

TWENTY THIRD DAY

AFTERNOON SESSION

Senate Chamber, Olympia
Tuesday, February 1, 2022

The Senate was called to order at 12:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Standing Committees were granted special leave to meet during the day's floor session.

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

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

REPORTS OF STANDING COMMITTEES

January 31, 2022

SB 5555 Prime Sponsor, Senator Van De Wege: Concerning public safety telecommunicators. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Honeyford, Ranking Minority Member, Capital; Billig; Braun; Carlyle; Conway; Dhingra; Gildon; Hasegawa; Hunt; Keiser; Mullet; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wellman.

Referred to Committee on Rules for second reading.

January 31, 2022

SB 5604 Prime Sponsor, Senator Keiser: Adding references to contractor licensing laws in workers' compensation, public works, and prevailing wage statutes. Reported by Committee on Labor, Commerce & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; King, Ranking Member; Braun; Rivers; Robinson and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

January 31, 2022

SB 5616 Prime Sponsor, Senator Rolfes: Concerning accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5616 be substituted therefor, and the substitute bill do

pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Honeyford, Ranking Minority Member, Capital; Billig; Braun; Carlyle; Conway; Dhingra; Gildon; Hasegawa; Hunt; Keiser; Mullet; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wellman.

Referred to Committee on Transportation.

January 31, 2022

SB 5702 Prime Sponsor, Senator Trudeau: Requiring coverage for donor breast milk. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5702 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Randall; Rivers; Robinson and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Sefzik.

Referred to Committee on Ways & Means.

January 31, 2022

SB 5704 Prime Sponsor, Senator Randall: Requiring health carriers to reimburse advanced registered nurse practitioners at the same rate as physicians for the same services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5704 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair; Cleveland, Chair; Conway; Holy; Keiser; Randall; Robinson and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Sefzik.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member; Padden and Rivers.

Referred to Committee on Ways & Means.

January 31, 2022

SB 5784 Prime Sponsor, Senator Lovelett: Adding psychologists for mental health only claims to the list of those who can act as an attending provider. Reported by Committee on Labor, Commerce & Tribal Affairs

MAJORITY recommendation: That Substitute Senate Bill No. 5784 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; King, Ranking Member; Robinson and Saldaña.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Braun.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

Referred to Committee on Rules for second reading.

January 31, 2022

SB 5790 Prime Sponsor, Senator Braun: Strengthening critical community support services for individuals with intellectual and developmental disabilities. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Padden; Randall; Rivers; Robinson; Sefzik and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2022

SB 5791 Prime Sponsor, Senator Schoesler: Concerning law enforcement officers' and firefighters' retirement system benefits. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5791 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Honeyford, Ranking Minority Member, Capital; Billig; Braun; Conway; Dhingra; Gildon; Hasegawa; Hunt; Keiser; Mullet; Muzzall; Pedersen; Rivers; Wagoner; Warnick and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Carlyle and Van De Wege.

Referred to Committee on Rules for second reading.

January 31, 2022

SB 5819 Prime Sponsor, Senator Braun: Concerning the developmental disabilities administration's no-paid services caseload. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Padden; Randall; Rivers; Robinson; Sefzik and Van De Wege.

Referred to Committee on Ways & Means.

January 31, 2022

SB 5873 Prime Sponsor, Senator Keiser: Concerning unemployment insurance, family leave, and medical leave premiums. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5873 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Schoesler, Assistant Ranking Member, Capital; Honeyford, Ranking Minority Member, Capital; Billig; Braun; Carlyle; Conway; Dhingra; Gildon; Hunt;

Keiser; Mullet; Muzzall; Pedersen; Rivers; Van De Wege; Wagoner; Warnick and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa.

Referred to Committee on Rules for second reading.

January 31, 2022

SB 5875 Prime Sponsor, Senator Nguyen: Adding employees employed by the department of licensing who are assigned to review, process, approve, and issue driver licenses to the definition of frontline employees under the health emergency labor standards act. Reported by Committee on Labor, Commerce & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair, Labor; Stanford, Vice Chair, Commerce & Tribal Affairs; Robinson and Saldaña.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member; Braun; Rivers and Schoesler.

Referred to Committee on Rules for second reading.

MOTIONS

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

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

INTRODUCTION AND FIRST READING

SB 5968 by Senator Fortunato

AN ACT Relating to requiring the department of fish and wildlife to track the effect of certain specified activities on salmon populations; and adding a new section to chapter 77.04 RCW.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SB 5969 by Senator Mullet

AN ACT Relating to delaying the office of the insurance commissioner from conducting rule making on the use of credit scores in setting insurance premiums until a work group can address ways to reduce insurance costs for Washington residents with below average credit scores; creating new sections; providing expiration dates; and declaring an emergency.

Referred to Committee on Business, Financial Services & Trade.

HB 1105 by Representatives Kloba, Simmons, Fitzgibbon, Dolan, Ortiz-Self, Goodman, Vick, Ormsby, Riccelli, Santos, Macri and Davis

AN ACT Relating to arrest protections for the medical use of cannabis; amending RCW 69.51A.040, 69.51A.055, and 69.51A.060; and repealing RCW 69.51A.043.

Referred to Committee on Law & Justice.

TWENTY THIRD DAY, FEBRUARY 1, 2022

2022 REGULAR SESSION

E2SHB 1117 by House Committee on Appropriations (originally sponsored by Lekanoff, Fitzgibbon, Bateman, Simmons, Ramel, Peterson, Goodman, Ryu, Kloba, Chopp, Pollet, Macri and Davis)

AN ACT Relating to promoting salmon recovery through revisions to the state's comprehensive planning framework; amending RCW 36.70A.030, 36.70A.020, 36.70A.060, and 90.74.020; reenacting and amending RCW 36.70A.070; adding new sections to chapter 36.70A RCW; adding a new section to chapter 90.58 RCW; and creating new sections.

Referred to Committee on Housing & Local Government.

EHB 1165 by Representatives Ryu, Vick, Santos, Hoff and Harris-Talley

AN ACT Relating to the Washington credit union act; and amending RCW 31.12.005, 31.12.402, 31.12.404, 31.12.436, and 31.12.438.

Referred to Committee on Business, Financial Services & Trade.

HB 1183 by Representatives Caldier and Johnson, J.

AN ACT Relating to creating the home sharing support grant program; amending RCW 36.22.179 and 36.22.1791; and adding a new section to chapter 43.185C RCW.

Referred to Committee on Housing & Local Government.

EHB 1453 by Representatives Bergquist, Volz, Valdez, Lekanoff, Shewmake, Sutherland and Riccelli

AN ACT Relating to voters' pamphlets; amending RCW 29A.32.010, 29A.32.020, 29A.32.031, 29A.32.060, 29A.32.070, 29A.32.090, 29A.32.110, 29A.32.121, 29A.32.210, 29A.32.220, 29A.32.230, 29A.32.241, 29A.32.250, 29A.32.260, 29A.32.280, and 29A.72.025; and providing an effective date.

Referred to Committee on State Government & Elections.

SHB 1615 by House Committee on Consumer Protection & Business (originally sponsored by Walen, Ryu, Leavitt, Fitzgibbon, Wicks, Bateman, Simmons, Duerr, Chase, Ramel, Springer, Berg, Goodman, Macri, Peterson, Slatter, Bergquist, Riccelli and Ormsby)

AN ACT Relating to the sale of cosmetics tested on animals; adding a new chapter to Title 69 RCW; providing an effective date; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1622 by Representatives Mosbrucker, Orwall, Duerr, Chase, Graham, Wicks, Johnson, J., Walen, Valdez, Bronoske, Callan, Davis, Goodman, Rule, Simmons, Kloba, Pollet, Maycumber, Jacobsen, Riccelli, Caldier, Chambers and Taylor

AN ACT Relating to increasing the availability of sexual assault nurse examiner education in rural and underserved areas; adding new sections to chapter 28B.30 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SHB 1646 by House Committee on Health Care & Wellness (originally sponsored by Bateman, Harris, Leavitt, Walen, Dolan, Bronoske, Callan, Eslick, Goodman, Macri, Simmons, Tharinger, Kloba, Stonier, Davis, Riccelli and Ormsby)

AN ACT Relating to continuing the work of the dementia action collaborative; adding a new section to chapter 43.20A RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

HB 1651 by Representatives Thai, Macri, Bateman, Ryu, Berry, Ramel, Duerr, Valdez, Callan, Cody, Davis, Simmons, Bergquist, Kloba, Pollet, Frame, Harris-Talley and Taylor

AN ACT Relating to allowing providers to bill separately for immediate postpartum contraception; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health & Long Term Care.

SHB 1675 by House Committee on Health Care & Wellness (originally sponsored by Bateman, Maycumber, Leavitt, Graham, Dolan, Cody, Griffey and Riccelli)

AN ACT Relating to exempting a manufacturer of certain dialysate and dialysis devices used by home dialysis patients or a manufacturer's agent from the pharmacy practices act and legend drug act; and amending RCW 18.64.257 and 69.41.032.

Referred to Committee on Health & Long Term Care.

HB 1700 by Representatives Paul, Griffey, Fitzgibbon, Ryu, Ramel, Leavitt, Wicks, Shewmake, Duerr, Bateman, Bronoske, Peterson, Rule, Simmons and Tharinger

AN ACT Relating to sustainable funding for the derelict vessel removal account using the vessel watercraft excise tax; amending RCW 82.49.030; and creating a new section.

Referred to Committee on Agriculture, Water, Natural Resources & Parks.

SHB 1708 by House Committee on Health Care & Wellness (originally sponsored by Cody, Riccelli, Bateman, Macri, Tharinger and Pollet)

AN ACT Relating to facility fees for audio-only telemedicine; and adding a new section to chapter 70.41 RCW.

Referred to Committee on Health & Long Term Care.

HB 1719 by Representatives Bronoske, Johnson, J., Bateman, Wicks, Callan, Goodman, Paul, Ramel, Ramos, Santos and Simmons

AN ACT Relating to modifying the restrictions on the use and acquisition of military equipment by law enforcement agencies as it pertains to firearms and ammunition but only with respect to removing the restriction on ammunition, narrowing the restriction on firearms to include only rifles of .50 caliber or greater, and clarifying that the restrictions do not apply to shotguns, devices designed or used to deploy less lethal munitions, and less lethal equipment; amending RCW 10.116.040; and declaring an emergency.

Referred to Committee on Law & Justice.

SHB 1725 by House Committee on Public Safety (originally sponsored by Lekanoff, Goodman, Berry, Taylor, Valdez, Bateman, Macri, Peterson, Ramel, Simmons, Orwall, Chopp, Stonier, Harris-Talley and Frame)
AN ACT Relating to the creation of an endangered missing person advisory designation for missing indigenous persons; amending RCW 13.60.010; and creating a new section.

Referred to Committee on Law & Justice.

SHB 1735 by House Committee on Public Safety (originally sponsored by Johnson, J., Rule, Wicks, Bateman, Callan, Goodman, Macri, Orwall, Ramel, Ramos, Santos, Shewmake, Wylie, Simmons and Stonier)
AN ACT Relating to modifying the standard for use of force by peace officers but only with respect to providing that physical force may be used to the extent necessary, clarifying that deadly force may be used in the face of an immediate threat, authorizing the use of physical force to take a person into custody or provide assistance in certain circumstances involving a civil or forensic commitment, authorizing the use of physical force to take a minor into protective custody, authorizing the use of physical force to execute or enforce a court order, defining de-escalation tactics, clarifying when de-escalation tactics and less lethal alternatives must be used by a peace officer, specifying that the standard does not limit or restrict a peace officer's authority or responsibility to perform lifesaving measures or perform community caretaking functions, and specifying that the standard does not prevent a peace officer from responding to requests for assistance or service; amending RCW 10.120.010 and 10.120.020; creating a new section; and declaring an emergency.

Referred to Committee on Law & Justice.

HB 1761 by Representatives Schmick, Bateman, Bronoske, Cody, Dufault, Jacobsen, Macri, Pollet, Donaghy, Graham, Davis and Chambers
AN ACT Relating to allowing nurses to dispense opioid overdose reversal medication in the emergency department; amending RCW 70.41.480; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

HB 1798 by Representatives Ryu, Boehnke and Berry
AN ACT Relating to powers of the legislative committee on economic development and international relations; and amending RCW 43.15.070.

Referred to Committee on Business, Financial Services & Trade.

HB 1874 by Representatives Vick, Dufault, Hoff, Jacobsen, Leavitt, Simmons, Corry, Senn, Peterson, Goodman, Riccelli, Davis, Macri and Young
AN ACT Relating to reducing barriers to professional licensure for individuals with previous arrests or criminal convictions; and amending RCW 18.400.020 and 18.400.030.

Referred to Committee on Business, Financial Services & Trade.

SHB 1961 by House Committee on Civil Rights & Judiciary (originally sponsored by Peterson and Ramel)
AN ACT Relating to the authority of the courts to waive auditor's fees for filing and recording name change orders; amending RCW 4.24.130 and 36.18.010; and providing an effective date.

Referred to Committee on Law & Justice.

HB 1978 by Representatives Duerr and Pollet
AN ACT Relating to shoreline master program review schedules; amending RCW 90.58.080 and 90.58.080; providing an effective date; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

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

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

MOTION

Senator Nguyen moved adoption of the following resolution:

SENATE RESOLUTION 8640

By Senators Nguyen and Cleveland

WHEREAS, On this first day of February in 2022 the people of the great state of Washington unite to celebrate the Lunar New Year, joining to distinguish Asian American joy, cultures, and beautiful diversity; and

WHEREAS, The Lunar New Year begins on the first new moon of the lunisolar calendar; and

WHEREAS, This year is designated as the Year of the Tiger, a zodiac sign characterized by boldness, strength, fearlessness, and courage that this chamber is driven to embark; and

WHEREAS, Washington acknowledges both the wonderful heritage and collective trauma of our Asian American ancestors; and

WHEREAS, We deeply appreciate the Asian American frontline workers who provide direct services to Washington during the pandemic, risking their lives and well-being, and enduring the disproportionate uncertainty; and

WHEREAS, We highlight the solidarity and strength of the Asian American community in the face of violent racism, during the pandemic - well before - and ongoing; and

WHEREAS, The Lunar New Year is a time to embrace reflections and understanding as we look towards renewal; and

WHEREAS, We step into the Year of the Tiger not just as an individual, but as a family united in compassion and community stewardship;

NOW, THEREFORE, BE IT RESOLVED, That the Senate stand with the Asian American community in times of crisis and in times of celebration, we come together now with memories of fond endings and visions for new beginnings in acknowledgment of the Lunar New Year.

Senator Nguyen spoke in favor of adoption of the resolution.

TWENTY THIRD DAY, FEBRUARY 1, 2022

2022 REGULAR SESSION

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8640.

At 12:36 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, February 2, 2022.

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

DENNY HECK, President of the Senate

MOTION

SARAH BANNISTER, Secretary of the Senate

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