

THIRTY EIGHTH DAY

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AFTERNOON SESSION

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Senate Chamber, Olympia  
Wednesday, February 16, 2022

The Senate was called to order at 1:30 p.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

The prayer was offered by Rabbi David Basior, Kadima Reconstructionist Community, Seattle. Rabbi Basior was a guest of Senator Saldaña.

MOTIONS

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

Pursuant to Senate Rule 45 (13), notice was received from the Committee on Health & Long Term Care that the following measures had been re-referred to the Subcommittee on Behavioral Health:

Substitute House Bill No. 1074,  
Substitute House Bill No. 1286,  
and House Bill 1761.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

February 15, 2022

MR. PRESIDENT:  
The House has passed:

HOUSE BILL NO. 1051,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1629,  
SECOND SUBSTITUTE HOUSE BILL NO. 1751,  
SECOND SUBSTITUTE HOUSE BILL NO. 1860,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1921,  
SUBSTITUTE HOUSE BILL NO. 2050,  
SUBSTITUTE HOUSE BILL NO. 2068,  
ENGROSSED HOUSE BILL NO. 2073,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
2075,

and the same are herewith transmitted.

MELISSA PALMER, Deputy Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

ESHB 1048 by House Committee on Civil Rights & Judiciary  
(originally sponsored by Wicks, Thai and Gregerson)

AN ACT Relating to the removal of specific religious references regarding the criminal mistreatment of children and vulnerable adults from a statute; amending RCW 9A.42.005; reenacting and amending RCW 26.44.020 and 26.44.020; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services, Reentry & Rehabilitation.

E2SHB 1162 by House Committee on Education (originally sponsored by Stonier, Harris, Lekanoff, Hackney, Pollet, Dolan and Callan)

AN ACT Relating to creating new graduation credit and pathway options; amending RCW 28A.150.220 and 28A.655.250; and declaring an emergency.

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

E2SHB 1241 by House Committee on Local Government  
(originally sponsored by Duerr, Berg, Ortiz-Self, Bateman, Wicks, Macri, Harris-Talley and Pollet)

AN ACT Relating to planning under the growth management act; and reenacting and amending RCW 36.70A.130.

Referred to Committee on Housing & Local Government.

3SHB 1359 by House Committee on Commerce & Gaming  
(originally sponsored by Stonier, MacEwen, Robertson, Shewmake, Ormsby and Macri)

AN ACT Relating to temporarily reducing liquor license fees; amending RCW 66.24.420, 66.24.590, 66.24.600, 66.24.655, 66.24.690, 66.24.140, and 66.24.146; creating a new section; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Labor, Commerce & Tribal Affairs.

ESHB 1630 by House Committee on Civil Rights & Judiciary  
(originally sponsored by Senn, Berg, Ryu, Berry, Wicks, Bateman, Ramel, Fitzgibbon, Sells, Walen, Valdez, Callan, Cody, Davis, Goodman, Taylor, Macri, Peterson, Ramos, Santos, Slatter, Bergquist, Tharinger, Kloba, Pollet, Harris-Talley, Hackney and Frame)

AN ACT Relating to establishing restrictions on the possession of weapons in certain locations; amending RCW 9.41.280 and 9.41.305; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

E2SHB 1659 by House Committee on Appropriations  
(originally sponsored by Slatter, Sullivan, Leavitt, Ryu,

Morgan, Berry, Ramel, Thai, Wicks, Sells, Johnson, J., Berg, Bateman, Valdez, Chopp, Walen, Fey, Goodman, Gregerson, Taylor, Macri, Simmons, Wylie, Kloba, Pollet, Ormsby, Harris-Talley, Hackney and Frame)

AN ACT Relating to making higher education more affordable and accessible for students by bridging the gap between cost and need to reduce barriers, improve opportunity, and advance economic security; amending RCW 28B.92.030 and 28B.92.205; adding a new section to chapter 28B.92 RCW; creating new sections; and repealing RCW 28B.92.060, 28B.92.070, and 28B.92.110.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1660 by House Committee on Local Government (originally sponsored by Shewmake, Ryu, Fitzgibbon, Ramel, Bateman, Gregerson, Goodman, Macri, Peterson, Simmons, Bergquist, Tharinger, Kloba, Pollet and Ormsby)

AN ACT Relating to accessory dwelling units; amending RCW 36.70A.070, 36.70A.697, and 36.70A.698; adding a new section to chapter 64.38 RCW; adding a new section to chapter 64.90 RCW; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Housing & Local Government.

HB 1666 by Representatives Wylie and Orcutt

AN ACT Relating to clarifying the method for determining the value of specified tangible personal property incorporated as part of certain public infrastructure for the purposes of use tax and business and occupation tax; and amending RCW 82.12.010 and 82.04.450.

Referred to Committee on Ways & Means.

ESHB 1694 by House Committee on Environment & Energy (originally sponsored by Berry, Fitzgibbon, Ramel, Bateman, Duerr, Callan, Macri, Harris-Talley, Hackney and Frame)

AN ACT Relating to logistical processes for the regulation of priority chemicals in consumer products; amending RCW 70A.350.050, 70A.350.030, 70A.350.020, and 70A.350.040; and adding a new section to chapter 70A.350 RCW.

Referred to Committee on Environment, Energy & Technology.

HB 1704 by Representatives Kirby, Vick, Ryu and Dufault

AN ACT Relating to the regulation of service contracts and protection product guarantees; and amending RCW 48.110.050, 48.110.055, 48.110.060, 48.110.070, 48.110.073, 48.110.075, 48.110.110, and 48.110.140.

Referred to Committee on Business, Financial Services & Trade.

SHB 1728 by House Committee on Appropriations (originally sponsored by Maycumber, Cody, Callan, Eslick, Macri, Ramos, Griffey, Riccelli and Leavitt)

AN ACT Relating to reauthorizing and amending dates for the total cost of insulin work group; amending RCW 70.14.160; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long Term Care.

EHB 1744 by Representatives Dolan, Harris, Leavitt, Senn, Ryu, Johnson, J., Chambers, Davis, Macri, Corry, Tharinger, Valdez and Frame

AN ACT Relating to collaborative arrangements between institutions of higher education and nonprofit private entities that provide comprehensive cancer care; amending RCW 42.56.010, 43.09.290, 41.40.010, 41.56.030, 41.80.005, 42.30.020, 39.26.010, 41.06.020, and 42.17A.005; reenacting and amending RCW 42.52.010; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and creating a new section.

Referred to Committee on State Government & Elections.

E2SHB 1812 by House Committee on Appropriations (originally sponsored by Fitzgibbon, Wylie, Berry, Valdez, Pollet and Harris-Talley)

AN ACT Relating to modernizing the energy facility site evaluation council to meet the state's clean energy goals; amending RCW 80.50.010, 80.50.020, 80.50.040, 80.50.060, 80.50.071, 80.50.100, 80.50.175, 80.50.340, and 80.50.075; reenacting and amending RCW 80.50.030, 80.50.090, and 43.79A.040; adding new sections to chapter 80.50 RCW; adding a new section to chapter 41.06 RCW; creating a new section; repealing RCW 80.50.190 and 80.50.904; and providing an effective date.

Referred to Committee on Environment, Energy & Technology.

EHB 1837 by Representatives Bronoske, Ortiz-Self, Berry and Pollet

AN ACT Relating to restoring the state's ability to address work-related musculoskeletal injuries; creating a new section; and repealing RCW 49.17.360 and 49.17.370.

Referred to Committee on Labor, Commerce & Tribal Affairs.

ESHB 1866 by House Committee on Health Care & Wellness (originally sponsored by Chopp, Riccelli, Macri, Bateman, Davis, Fey, Goodman, Leavitt, Ortiz-Self, Peterson, Ramel, Ryu, Santos, Orwall, Wylie, Cody, Simmons, Slatter, Valdez, Wicks, Pollet, Taylor, Stonier, Ormsby, Hackney, Harris-Talley and Frame)

AN ACT Relating to assisting persons receiving community support services through medical assistance programs to receive supportive housing; amending RCW 36.22.176; adding new sections to chapter 74.09 RCW; adding new sections to chapter 43.330 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Health & Long Term Care.

E2SHB 1868 by House Committee on Appropriations (originally sponsored by Riccelli, Volz, Berry, Fitzgibbon, Shewmake, Bateman, Berg, Bronoske, Callan, Cody, Davis, Duerr, Goodman, Gregerson, Johnson, J., Kirby, Macri, Peterson, Ramel, Ramos, Ryu, Santos, Sells, Senn, Sullivan, Simmons, Chopp, Bergquist, Graham, Valdez, Wicks, Dolan, Pollet,

Ortiz-Self, Paul, Stonier, Donaghy, Omsby, Slatter, Hackney, Taylor, Harris-Talley, Kloba and Frame)

AN ACT Relating to improving worker safety and patient care in health care facilities by addressing staffing needs, overtime, meal and rest breaks, and enforcement; amending RCW 70.41.410, 70.41.420, 70.41.425, 49.12.480, 49.28.130, 49.28.140, and 49.28.150; adding a new chapter to Title 49 RCW; creating a new section; recodifying RCW 70.41.410, 70.41.420, 70.41.425, 49.12.480, 49.28.130, 49.28.140, and 49.28.150; repealing 2017 c 249 s 4 (uncodified); prescribing penalties; and providing an effective date.

Referred to Committee on Labor, Commerce & Tribal Affairs.

HB 1928 by Representatives Schmick, Stokesbary, Sutherland, Wicks and Dent

AN ACT Relating to equine industry support; adding a new section to chapter 82.08 RCW; adding a new section to chapter 67.16 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1980 by House Committee on Appropriations (originally sponsored by Taylor, Caldier, Davis, Frame, Leavitt, Lekanoff, Ryu, Santos, Simmons, Ramel, Robertson, Bronoske, Paul, Peterson, Fitzgibbon, Goodman, Wicks, Johnson, J., Valdez, Bateman, Macri and Chopp)

AN ACT Relating to removing the prohibition on providing employment services and community access services concurrently; amending RCW 71A.12.290; and creating new sections.

Referred to Committee on Human Services, Reentry & Rehabilitation.

HB 2058 by Representatives Tharinger, Leavitt, Santos, Shewmake, Harris-Talley, Eslick and Lekanoff

AN ACT Relating to the preservation and protection of facilities owned by the state parks and recreation commission that are listed on the Washington heritage register or the national register of historic places; amending RCW 82.29A.130; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 2064 by House Committee on Housing, Human Services & Veterans (originally sponsored by Peterson, Simmons, Chopp, Lekanoff and Taylor)

AN ACT Relating to security deposits and damages arising out of residential tenancies; reenacting and amending RCW 59.18.030; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Housing & Local Government.

HB 2074 by Representative Wylie

AN ACT Relating to fees collected from out-of-state residents who register off-road vehicles in Washington; and amending RCW 46.09.410 and 46.09.442.

Referred to Committee on Transportation.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Engrossed Substitute House Bill No. 1048 which was designated to the Committee on Law & Justice and referred to the Committee on Human Services, Reentry & Rehabilitation and Engrossed Substitute House Bill No. 1866 which was designated to the Committee on Housing & Local Government and referred to the Committee on Health & Long Term Care.

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

MOTION

Senator Saldaña moved adoption of the following resolution:

SENATE RESOLUTION  
8647

By Senators Saldaña, Lias, Hasegawa, Keiser, Lovick, Nobles, Pedersen, Robinson, Stanford, Wellman, and C. Wilson

WHEREAS, Mrs. Phyllis Little-Epamynondas has demonstrated a sustained commitment over more than 30 years of service toward the realization of health care as a human right for all, including the Black, Latino, and LGBTQAI communities; and

WHEREAS, Mrs. Phyllis started at POCAAN (People of Color Against AIDS Network) as a program manager in 1990 and assumed the role of executive director in 1998 and worked closely with the Washington State Department of Health and the Washington State Department of Corrections to start one of the first HIV medical case management programs focused on the BIPOC (Black, Indigenous, and People of Color) community, which worked to reduce the effects of HIV in communities of color, until her retirement in 2015; and

WHEREAS, Mrs. Phyllis' tenure as executive director at POCAAN was energetically focused on building community responses to the HIV epidemic, and her love for training others increased and expanded the BIPOC provider's response to HIV, ensuring access to a full range of opportunities that have significantly impacted the fight for an HIV free Washington State; and

WHEREAS, Under Mrs. Phyllis' leadership POCAAN's community outreach and engagement expanded programs like Brother-to-Brother, Sistah-to-Sistah, and Entre Hermanos, all of which have become 501(c)(3) organizations working to improve all the lives of Washington State citizens; and

WHEREAS, Mrs. Phyllis cared deeply for the Transgender Community in a time when the community had few allies; she hired a Black Trans Woman, Mrs. Vanessa Grandberry, and helped to form T-Time, a Black Trans program that distributed one of the nation's first newsletters focused on the Black Trans Community; and

WHEREAS, Mrs. Phyllis created and sustained programs during her tenure that supported BIPOC communities across the state, which led to the opening of three new offices in Spokane, Olympia, and Bremerton; and

WHEREAS, Mrs. Phyllis helped expand POCAAN's reach in Tacoma and Yakima, and grew the staff serving these communities to more than 50, many of whom still work in the community toward the eradication of HIV today; and

WHEREAS, Mrs. Phyllis redefined what care services look like in Washington State as an advocate for whole-person care, and expanded POCAAN's HIV services with the understanding

that related issues such as substance abuse, incarceration, homelessness, sexually transmitted diseases, racism, sexism, and homophobia also contribute to community marginalization and health disparities;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate does hereby honor the lifelong commitment of this leader, advocate, trailblazer, and ambassador in the work of HIV Outreach and Education to BIPOC Communities across our state and to further recognize that her passing on November 24, 2021, leaves a deep void in the work to end HIV and other health inequities in Washington State; and

BE IT FURTHER RESOLVED, That the Senate express profound appreciation and enduring gratitude to Mrs. Phyllis, honor her rich legacy for health equity in communities of color, and recognize her influence on improving the lives of those affected by HIV here in Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the

surviving family members of Mrs. Phyllis and to Steven Sawyer, executive director of POCAAN.

Senator Saldaña spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8647.

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

#### MOTION

At 1:40 p.m., on motion of Senator Pedersen, the Senate adjourned until 12:30 p.m. Thursday, February 17, 2022.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

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