NO. 1121, 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

ENGROSSED HOUSE BILL NO. 1131, by Representatives Rude and Callan

Concerning the emergency waiver of instructional hours and days at private schools.

The measure was read the second time.

MOTION

On motion of Senator Wellman, the rules were suspended, Engrossed House Bill No. 1131 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wellman and Hawkins spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 1131.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1131 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

ENGROSSED HOUSE BILL NO. 1131, 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. 5080, by Senators Carlyle, Frockt, Hunt, Saldana, Wellman, and Wilson, C.

Providing flexibility in the distribution and use of local funds dedicated to facilities used for youth educational programming.

MOTIONS

On motion of Senator Carlyle, Substitute Senate Bill No. 5080 was substituted for Senate Bill No. 5080 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. 5080 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carlyle and Wilson, L. 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. 5080.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5080 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

SUBSTITUTE SENATE BILL NO. 5080, 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. 5106, by Senators Liias, Rivers, and Wilson, C.

Concerning municipal access to local financial services.

The measure was read the second time.

MOTION

On motion of Senator Liias, the rules were suspended, Senate Bill No. 5106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Liias and Dozier spoke in favor of passage of the bill. Senator Schoesler spoke against passage of the bill.

REMARKS BY THE PRESIDENT

President Heck: “The President would like to note on this occasion that it is also Senator Schoesler’s birthday. Happy Birthday, Senator.”

Senator King 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. 5106.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5106 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.


Voting nay: Senators Ericksen, Fortunato, Honeyford, McCune, Schoesler, Warnick and Wilson, J.

Excused: Senators Sheldon and Short

SENATE BILL NO. 5106, 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. 5185, by Senators Pedersen, and Wilson, C.

Concerning capacity to provide informed consent for health care decisions.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5185 was substituted for Senate Bill No. 5185 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Padden moved that the following floor amendment no. 049 by Senator Padden be adopted:

On page 10, after line 27, insert the following:

"Sec. 5. RCW 9.02.100 and 1992 c 1 s 1 are each amended to read as follows:

The sovereign people hereby declare that every individual possesses a fundamental right of privacy with respect to personal reproductive decisions.

Accordingly, it is the public policy of the state of Washington that:

(1) Every individual has the fundamental right to choose or refuse birth control;

(2) Every woman who has reached the age of majority under RCW 26.28.010 has the fundamental right to choose or refuse to have an abortion, except as specifically limited by RCW 9.02.100 through 9.02.170 and 9.02.900 through 9.02.902. For a pregnant minor, informed consent for abortion services may be provided by a person authorized to consent on behalf of the minor under RCW 7.70.065;

(3) Except as specifically permitted by RCW 9.02.100 through 9.02.170 and 9.02.900 through 9.02.902, the state shall not deny or interfere with a woman's fundamental right to choose or refuse to have an abortion; and

(4) The state shall not discriminate against the exercise of these rights in the regulation or provision of benefits, facilities, services, or information."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 3 of the title, after "69.50.317," insert "9.02.100."

Senators Padden, Fortunato, Ericksen, Dozier, Rivers and McCune spoke in favor of adoption of the amendment.

Senators Pedersen, Kuderer, Wilson, C. and Saldaña spoke against adoption of the amendment.
REMARKS BY THE PRESIDENT

President Heck: “Senator McCune, a respectful reminder that members even when participating remotely are required to wear sport jackets. Lest my eyesight failed me I think you need to assume business attire if you would please sir.”

The President declared the question before the Senate to be the adoption of floor amendment no. 049 by Senator Padden on page 10, after line 27 to Substitute Senate Bill No. 5185.

The motion by Senator Padden did not carry and floor amendment no. 049 was not adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Substitute Senate Bill No. 5185 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5185.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5185 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

SUBSTITUTE SENATE BILL NO. 5185, 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. 5177, by Senators Cleveland, Dhingra, Mullet, and Wilson, C.

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

The measure was read the second time.

MOTION

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

Senators Liias and Hawkins 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. 5017.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5017 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

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.

SECOND READING

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 measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5236 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5236.
Eliminating proof of nonmarriage as an element of a sex offense.

The measure was read the second time.

MOTION

On motion of Senator Cleveland, the rules were suspended, Senate Bill No. 5177 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5177.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5177 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

SENATE BILL NO. 5177, 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. 5201, by Senators Van De Wege and Das

Concerning department of natural resources' timber and land sales.

The measure was read the second time.

MOTION

On motion of Senator Van De Wege, the rules were suspended, Senate Bill No. 5201 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege 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. 5201.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5201 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

SENATE BILL NO. 5201, 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. 5312, by Senators Mullet, Lias and Van De Wege

Facilitating transit-oriented development and increasing housing inventory.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5312 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Fortunato 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. 5312.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5312 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.


Voting nay: Senators Ericksen, Randall and Rolphs

Excused: Senators Sheldon and Short

SENATE BILL NO. 5312, 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, L., Randall and Rivers

Concerning fire protection districts and education.

The measure was read the second time.

MOTION

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

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5338 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

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. 5347, by Senators Padden and Pedersen

Concerning member voting methods.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5347 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen 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. 5347.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5347 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.


Excused: Senators Sheldon and Short

SENATE BILL NO. 5347, 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 SENATOR LIIAS

Senator Liias: “Thank you Mr. President, Mr. President, I understand that you’ll be conveying final wishes to our fallen Trooper tomorrow and we send our thoughts with you in that difficult task.”

MOTION

At 11:53 a.m., on motion of Senator Liias, the Senate adjourned until 9:00 o’clock a.m. Wednesday, February 17, 2021.

DENNY HECK, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate
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