

FIFTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia
Friday, March 3, 2017

The Senate was called to order at 10:04 a.m. by the President of the Senate, Lt. Governor Habib presiding. The Secretary called the roll and announced to the President that all Senators were present with the exceptions of Senators Carlyle and Frockt.

The Sergeant at Arms Color Guard consisting of Pages Miss Rose Graff and Miss Annde Hurst, presented the Colors. Page Miss Sophia Kershaw led the Chamber in the Pledge of Allegiance. The prayer was offered by Reverend Mark Tietjen of Rainier Chapel Church, Rainier.

Sergeant Thomas O'Ban, son of Senator Steve O'Ban performed the National Anthem.

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 fifth order of business.

INTRODUCTION AND FIRST READING

SB 5862 by Senator Darneille

AN ACT Relating to removal of public assistance eligibility requirements to support household stability; reenacting and amending RCW 74.04.005; and repealing RCW 74.12.037.

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

SHB 1055 by House Committee on Appropriations (originally sponsored by Representatives Kilduff, Muri, Haler, Shea, Appleton, Klippert, Lovick, Stokesbary, Stanford, Jinkins, Reeves, MacEwen, Koster, Hayes, Barkis, Kloba, Frame, Ormsby, Bergquist, Goodman, Gregerson, Young, Kirby, Fey, Slatter, Sawyer and Tarleton)

AN ACT Relating to pro bono legal services for military service members, veterans, and their families; adding new sections to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SHB 1129 by House Committee on Higher Education (originally sponsored by Representatives Haler and Pollet)

AN ACT Relating to providing associate degree education to enhance education opportunities and public safety; amending RCW 72.09.460 and 72.09.465; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Law & Justice.

2SHB 1169 by House Committee on Appropriations (originally sponsored by Representatives Orwall,

Pollet, Appleton, Goodman, Tarleton, Bergquist, Stanford, Fitzgibbon, Doglio and Wylie)

AN ACT Relating to student opportunity, assistance, and relief for student loans; amending RCW 67.08.100, 4.56.110, 6.01.060, 6.15.010, 6.27.100, 6.27.105, 6.27.140, 6.27.140, and 6.27.150; adding a new chapter to Title 28B RCW; creating new sections; repealing RCW 2.48.165, 18.04.420, 18.08.470, 18.11.270, 18.16.230, 18.20.200, 18.27.360, 18.39.465, 18.43.160, 18.46.055, 18.76.100, 18.85.341, 18.96.190, 18.104.115, 18.106.290, 18.130.125, 18.140.200, 18.145.125, 18.160.085, 18.165.280, 18.170.163, 18.180.050, 18.185.055, and 28A.410.105; providing an effective date; and providing an expiration date.

Referred to Committee on Higher Education.

SHB 1234 by House Committee on Health Care & Wellness (originally sponsored by Representatives Robinson, Lytton, Senn, Frame, Doglio, Tarleton, Hansen, Jinkins, Cody, Ortiz-Self, Riccelli, Stambaugh, Macri, Pollet, Tharinger, Clibborn, Stonier, Caldier, Sells, Gregerson, Wylie, Kilduff, McBride, Goodman, Bergquist, Ormsby, Stanford, Slatter and Kloba)

AN ACT Relating to private health plan coverage of contraceptives; adding a new section to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care.

SHB 1258 by House Committee on Judiciary (originally sponsored by Representatives McCabe, Orwall, Johnson, Cody, Dent, Kirby, Griffey, Van Werven, Caldier, Dye, Gregerson, Wylie, Jinkins, Haler, McBride and Muri)

AN ACT Relating to persons with a disability present at the scene of an accident; adding a new section to chapter 43.70 RCW; adding a new section to chapter 38.52 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SHB 1275 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Wilcox, Chapman, MacEwen, J. Walsh, Orcutt, Buys, Pettigrew, Fitzgibbon, Haler, Condotta and Muri)

AN ACT Relating to including fish passage barrier removal projects that comply with the forest practices rules in the streamlined permit process provided in RCW 77.55.181; and amending RCW 77.55.181.

Referred to Committee on Natural Resources & Parks.

SHB 1298 by House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Manweller, Haler, Sells, Kilduff, Frame, Gregerson, Kagi, Tarleton, Jinkins, Stanford, Appleton, Ormsby, Senn, McBride, Santos, Lovick, Bergquist, Farrell and Young)

AN ACT Relating to prohibiting employers from asking about arrests or convictions before an applicant is determined otherwise qualified for a position; adding a new chapter to Title 49 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce, Labor & Sports.

SHB 1321 by House Committee on Local Government (originally sponsored by Representatives Jenkin, Appleton, Nealey and Gregerson)

AN ACT Relating to authorizing certain public facilities districts to acquire, construct, own, remodel, maintain, equip, reequip, repair, finance, and operate one or more recreational facilities other than a ski area with voter approval; and amending RCW 35.57.020.

Referred to Committee on Local Government.

2SHB 1338 by House Committee on Appropriations (originally sponsored by Representatives Cody, Schmick, Jinkins, Johnson, Robinson and Riccelli)

AN ACT Relating to the Washington state health insurance pool; amending RCW 48.41.100 and 48.41.160; and creating new sections.

Referred to Committee on Health Care.

SHB 1434 by House Committee on State Government, Elections & Information Technology (originally sponsored by Representatives Robinson, Ormsby, Jinkins, Appleton, Senn, Kilduff, Stanford, Slatter, Kagi and Pollet)

AN ACT Relating to adding the use of shared leave for employees who are sick or temporarily disabled because of pregnancy disability or for the purposes of parental leave to bond with the employee's newborn, adoptive, or foster child; amending RCW 41.04.650, 41.04.655, 41.04.660, and 41.04.665; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

SHB 1444 by House Committee on Education (originally sponsored by Representatives Caldier, Santos, Kilduff, Muri, Senn, Appleton, Fey, Pollet and Slatter)

AN ACT Relating to facilitating on-time grade level progression and graduation for certain students; and amending RCW 28A.320.192.

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

SHB 1445 by House Committee on Appropriations (originally sponsored by Representatives Ortiz-Self, Stambaugh, Santos, Orwall, Harris, Caldier, Springer, Appleton, Lytton, Condotta, Fey, Pollet, Goodman, Slatter, Bergquist, Macri, Doglio and Kagi)

AN ACT Relating to dual language in early learning and K-12 education; adding a new section to chapter 28A.630 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; adding new sections to chapter 43.215 RCW; creating new sections; and providing an expiration date.

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

HB 1468 by Representatives Manweller, Fitzgibbon, Griffey, Hudgins, Jinkins, Haler, Riccelli, Kilduff, Pollet and Doglio

AN ACT Relating to extending the time period for voter registration to no later than eleven days before the day of a primary, special election, or general election; amending RCW 29A.08.140, 29A.08.125, 29A.08.410, and 29A.08.620; adding a new section to chapter 29A.08 RCW; repealing RCW 29A.08.420; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on State Government.

SHB 1521 by House Committee on State Government, Elections & Information Technology (originally sponsored by Representatives Dolan, Doglio, Ormsby, Appleton, Bergquist and Pollet)

AN ACT Relating to removing the requirement that an employee must work at least six months before taking vacation leave; amending RCW 43.01.040, 43.01.044, and 43.01.041; providing an effective date; and declaring an emergency.

Referred to Committee on State Government.

SHB 1524 by House Committee on Appropriations (originally sponsored by Representatives Kloba, Klippert, Goodman, Holy, Macri, Peterson, Haler, Doglio, Appleton and Stanford)

AN ACT Relating to increasing success in therapeutic courts; amending RCW 71.24.580; and creating a new section.

Referred to Committee on Law & Justice.

2SHB 1540 by House Committee on Appropriations (originally sponsored by Representatives Santos, Pollet, Appleton, Fitzgibbon, Hudgins, Gregerson, Stanford, Macri, Fey, Pettigrew and Slatter)

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

Referred to Committee on Local Government.

HB 1571 by Representatives Reeves, Muri, Ryu, Kilduff, Sawyer, Steele, Macri, Orwall, Tharinger, Chapman, Stanford, Doglio, Fey, Hudgins, Stonier, Frame, Kloba, Springer, J. Walsh, McBride, Ortiz-Self, Riccelli and Slatter

AN ACT Relating to creating a community care and supportive services program for veterans; adding new sections to chapter 43.60A RCW; creating a new section; and providing an expiration date.

Referred to Committee on State Government.

HB 1606 by Representatives Pike, Tarleton, Orcutt, Stambaugh, Harmsworth, Gregerson and Hargrove

AN ACT Relating to requiring transportation benefit districts to hold public hearings prior to imposing fees or charges by a vote of the governing board; and amending RCW 36.73.065.

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Referred to Committee on Transportation.

HB 1674 by Representatives Ormsby, Sells, Gregerson, Doglio, Frame, Macri, Goodman, Stonier, McBride, Peterson, Cody, Ortiz-Self, Tarleton and Pollet

AN ACT Relating to establishing the prevailing rate of wage based on collective bargaining agreements or other methods if collective bargaining agreements are not available; and amending RCW 39.12.015.

Referred to Committee on Commerce, Labor & Sports.

SHB 1680 by House Committee on Public Safety (originally sponsored by Representatives Goodman, Klippert and Pettigrew)

AN ACT Relating to sentencing elements worksheet; amending RCW 9.94A.480 and 9.94A.585; adding a new section to chapter 9.94A RCW; and creating a new section.

Referred to Committee on Law & Justice.

HB 1709 by Representatives Chandler, Ormsby and Stanford
AN ACT Relating to transferring public employees' retirement system service credit to the public safety employees' retirement system due to differing definitions of full-time; adding a new section to chapter 41.37 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 1732 by Representatives Springer and Bergquist
AN ACT Relating to confidentiality of educator professional growth plans; and amending RCW 42.56.250.

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

HB 1754 by Representatives Klippert and Hayes
AN ACT Relating to sex offender treatment based on the offender's risk to reoffend; and amending RCW 72.09.335.

Referred to Committee on Law & Justice.

HB 1757 by Representatives Hayes and Pellicciotti
AN ACT Relating to transient accommodations contaminated by methamphetamine; and amending RCW 64.44.005, 64.44.010, and 64.44.060.

Referred to Committee on Energy, Environment & Telecommunications.

HB 1790 by Representatives Lovick, Dent, Kagi, Frame and Jinkins

AN ACT Relating to dependency petitions where the department of social and health services is the petitioner; and amending RCW 13.34.040.

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

SHB 1838 by House Committee on Transportation (originally sponsored by Representative Schmick)

AN ACT Relating to the crossing of certain public roadways by wheeled all-terrain vehicles; and amending RCW 46.09.455.

Referred to Committee on Transportation.

HB 1849 by Representatives Sells, Doglio, Pollet, Ormsby, Tharinger and Farrell

AN ACT Relating to compliance with apprenticeship utilization requirements; amending RCW 39.04.310, 39.04.320, 39.04.350, and 39.12.055; and adding a new section to chapter 49.04 RCW.

Referred to Committee on Transportation.

SHB 1988 by House Committee on Judiciary (originally sponsored by Representatives Ortiz-Self, Santos, McBride and Frame)

AN ACT Relating to implementing a vulnerable youth guardianship program; adding a new chapter to Title 13 RCW; and creating a new section.

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

HB 2007 by Representatives Kagi, Appleton, Hudgins, Jinkins, Johnson, Kilduff, Senn, Tarleton, Frame, Stonier, Stambaugh, Lytton, Macri, Robinson, Ormsby, Doglio, Slatter and Pollet

AN ACT Relating to commemorating the centennial of national women's suffrage; adding a new chapter to Title 27 RCW; and providing an expiration date.

Referred to Committee on State Government.

MOTION

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

MOTION

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

MOTION

Senator O'Ban moved adoption of the following resolution:

SENATE RESOLUTION

8627

By Senators O'Ban, Conway, and Hobbs

WHEREAS, Joint Base Lewis-McChord (JBLM) has a legacy of significance to the United States and to the world that brings honor and pride to the entire state of Washington; and

WHEREAS, Camp Lewis, as it was then known, began construction in May of 1917 under the direction of Captain David L. Stone; who, in less than 90 days, created one thousand seven hundred fifty-seven buildings as well as four hundred twenty-two other structures with light and heat, exhibiting the "can do" spirit that inhabits the exploits of JBLM to this day; and

WHEREAS, In 1927, just to the north of Camp Lewis, Pierce County residents established an airfield of the highest quality; in 1939, that airfield was transferred to the United States

Government and would later become McChord Field; and

WHEREAS, On February 1, 2010, Camp Lewis, later known as Fort Lewis, and McChord Field, later known as McChord Air Force Base, consolidated facilities and became Joint Base Lewis-McChord; and

WHEREAS, The first recruits to Camp Lewis became the "Ninety-First Division" or the "Wild West Division," which served in numerous battles in World War I, including the Meuse-Argonne offensive and the Battle of Flanders, and captured more than 2,200 German soldiers; and

WHEREAS, In 1940, McChord Field was the General Headquarters of the Air Force Northwest District; and

WHEREAS, With the outbreak of World War II, Colonel Dwight David Eisenhower, who later became President of the United States, was assigned to Fort Lewis as commander to the 15th Infantry Regiment and while there was promoted and placed in command of the entire pacific coast defense; and

WHEREAS, The first military group to arrive at McChord Field was the 17th Bombardment Group that patrolled the west coast for enemy submarines after the December 7, 1941 attack on Pearl Harbor and destroyed an imperial Japanese submarine near the mouth of the Columbia River on December 24, 1941; and

WHEREAS, Colonel James H. "Jimmy" Doolittle came to McChord and selected ten aircrew members to participate in the courageous 1942 Doolittle Raid on Tokyo, which was the first American strike against the homeland of imperial Japan after the attack on Pearl Harbor; and

WHEREAS, During World War II, Fort Lewis contributed and deployed many divisions that were essential to the war effort, and McChord Field continued to play a strategic, vital, and heroic role until the close of World War II; and

WHEREAS, Both institutions were essential for the war efforts that followed, including the Korean War, the Vietnam War, and the Cold War; and

WHEREAS, In 1972, Fort Lewis was given the task of making up a volunteer Army; for this, the 9th Infantry Division was reactivated and became the first volunteer division in the United States Army; and

WHEREAS, During the Reagan administration, Fort Lewis was selected to be the testing ground for molding the Army into a highly skilled, efficient fighting machine with lighter mobilized units capable of rapid deployment; and

WHEREAS, Fort Lewis and McChord played a strategic role in the First Gulf War; Operation Desert Storm; and, following the September 11, 2001, terror attacks, played a key role in Operation Iraqi Freedom, Operation Enduring Freedom, and to homeland security; and

WHEREAS, In 2004, Task Force Olympia was activated to deploy units into Iraq, including reserves, National Guards, Marines, Australian officers, and several subordinate units including the 3rd Stryker Brigade Combat Team, 2nd Infantry Division and the 1st Brigade Combat Team, 25th Infantry Division; and

WHEREAS, McChord Field, individually and as a part of JBLM, has an honorable and lifesaving record of humanitarian relief; and

WHEREAS, JBLM represents thirty percent of the Pierce

County economy; is its largest employer, and is the second largest employer in the state; and has a 6.1 billion dollar impact on our economy; and

WHEREAS, JBLM is among the largest and most important bases in the United States, and currently supports over one hundred twenty-five thousand military retirees and more than thirty-two thousand family members who live both on and off base and enjoy Washington as their home; and

WHEREAS, The remarkable deeds of the men and women who have served at JBLM are too numerous to recount, and many have never been told due to the full measure of sacrifice given to the cause of freedom; and

WHEREAS, The gratitude the world owes them for their role in securing liberty is beyond measure;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the 100th anniversary of JBLM, which began in 1917 with land gifted for use as a permanent army post to the federal government by the citizens of Pierce County, which would in return give the United States and the world support and protection in our darkest hours so that we might live free.

Senators O'Ban, Conway, Becker, Darneille, Fortunato, Hobbs, Bailey and Hunt spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8627.

The motion by Senator O'Ban carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Colonel Timothy King, Deputy Chief of Staff I Corps, Sergeant Major Kenneth Breeding, Commanders Initiative Group, and Director Alfie Alvarado-Ramos of Washington State Department of Veteran's Affairs, who were seated at the rostrum.

With permission of the Senate, business was suspended to allow Colonel Timothy King to address the Senate.

REMARKS BY COLONEL KING

Colonel King: "Mr. President. Ladies and gentlemen of the Senate. I just want to say on behalf of General Lanza and the Joint Base Lewis McChord, thank you for this great honor and thank you to the people of the great state of Washington for this honor as well and I look forward to another one hundred years of the wonderful relationship that we have. Thank you again."

REMARKS BY THE PRESIDENT

President Habib: "The President will add his words of gratitude to all of those who serve our state, to those at Joint Base Lewis McChord, both service members and all of those who work on the base. It is truly an issue, there are many issues that we debate here that can become partisan, that can become geographically divided, but support for our armed services and for our veterans and their families is absolutely something about that there is unanimity and one hundred percent agreement which is heartfelt. And so the Senate is so pleased to be able to honor Joint Base Lewis McChord centenary through this resolution."

MOTION

At 10:42 a.m., on motion of Senator Fain, the Senate was declared to be at ease for the purpose of caucuses.

Senator Becker announced a meeting of the Majority Coalition Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

The Senate was called to order at 10:58 a.m. by President Habib.

MOTION

On motion of Senator Fain, the Senate reverted to the seventh order of business.

MOTION

Senator Walsh moved that Timothy Burt, Gubernatorial Appointment No. 9171, be confirmed as a member of the Walla Walla Community College Board of Trustees.

Senator Walsh spoke in favor of the motion.

MOTION

On motion of Senator Liias, Senators Carlyle and Frockt were excused.

APPOINTMENT OF Timothy Burt

The President declared the question before the Senate to be the confirmation of Timothy Burt, Gubernatorial Appointment No. 9171, as a member of the Walla Walla Community College Board of Trustees.

The Secretary called the roll on the confirmation of Timothy Burt, Gubernatorial Appointment No. 9171, as a member of the Walla Walla Community College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, 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

Excused: Senators Carlyle and Frockt

Timothy Burt, Gubernatorial Appointment No. 9171, having received the constitutional majority was declared confirmed as a member of the Walla Walla Community College Board of Trustees.

MOTION

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

SECOND READING

SENATE BILL NO. 5826, by Senators Hobbs, Zeiger, O'Ban, Conway, Fain, Keiser, Hunt and Saldaña

Concerning eligibility for veteran or national guard tuition waivers.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5826 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs 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. 5826.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5826 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, 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

Excused: Senators Carlyle and Frockt

SENATE BILL NO. 5826, 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. 5834, by Senator Baumgartner

Concerning the licensing of bonded spirits warehouses.

The measure was read the second time.

MOTION

Senator Baumgartner moved that the following floor striking amendment no. 64 by Senator Baumgartner be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 66.24 RCW to read as follows:

(1) There shall be a license for bonded spirits warehouses that authorizes the storage and handling of bulk or barreled spirits. Under this license a licensee may maintain a warehouse for the storage of bulk or barreled spirits off the premises of a distillery for distillers qualified under RCW 66.24.140, 66.24.145, or 66.24.150, or entities otherwise licensed and permitted in this state, or bulk or barreled spirits transferred in bond from out-of-state distilleries, so long as the storage of the bulk or barreled spirits transferred into the state is for storage only and not for processing or bottling in the bonded spirits warehouse.

(2) The board must adopt similar qualifications for a bonded spirits warehouse license as required for obtaining a distillery license as specified in RCW 66.24.140, 66.24.145, and 66.24.150. A licensee must be a sole proprietor, partnership,

limited liability company, corporation, port authority, city, county, or any other public entity or subdivision of the state that elects to license a bonded spirits warehouse as an agricultural or economic development activity. One or more domestic distilleries or manufacturers may operate as a partnership, corporation, business co-op, cotenant, or agricultural co-op for the purposes of obtaining a bonded spirits warehouse license or storing spirits in the facility under a common management and oversight agreement free of charge or for a fee.

(3) Spirits may be removed from a bonded spirits warehouse for purposes of being:

(a) Exported from the state;

(b) Returned to a distillery or bonded spirits warehouse; or

(c) Transferred to a distillery, bonded spirits warehouse, or bottling or packaging facility.

(4) Warehousing of spirits by any person other than (a) a licensed domestic distillery, (b) a bonded spirits warehouse licensee licensed under the provisions of this section, (c) a licensed Washington spirits distributor, (d) a licensed Washington spirits importer, (e) licensees utilizing warehouses authorized under RCW 66.24.630 or 66.28.340, or (f) a spirits certificate of approval holder is prohibited.

(5) The ownership and operation of a bonded spirits warehouse facility licensed under this section may be by a person or entity other than those described in this subsection acting in a commercial warehouse management position under contract for such licensed persons or entities on their behalf.

(6) A license applicant shall demonstrate the right to have warehoused spirits under a valid federal permit held by a properly licensed licensee who maintains ownership and title to the spirits while they are in storage in the bonded spirits warehouse. The fee for this license is one hundred dollars per annum.

(7) The board must adopt rules requiring a bonded spirits warehouse to be physically secure, zoned for the intended use, and physically separated from any other use.

(8) The operator or licensee operating a bonded spirits warehouse must submit to the board a monthly report of movement of bulk or barreled spirits to and from a bonded spirits warehouse in a form prescribed by the board. The board may adopt other necessary procedures by which bonded spirits warehouses are licensed and regulated.

(9) The board may require a single annual permit valid for a full calendar year issued to each licensee or entity warehousing spirits in a bonded spirits warehouse that must allow for unlimited transfers to and from such warehouse within that year. The fee for this permit is one hundred dollars per annum.

Sec. 2. RCW 66.24.640 and 2012 c 2 s 206 are each amended to read as follows:

Any distiller licensed under this title may act as a retailer and/or distributor to retailers selling for consumption on or off the licensed premises of spirits of its own production, and any manufacturer, importer, or bottler of spirits holding a certificate of approval may act as a distributor of spirits it is entitled to import into the state under such certificate. The board must by rule provide for issuance of certificates of approval to spirits suppliers. An industry member operating as a distributor and/or retailer under this section must comply with the applicable laws and rules relating to distributors and/or retailers, except that an industry member operating as a distributor under this section may maintain a warehouse off the distillery premises for the distribution of bottled spirits of its own production to spirits retailers within the state, if the warehouse is within the United States and has been approved by the board."

On page 1, line 1 of the title, after "warehouses;" strike the remainder of the title and insert "amending RCW 66.24.640; and

adding a new section to chapter 66.24 RCW."

Senator Baumgartner spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of floor striking amendment no. 64 by Senator Baumgartner to Senate Bill No. 5834.

The motion by Senator Baumgartner carried and floor striking amendment no. 64 was adopted by voice vote.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Senate Bill No. 5834 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5834.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5834 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Pearson and Van De Wege

Excused: Senators Carlyle and Frockt

ENGROSSED SENATE BILL NO. 5834, 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. 5087, by Senators Honeyford and Frockt

Concerning the evaluation and prioritization of capital budget projects at the public two-year and four-year institutions of higher education.

The measure was read the second time.

MOTION

On motion of Senator Honeyford, the rules were suspended, Senate Bill No. 5087 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.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5087.

ROLL CALL

The Secretary called the roll on the final passage of Senate

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Bill No. 5087 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, 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

Excused: Senators Carlyle and Frockt

SENATE BILL NO. 5087, 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. 5089, by Senators Honeyford and Frockt

Concerning more efficient use of state facilities through aligning the functions of the department of enterprise services and the office of financial management, collecting additional space use data, and making technical corrections.

The measure was read the second time.

MOTION

On motion of Senator Honeyford, and without objection, further consideration of Senate Bill No. 5089 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5286, by Senators Angel, Hobbs, Fain and Takko

Prohibiting regulation of the amount of rent for commercial properties.

The measure was read the second time.

MOTION

On motion of Senator Angel, the rules were suspended, Senate Bill No. 5286 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

Senators Pedersen and Mullet spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5286.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5286 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 2.

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

Voting nay: Senators Billig, Chase, Cleveland, Conway,

Darneille, Hasegawa, Hunt, Keiser, Kuderer, Lias, McCoy, Mullet, Nelson, Palumbo, Pedersen, Ranker, Rolfes, Saldaña, Takko, Van De Wege and Wellman

Excused: Senators Carlyle and Frockt

SENATE BILL NO. 5286, 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. 5258, by Senators Zeiger, Fain, Mullet, Rolfes, Chase, Kuderer and Hunt

Creating the Washington academic, innovation, and mentoring (AIM) program.

MOTIONS

On motion of Senator Fain, Second Substitute Senate Bill No. 5258 was substituted for Senate Bill No. 5258 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Second Substitute Senate Bill No. 5258 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5258.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5258 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Padden

Excused: Senators Carlyle and Frockt

SECOND SUBSTITUTE SENATE BILL NO. 5258, 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. 5525, by Senators Wilson, Palumbo, Cleveland, Baumgartner, Zeiger, O'Ban, Lias, Frockt, Schoesler, Hobbs, Kuderer, Conway and Bailey

Concerning veterans' mental health services at institutions of higher education.

The measure was read the second time.

MOTION

On motion of Senator Wilson, the rules were suspended,

Senate Bill No. 5525 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Wilson and Palumbo 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. 5525.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5525 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, 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

Excused: Senators Carlyle and Frockt

SENATE BILL NO. 5525, 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. 5577, by Senators Conway and Keiser

Concerning the rights and obligations associated with incapacitated persons and other vulnerable adults.

MOTIONS

On motion of Senator Conway, Second Substitute Senate Bill No. 5577 was substituted for Senate Bill No. 5577 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Second Substitute Senate Bill No. 5577 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5577.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5577 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, 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

Excused: Senators Carlyle and Frockt

SECOND SUBSTITUTE SENATE BILL NO. 5577, 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.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced students and representatives of the St. Joseph's Catholic School, Vancouver who were seated in the gallery.

SECOND READING

SENATE BILL NO. 5581, by Senators Angel and Mullet

Authorizing public hospital districts to participate in self-insurance risk pools with nonprofit hospitals.

The measure was read the second time.

MOTION

On motion of Senator Angel, the rules were suspended, Senate Bill No. 5581 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 declared the question before the Senate to be the final passage of Senate Bill No. 5581.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5581 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, 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

Voting nay: Senator Hasegawa

Excused: Senators Carlyle and Frockt

SENATE BILL NO. 5581, 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. 5235, by Senator Takko

Withdrawing territory from a cemetery district.

MOTIONS

On motion of Senator Takko, Substitute Senate Bill No. 5235 was substituted for Senate Bill No. 5235 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Takko, the rules were suspended, Substitute Senate Bill No. 5235 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 5235.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5235 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Conway, Darneille, Ericksen, Fain, Fortunato, 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

Excused: Senators Carlyle and Frockt

SUBSTITUTE SENATE BILL NO. 5235, 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 11:51 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

Senator McCoy announced a meeting of the Democratic Caucus starting at 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order at 2:36 p.m. by President Habib.

SECOND READING

SENATE BILL NO. 5720, by Senators Hawkins, Hobbs, Takko, Baumgartner, Sheldon, King, Brown and Schoesler

Addressing the payment of production-based compensation wages for the employment and use of labor in agricultural activities and in the production, handling, and storage of farm products.

The measure was read the second time.

MOTION

Senator Hawkins moved that the following floor striking amendment no. 81 by Senator Hawkins be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 3. A new section is added to chapter 49.48 RCW to read as follows:

(1)(a) To encourage and expedite full compensation for break times or rest and recovery periods that occurred prior to the effective date of this section for employees paid on a production basis or piece work basis in connection with work related to the growing, production, handling, or storage of farm products as defined in RCW 7.48.310(4) or in performing agricultural activities as defined in RCW 7.48.310(1), employers may elect to

pursue one of the two following remedies:

(i) The employer may make payments, including interest at the rate of twelve percent per annum from the date the payments were due, to each of its employees for previously uncompensated or undercompensated break times or rest and recovery periods for the prior three years from the effective date of this section; or

(ii) The employer may pay each employee an amount equal to four and thirty-five one-hundredths percent of the employee's gross earnings, including interest at the rate of twelve percent per annum from the date the wages were due to the employee, for work performed on a production basis or piece work basis during the three-year period prior to the effective date of this section, less the amounts previously and separately paid to that employee for break times or rest and recovery periods, if any.

(b) Employers must make reasonable and good faith efforts to locate and pay employees the amounts required under this section, and if after reasonable and good faith efforts, employers are unable to locate any employees entitled to the payments described in (a) of this subsection, employers must pay the amounts due the employees under (a) of this subsection to the department of labor and industries, with the supporting records of the employees entitled to this compensation, which, if paid, shall have the same effect as though the compensation was paid to the employees entitled to that compensation and shall satisfy the remedies under (a) of this subsection as to those employees.

(i) Funds collected under this subsection (1)(b) must be held in a separate trust on behalf of agricultural employees. The department of labor and industries shall act as trustee and administrator of such trust and shall establish a system for tracking, locating, and paying out funds to these employees. The department may contract with a nonprofit entity in Washington state to achieve the purposes of this section.

(ii) If, after January 30, 2021, moneys are still available in the trust established under (b)(i) of this subsection, a committee consisting of the director of the department of labor and industries or the director's designee, the chair and ranking member on the senate and house of representatives committees on agriculture, and a representative from an association representing agricultural workers and a labor union association appointed by the director shall determine how the moneys should be spent on behalf of agriculture employees in the state.

(2) Employers that have paid the compensation as provided in subsection (1) of this section by January 1, 2018, shall not be held liable for any claim or cause of action arising under this chapter or chapter 49.52 RCW, based solely upon the employer's failure to timely pay the employee compensation for break times or rest and recovery periods during the three-year period prior to the effective date of this section.

(3) An employer who makes a reasonable and good faith effort to pay the compensation as provided in subsection (1) of this section, but who solely through good faith error fails to make a payment to one or more employees shall not be held liable for any claim or cause of action arising under this chapter or chapter 49.52 RCW, based solely upon the employer's failure to timely pay the employee compensation for break times or rest and recovery periods during the three-year period prior to the effective date of this section, if the employer, within thirty days of discovery or notice of the error, pays the compensation as described in subsection (1) of this section to the employee.

"NEW SECTION. Sec. 4. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 3 of the title, after "products;" strike the

remainder of the title and insert "adding a new section to chapter 49.48 RCW; and declaring an emergency."

Senators Hawkins, Schoesler and Hobbs spoke in favor of adoption of the striking amendment.

Senator Chase spoke against adoption of the striking amendment.

MOTION

On motion of Senator Saldaña, Senator Ranker was excused.

The President declared the question before the Senate to be the adoption of floor striking amendment no. 81 by Senator Hawkins to Senate Bill No. 5720.

The motion by Senator Hawkins carried and floor striking amendment no. 81 was adopted by voice vote.

MOTION

On motion of Senator Hawkins, the rules were suspended, Engrossed Senate Bill No. 5720 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Chase and Saldaña spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5720.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5720 and the bill passed the Senate by the following vote: Yeas, 28; Nays, 18; Absent, 0; Excused, 3.

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, Chase, Cleveland, Conway, Darneille, Hasegawa, Hunt, Keiser, Kuderer, Liias, McCoy, Nelson, Palumbo, Pedersen, Rolfes, Saldaña, Van De Wege and Wellman

Excused: Senators Carlyle, Frockt and Ranker

ENGROSSED SENATE BILL NO. 5720, 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. 5036, by Senators Takko and Sheldon

Clarifying the authority and procedures for unit priced contracting by public utility districts.

The measure was read the second time.

MOTION

On motion of Senator Takko, the rules were suspended, Senate Bill No. 5036 was advanced to third reading, the second reading

considered the third and the bill was placed on final passage.

Senators Takko and Short 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. 5036.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5036 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Carlyle, Frockt and Ranker

SENATE BILL NO. 5036, 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. 5189, by Senators Warnick, Takko and Angel

Eliminating the collection of anticipated taxes and assessments.

The measure was read the second time.

MOTION

On motion of Senator Warnick, the rules were suspended, Senate Bill No. 5189 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

MOTION

On motion of Senator Saldaña, Senator Takko was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5189.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5189 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Carlyle, Frockt, Ranker and Takko

FIFTY FOURTH DAY, MARCH 3, 2017

2017 REGULAR SESSION

SENATE BILL NO. 5189, 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.

amendment no. 67 by Senators McCoy and Pearson be adopted:

SECOND READING

SENATE BILL NO. 5844, by Senator Braun

Adopting citizen commission 2016 recommendations and making adjustments to the commission's review process.

Strike everything after the enacting clause and insert the following:

"Sec. 5. RCW 42.56.430 and 2008 c 252 s 1 are each amended to read as follows:

The following information relating to fish and wildlife is exempt from disclosure under this chapter:

MOTIONS

On motion of Senator Braun, Substitute Senate Bill No. 5844 was substituted for Senate Bill No. 5844 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Braun, the rules were suspended, Substitute Senate Bill No. 5844 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

(1) Commercial fishing catch data from logbooks required to be provided to the department of fish and wildlife under RCW 77.12.047, when the data identifies specific catch location, timing, or methodology and the release of which would result in unfair competitive disadvantage to the commercial fisher providing the catch data, however, this information may be released to government agencies concerned with the management of fish and wildlife resources;

Senators Braun and Rolfes spoke in favor of passage of the bill.

(2) Sensitive fish and wildlife data. Sensitive fish and wildlife data may be released to the following entities and their agents for fish, wildlife, land management purposes, or scientific research needs: Government agencies, public utilities, and accredited colleges and universities. Sensitive fish and wildlife data may be released to tribal governments. Sensitive fish and wildlife data may also be released to the owner, lessee, or right-of-way or easement holder of the private land to which the data pertains. The release of sensitive fish and wildlife data may be subject to a confidentiality agreement, except upon release of sensitive fish and wildlife data to the owner, lessee, or right-of-way or easement holder of private land who initially provided the data. Sensitive fish and wildlife data does not include data related to reports of predatory wildlife as specified in RCW 77.12.885. Sensitive fish and wildlife data must meet at least one of the following criteria of this subsection as applied by the department of fish and wildlife:

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5844.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5844 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

(a) The nesting sites or specific locations of endangered species designated under RCW 77.12.020, or threatened or sensitive species classified by rule of the department of fish and wildlife;

(b) Radio frequencies used in, or locational data generated by, telemetry studies; or

(c) Other location data that could compromise the viability of a specific fish or wildlife population, and where at least one of the following criteria are met:

Excused: Senators Carlyle, Frockt, Ranker and Takko

SUBSTITUTE SENATE BILL NO. 5844, 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.

(i) The species has a known commercial or black market value;

(ii) There is a history of malicious take of that species and the species behavior or ecology renders it especially vulnerable;

(iii) There is a known demand to visit, take, or disturb the species; or

(iv) The species has an extremely limited distribution and concentration;

SECOND READING

SENATE BILL NO. 5761, by Senators McCoy, Hunt and Hasegawa

Exempting certain confidential fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act.

(3) The personally identifying information of persons who acquire recreational licenses under RCW 77.32.010 or commercial licenses under chapter 77.65 or 77.70 RCW, except name, address of contact used by the department, and type of license, endorsement, or tag; however, the department of fish and wildlife may disclose personally identifying information to:

(a) Government agencies concerned with the management of fish and wildlife resources;

(b) The department of social and health services, child support division, and to the department of licensing in order to implement RCW 77.32.014 and 46.20.291; and

The measure was read the second time.

MOTION

On motion of Senator Pearson, Substitute Senate Bill No. 5761 was not substituted for Senate Bill No. 5761 and the substitute bill was not adopted.

(c) Law enforcement agencies for the purpose of firearm possession enforcement under RCW 9.41.040; ((and))

(4) Information that the department of fish and wildlife has received or accessed but may not disclose due to confidentiality requirements in the Magnuson-Stevens fishery conservation and

MOTION

Senator Pearson moved that the following floor striking

management reauthorization act of 2006 (16 U.S.C. Sec. 1861(h)(3) and (i), and Sec. 1881a(b));

(5) The following tribal fish and shellfish harvest information, shared with the department of fish and wildlife:

(a) Fisher name;

(b) Fisher signature;

(c) Total harvest value per species;

(d) Total harvest value;

(e) Price per pound; and

(f) Tribal tax information; and

(6) The following commercial shellfish harvest information, shared with the department of fish and wildlife:

(a) Individual farmer name;

(b) Individual farmer signature;

(c) Total harvest value per species;

(d) Total harvest value;

(e) Price per pound; and

(f) Tax information."

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "exempting certain fish and shellfish harvest information from disclosure under chapter 42.56 RCW, the public records act; and amending RCW 42.56.430."

Senator Pearson spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor striking amendment no. 67 by Senators McCoy and Pearson to Senate Bill No. 5761.

The motion by Senator Pearson carried and floor striking amendment no. 67 was adopted by voice vote.

MOTION

On motion of Senator McCoy, the rules were suspended, Engrossed Senate Bill No. 5761 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCoy, Pearson and Sheldon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5761.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5761 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Carlyle, Frockt, Ranker and Takko

ENGROSSED SENATE BILL NO. 5761, 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

On motion of Senator Liias, Senator Wellman was excused.

SECOND READING

SENATE BILL NO. 5736, by Senators Brown, Palumbo, Keiser, Rossi, Frockt, Braun, Bailey, Hasegawa and Rolfes

Concerning the expansion of nutrition programs for older adults.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 5736 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Nelson 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. 5736.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5736 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

SENATE BILL NO. 5736, 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. 5343, by Senators Warnick and Takko

Concerning notice sent by and certain release of information affecting registered tow truck operators.

MOTIONS

On motion of Senator Warnick, Substitute Senate Bill No. 5343 was substituted for Senate Bill No. 5343 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5343 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick 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. 5343.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5343 and the bill passed the Senate by the

following vote: Yeas, 43; Nays, 1; Absent, 0; Excused, 5.

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

Voting nay: Senator Hasegawa

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

SUBSTITUTE SENATE BILL NO. 5343, 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. 5652, by Senators Angel and Rolfes

Concerning actions by the boundary review board.

The measure was read the second time.

MOTION

Senator Angel moved that the following floor amendment no. 89 by Senators Angel and Rolfes be adopted:

On page 2, line 20, after "(5)" strike "Direct" and insert "Allow"

On page 4, line 18, after "economic" insert the following: "fiscal."

On page 4, line 21, after "do not" strike "include" and insert "create or result in"

On page 5, line 2, after "character;" strike "((and))" and insert "and"

On page 5, beginning on line 5, after "authority" strike all material through "boundary" on line 7

Senator Angel spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 89 by Senators Angel and Rolfes on page 2, line 20 to Senate Bill No. 5652.

The motion by Senator Angel carried and floor amendment no. 89 was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Angel and without objection, floor amendment no. 49 by Senator Angel on page 4, line 18 to Senate Bill No. 5652 was withdrawn.

MOTION

On motion of Senator Angel, the rules were suspended, Engrossed Senate Bill No. 5652 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Angel spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5652.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5652 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

ENGROSSED SENATE BILL NO. 5652, 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. 5346, by Senators Walsh, Rolfes, Zeiger, Hobbs, Warnick, Pedersen, Nelson, Darneille, Kuderer, Hunt, Keiser, McCoy, Honeyford, Fain, Liias, Cleveland, Sheldon, Conway, Pearson, Frockt, Wilson, Bailey and Hasegawa

Creating a legislative page scholarship program.

MOTIONS

On motion of Senator Walsh, Substitute Senate Bill No. 5346 was substituted for Senate Bill No. 5346 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Walsh, the rules were suspended, Substitute Senate Bill No. 5346 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Walsh and Chase 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. 5346.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5346 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

SUBSTITUTE SENATE BILL NO. 5346, 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. 5431, by Senators Warnick, Takko,

Brown, Hawkins, Lias, Schoesler, Honeyford and Fortunato

Concerning the protection of composting from nuisance lawsuits.

MOTION

On motion of Senator Warnick, Substitute Senate Bill No. 5431 was substituted for Senate Bill No. 5431 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. 87 by Senators McCoy and Warnick be adopted:

On page 2, line 11, strike "and" and insert "or"

On page 2, line 12, strike "nonagricultural and" and insert "nonagricultural or"

Senator Warnick spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of floor amendment no. 87 by Senators McCoy and Warnick on page 2, line 11 to Substitute Senate Bill No. 5431.

The motion by Senator Warnick carried and floor amendment no. 87 was adopted by voice vote.

MOTION

On motion of Senator Warnick, the rules were suspended, Engrossed Substitute Senate Bill No. 5431 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5431.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5431 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 1; Excused, 5.

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

Absent: Senator O'Ban

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

ENGROSSED SUBSTITUTE SENATE BILL NO. 5431, 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. 5674, by Senators Palumbo and Fain

Addressing the final approval of subdivisions of land.

The measure was read the second time.

MOTION

On motion of Senator Palumbo, the rules were suspended, Senate Bill No. 5674 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo and Short 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. 5674.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5674 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

SENATE BILL NO. 5674, 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. 5777, by Senators Brown, Carlyle, Angel, Chase and Saldaña

Improving the business climate in this state by simplifying the administration of municipal general business licenses.

MOTION

On motion of Senator Brown, Substitute Senate Bill No. 5777 was substituted for Senate Bill No. 5777 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Brown moved that the following floor striking amendment no. 93 by Senator Brown be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 6.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Business licensing service," "business licensing system," and "business license" have the same meaning as in RCW 19.02.020.

(2) "City" means a city, town, or code city.

(3) "Department" means the department of revenue.

(4) "General business license" means a license, not including a regulatory license or a temporary license, that a city requires all or most businesses to obtain to conduct business within that city.

(5) "Partner" means the relationship between a city and the

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department under which general business licenses are issued and renewed through the business licensing service in accordance with chapter 19.02 RCW.

(6) "Regulatory business license" means a license, other than a general business license, required for certain types of businesses that a city has determined warrants additional regulation, such as taxicab or other for-hire vehicle operators, adult entertainment businesses, amusement device operators, massage parlors, debt collectors, door-to-door sales persons, trade-show operators, and home-based businesses.

NEW SECTION. Sec. 7. (1) Except as otherwise provided in subsection (7) of this section, a city that requires a general business license of any person that engages in business activities within that city must partner with the department to have such license issued, and renewed if the city requires renewal, through the business licensing service in accordance with chapter 19.02 RCW.

(a) Except as otherwise provided in subsection (3) of this section, the department must phase in the issuance and renewal of general business licenses of cities that required a general business license as of July 1, 2017, and by December 31, 2022, if specific funding for the purposes of this section is appropriated by June 30, 2017, in the omnibus appropriations act.

(b) A city that imposes a general business license requirement and does not partner with the department as of January 1, 2018, may continue to issue and renew its general business licenses until the city partners with the department as provided in subsection (4) of this section.

(2)(a) A city that did not require a general business license as of July 1, 2017, but imposes a new general business license requirement after that date must advise the department in writing of its intent to do so at least ninety days before the requirement takes effect.

(b) If a city subject to (a) of this subsection (2) imposes a new general business license requirement after July 1, 2017, the department, in its sole discretion, may adjust resources to partner with the imposing city as of the date that the new general business licensing requirement takes effect, except as otherwise provided in subsection (7) of this section. If the department cannot reallocate resources, the city may issue and renew its general business license until the department is able to partner with the city.

(3) The department may delay assuming the duties of issuing and renewing general business licenses beyond the dates provided in subsection (1)(a) of this section if:

(a) Insufficient funds are appropriated for this specific purpose;

(b) The department cannot ensure the business licensing system is adequately prepared to handle all general business licenses due to unforeseen circumstances;

(c) The department determines that a delay is necessary to ensure that the transition to mandatory department issuance and renewal of general business licenses is as seamless as possible; or

(d) The city legislative body determines partnering with the department creates an undue hardship because the city lacks the fiscal or technical ability.

(4)(a) In consultation with affected cities and in accordance with the priorities established in subsection (5) of this section, the department must establish a biennial plan for partnering with cities to assume the issuance and renewal of general business licenses as required by this section. The plan must identify the cities that the department will partner with and the dates targeted for the department to assume the duties of issuing and renewing general business licenses.

(b) By January 1, 2018, and January 1st of each even-

numbered year thereafter, the department must submit the partnering plan required in (a) of this subsection (4) to the governor; legislative fiscal committees; house local government committee; senate agriculture, water, trade and economic development committee; senate local government committee; affected cities; association of Washington cities; association of Washington business; national federation of independent business; and Washington retail association.

(c) The department may, in its sole discretion, alter the plan required in (a) of this subsection (4) with a minimum notice of thirty days to affected cities.

(5) When determining the plan to partner with cities for the issuance and renewal of general business licenses as required in subsection (4) of this section, cities that notified the department of their wish to partner with the department before January 1, 2017, must be allowed to partner before other cities.

(6) A city that partners with the department for the issuance and renewal of general business licenses through the business licensing service in accordance with chapter 19.02 RCW may not issue and renew those licenses.

(7) A city may decline to partner with the department for the issuance and renewal of a general business license as provided in subsection (1) of this section if:

(a) The city participates in the online local business license and tax filing portal known as "FileLocal" as of July 1, 2020. For the purposes of this subsection (7)(a), a city is considered to be a FileLocal participant as of the date that a business may access FileLocal for purposes of applying for or renewing that city's general business license and reporting and paying that city's local business and occupation taxes. A city that ceases participation in FileLocal after July 1, 2020, must partner with the department for the issuance and renewal of its general business license as provided in subsection (1) of this section;

(b) The city determines that partnering with the department would cause an undue hardship. A city that declines to partner with the department for the issuance and renewal of its general business license as provided in this subsection must provide written notice to the department within sixty days of the date that a city appears on the department's biennial partnering plan or receives notice that the partnering plan has been amended as provided in subsection (4) of this section. Such written notice must include an explanation of the nature of the hardship. Hardship may include, but is not limited to, lack of fiscal or technical ability to participate in the partnering process as determined by the city legislative body, lack of support from the city legislative authority to become a partner, preference for a local system based on local circumstances or conditions, or other hardships identified by the city; or

(c) The city, after partnering with the department for a minimum of one year, determines that continuing to partner with the department creates an undue hardship. A city that partners with the department for the issuance and renewal of a general business license as provided in subsection (1) of this section may terminate partnering with the department. The city must provide written notice to the department of its reasons for terminating the partnership at least sixty days before termination.

(8) By January 1, 2019, and each January 1st thereafter through January 1, 2028, the department must submit a progress report to the governor; legislative fiscal committees; house local government committee; senate agriculture, water, trade and economic development committee; senate local government committee; association of Washington cities; association of Washington business; national federation of independent business; and Washington retail association. The report required by this subsection must provide information about the progress of

the department's efforts to partner with all cities that impose a general business license requirement and include:

- (a) A list of cities that have partnered with the department as required in subsection (1) of this section;
- (b) A list of cities that have not partnered with the department;
- (c) A list of cities that are scheduled to partner with the department during the upcoming calendar year;
- (d) A list of cities that have declined to partner with the department as provided in subsection (7) of this section;
- (e) An explanation of lessons learned and any process efficiencies incorporated by the department;
- (f) Any recommendations to further simplify the issuance and renewal of general business licenses by the department; and
- (g) Any other information the department considers relevant.

NEW SECTION. Sec. 8. (1) A general business license that must be issued and renewed through the business licensing service in accordance with chapter 19.02 RCW is subject to the provisions of this section.

(2)(a) A city has broad authority to impose a fee structure as provided by RCW 35.22.280, 35.23.440, and 35A.82.020. However, any fee structure selected by a city must be within the department's technical ability to administer. The department has the sole discretion to determine if it can administer a city's fee structure.

(b) If the department is unable to administer a city's fee structure, the city must work with the department to adopt a fee structure that is administrable by the department.

(3) A general business license may not be renewed more frequently than once per year except that the department may require a more frequent renewal date as may be necessary to synchronize the renewal date for the general business license with the business's business license expiration date.

(4) The business licensing system need not accommodate any monetary penalty imposed by a city for failing to obtain or renew a general business license. The penalty imposed in RCW 19.02.085 applies to general business licenses that are not renewed by their expiration date.

(5) The department may refuse to administer any provision of a city business license ordinance that is inconsistent with this chapter.

NEW SECTION. Sec. 9. The department is not authorized to enforce a city's licensing laws except to the extent of issuing or renewing a license in accordance with this chapter and chapter 19.02 RCW or refusing to issue a license due to an incomplete application, nonpayment of the appropriate fees as indicated by the license application or renewal application, or the nonpayment of any applicable penalty for late renewal.

NEW SECTION. Sec. 10. Cities whose general business licenses are issued through the business licensing system retain the authority to set license fees, provide exemptions and thresholds for these licenses, approve or deny license applicants, and take appropriate administrative actions against licensees.

NEW SECTION. Sec. 11. Cities may not require a person to obtain or renew a general business license unless the person engages in business within its respective city. For the purposes of this section, a person may not be considered to be engaging in business within a city unless the person is subject to the taxing jurisdiction of a city under the standards established for interstate commerce under the commerce clause of the United States Constitution.

NEW SECTION. Sec. 12. A general business license change enacted by a city whose general business license is issued through the business licensing system takes effect no sooner than seventy-five days after the department receives notice of the change if the change affects in any way who must obtain a license, who is exempt from obtaining a license, or the amount or method

of determining any fee for the issuance or renewal of a license.

NEW SECTION. Sec. 13. (1)(a) The cities, working through the association of Washington cities, must form a model ordinance development committee made up of a representative sampling of cities that impose a general business license requirement. This committee must work through the association of Washington cities to adopt a model ordinance on general business license requirements by July 1, 2018. The model ordinance and subsequent amendments developed by the committee must be adopted using a process that includes opportunity for substantial input from business stakeholders and other members of the public. Input must be solicited from statewide business associations and from local chambers of commerce and downtown business associations in cities that require a person that conducts business in the city to obtain a general business license.

(b) The department, association of Washington cities, and municipal research and services center must post copies of, or links to, the model ordinance on their internet web sites. Additionally, a city that imposes a general business license requirement must make copies of its general business license ordinance or ordinances available for inspection and copying as provided in chapter 42.56 RCW.

(c) The definitions in the model ordinance may not be amended more frequently than once every four years, except that the model ordinance may be amended at any time to comply with changes in state law or court decisions. Any amendment to a mandatory provision of the model ordinance must be adopted with the same effective date by all cities.

(2) A city that imposes a general business license requirement must adopt the mandatory provisions of the model ordinance by January 1, 2019. The following provisions are mandatory:

(a) A definition of "engaging in business within the city" for purposes of delineating the circumstances under which a general business license is required;

(b) A uniform minimum licensing threshold under which a person would be relieved of the requirement to obtain a city's general business license. A city retains the authority to create a higher threshold for the requirement to obtain a general business license but must not deviate lower than the level required by the model ordinance.

(3)(a) A city may require a person that is under the uniform minimum licensing threshold as provided in subsection (2) of this section to obtain a city registration with no fee due to the city.

(b) A city that requires a city registration as provided in (a) of this subsection must partner with the department to have such registration issued through the business licensing service in accordance with chapter 19.02 RCW. This subsection (3)(b) does not apply to a city that is excluded from the requirement to partner with the department for the issuance and renewal of general business licenses as provided in section 2 of this act.

NEW SECTION. Sec. 14. Cities that impose a general business license must adopt the mandatory provisions of the model ordinance as provided in section 8 of this act by January 1, 2019. A city that has not complied with the requirements of this section by January 1, 2019, may not enforce its general business licensing requirements on any person until the date that the mandatory provisions of the model ordinance take effect within the city.

NEW SECTION. Sec. 15. Cities must coordinate with the association of Washington cities to submit a report to the governor; legislative fiscal committees; house local government committee; and the senate agriculture, water, trade and economic development committee by January 1, 2019. The report must:

(1) Provide information about the model ordinance adopted by the cities as required in section 8 of this act;

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(2) Identify cities that have and have not adopted the mandatory provisions of the model ordinance; and

(3) Incorporate comments from statewide business organizations concerning the process and substance of the model ordinance. Statewide business organizations must be allowed thirty days to submit comments for inclusion in the report.

NEW SECTION. Sec. 16. (1) The legislature directs cities, towns, and identified business organizations to partner in recommending changes to simplify the two factor apportionment formula provided in RCW 35.102.130.

(2)(a) The local business and occupation tax apportionment task force is established. The task force must consist of the following seven representatives:

(i) Three voting representatives selected by the association of Washington cities that are tax managers representing municipalities that impose a local business and occupation tax, including at least one jurisdiction that has performed an audit where apportionment errors were discovered.

(ii) Three voting representatives selected by the association of Washington business, including at least one tax practitioner or legal counsel with experience representing business clients during municipal audits that involved apportionment errors or disputes.

(iii) One nonvoting representative from the department of revenue.

(b) The task force may seek input or collaborate with other parties, as it deems necessary. The department of revenue must serve as the task force chair and must staff the task force.

(c) Beginning in the first month following the effective date of this section, the task force must meet no less frequently than once per month until it reports to the legislature as provided under subsection (3) of this section.

(3) By October 31, 2018, the task force established in subsection (2) of this section must prepare a report to the legislature to recommend changes to RCW 35.102.130 and related sections, as needed, to develop a method for assigning gross receipts to a local jurisdiction using a market-based model. The task force must focus on methods that rely on information typically available in commercial transaction receipts and captured by common business recordkeeping systems.

(4) The task force terminates January 1, 2019, unless legislation is enacted to extend such termination date.

NEW SECTION. Sec. 17. Sections 1 through 10 of this act constitute a new chapter in Title 35 RCW."

On page 1, line 3 of the title, after "licenses;" strike the remainder of the title and insert "adding a new chapter to Title 35 RCW; and creating a new section."

The President declared the question before the Senate to be the adoption of floor striking amendment no. 93 by Senator Brown to Substitute Senate Bill No. 5777.

The motion by Senator Brown carried and floor striking amendment no. 93 was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Engrossed Substitute Senate Bill No. 5777 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 President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5777.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5777 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

ENGROSSED SUBSTITUTE SENATE BILL NO. 5777, 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. 5618, by Senators Darneille and Keiser

Concerning arrest of sixteen and seventeen year olds for domestic violence assault.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5618 was substituted for Senate Bill No. 5618 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5618 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille, O'Ban and Padden 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. 5618.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5618 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

SUBSTITUTE SENATE BILL NO. 5618, 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. 5097, by Senators Braun and Takko

Clarifying procedures for appointment to the Chehalis board created by chapter 194, Laws of 2016.

The measure was read the second time.

MOTION

Senator Braun moved that the following floor striking amendment no. 80 by Senators Braun and Takko be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 18.** RCW 43.21A.731 and 2016 c 194 s 2 are each amended to read as follows:

(1) The Chehalis board is created consisting of seven voting members.

(2)(a) Four members of the board must be voting members who are appointed ((by)) through the governor(, subject to confirmation by the senate. One member must represent the Chehalis Indian tribe and one member must represent the Quinalt Indian nation)). The governor shall invite the Confederated Tribes of the Chehalis Reservation and the Quinalt Indian Nation to each designate a voting member of the board. In addition, the governor shall appoint two members of the board, subject to confirmation by the senate. Three board members must be selected by the Chehalis basin flood authority. No member may have a direct financial ((or regulatory)) interest in the ((work)) actions of the board. The governor shall appoint one of the flood authority appointees as the chair. The voting members of the board must be appointed for terms of four years, except that ((two members)) one member appointed by the governor and one member appointed by the flood authority initially must be appointed for terms of two years, and ((three members)) one member appointed by the governor and two members appointed by the flood authority must initially be appointed for terms of three years. In making the appointments, ((the governor)) each appointing authority shall seek a board membership that collectively provides the expertise necessary to provide strong oversight for implementation of the Chehalis basin strategy, that provides extensive knowledge of local government processes and functions, and that has an understanding of issues relevant to reducing flood damages and restoring aquatic species.

(b) In addition to the seven voting members of the board, the following five state officials must serve as ex officio nonvoting members of the board: The director of the department of fish and wildlife, the executive director of the Washington state conservation commission, the secretary of the department of transportation, the director of the department of ecology, and the commissioner of public lands. The state officials serving in an ex officio capacity may designate a representative of their respective agencies to serve on the board in their behalf. These designations must be made in writing and in such a manner as is specified by the board.

(3) Staff support to the board must be provided by the department. For administrative purposes, the board is located within the department.

(4) Members of the board who do not represent state agencies must be compensated as provided by RCW 43.03.250. Members of the board shall be reimbursed for travel expenses as provided by RCW 43.03.050 and 43.03.060.

(5) The board is responsible for oversight of a long-term strategy resulting from the department's programmatic environmental impact statement for the Chehalis river basin to

reduce flood damages and restore aquatic species habitat.

(6) The board is responsible for overseeing the implementation of the strategy and developing biennial and supplemental budget recommendations to the governor.

NEW SECTION. **Sec. 19.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 2 of the title, after "Laws of 2016;" strike the remainder of the title and insert "amending RCW 43.21A.731; and declaring an emergency."

The President declared the question before the Senate to be the adoption of floor striking amendment no. 80 by Senators Braun and Takko to Senate Bill No. 5097.

The motion by Senator Braun carried and floor striking amendment no. 80 was adopted by voice vote.

MOTION

On motion of Senator Braun, the rules were suspended, Engrossed Senate Bill No. 5097 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5097.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5097 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Carlyle, Frockt, Ranker, Takko and Wellman

ENGROSSED SENATE BILL NO. 5097, 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 3:56 p.m., on motion of Senator Fain, the Senate adjourned until 11:00 o'clock a.m. Monday, March 6, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

| | | |
|---------|-----------------------------------|--------------------------------------|
| 1055-S | Introduction & 1st Reading..... 1 | Introduction & 1st Reading..... 3 |
| 1129-S | Introduction & 1st Reading..... 1 | 1790 |
| 1169-S2 | Introduction & 1st Reading..... 1 | Introduction & 1st Reading..... 3 |
| 1234-S | Introduction & 1st Reading..... 1 | 1838-S |
| 1258-S | Introduction & 1st Reading..... 1 | Introduction & 1st Reading..... 3 |
| 1275-S | Introduction & 1st Reading..... 1 | 1849 |
| 1298-S | Introduction & 1st Reading..... 1 | Introduction & 1st Reading..... 3 |
| 1321-S | Introduction & 1st Reading..... 2 | 1988-S |
| 1338-S2 | Introduction & 1st Reading..... 2 | Introduction & 1st Reading..... 3 |
| 1434-S | Introduction & 1st Reading..... 2 | 2007 |
| 1444-S | Introduction & 1st Reading..... 2 | Introduction & 1st Reading..... 3 |
| 1445-S | Introduction & 1st Reading..... 2 | 5036 |
| 1468 | Introduction & 1st Reading..... 2 | Second Reading 10 |
| 1521-S | Introduction & 1st Reading..... 2 | Third Reading Final Passage 10 |
| 1524-S | Introduction & 1st Reading..... 2 | 5087 |
| 1540-S2 | Introduction & 1st Reading..... 2 | Second Reading 6 |
| 1571 | Introduction & 1st Reading..... 2 | Third Reading Final Passage 6 |
| 1606 | Introduction & 1st Reading..... 2 | 5089 |
| 1674 | Introduction & 1st Reading..... 3 | Other Action..... 7 |
| 1680-S | Introduction & 1st Reading..... 3 | Second Reading 7 |
| 1709 | Introduction & 1st Reading..... 3 | 5097 |
| 1732 | Introduction & 1st Reading..... 3 | Second Reading 17, 18 |
| 1754 | Introduction & 1st Reading..... 3 | Third Reading Final Passage 18 |
| 1757 | Introduction & 1st Reading..... 3 | 5189 |
| | | Second Reading 10 |
| | | Third Reading Final Passage 10 |
| | | 5235-S |
| | | Second Reading 8 |
| | | Third Reading Final Passage 9 |
| | | 5258-S2 |
| | | Second Reading 7 |
| | | Third Reading Final Passage 7 |
| | | 5286 |
| | | Second Reading 7 |
| | | Third Reading Final Passage 7 |
| | | 5343-S |
| | | Second Reading 12 |
| | | Third Reading Final Passage 13 |
| | | 5346-S |
| | | Second Reading 13 |
| | | Third Reading Final Passage 13 |
| | | 5431 |
| | | Second Reading 14 |
| | | 5431-S |
| | | Second Reading 13, 14 |
| | | Third Reading Final Passage 14 |
| | | 5525 |

| | | | |
|-----------------------------------|----|--|----|
| Second Reading | 7 | Second Reading | 5 |
| Third Reading Final Passage | 8 | Third Reading Final Passage | 5 |
| 5577-S2 | | 5834 | |
| Second Reading | 8 | Second Reading | 5 |
| Third Reading Final Passage | 8 | Third Reading Final Passage | 6 |
| 5581 | | 5844-S | |
| Second Reading | 8 | Second Reading | 11 |
| Third Reading Final Passage | 8 | Third Reading Final Passage | 11 |
| 5618-S | | 5862 | |
| Second Reading | 17 | Introduction & 1st Reading..... | 1 |
| Third Reading Final Passage | 17 | 8627 | |
| 5652 | | Adopted..... | 4 |
| Other Action..... | 13 | Introduced | 3 |
| Second Reading | 13 | 9171 Timothy Burt | |
| Third Reading Final Passage | 13 | Confirmed | 5 |
| 5674 | | CHAPLAIN OF THE DAY | |
| Second Reading | 14 | Tietjen, Reverend Mark, Rainier Chapel | 1 |
| Third Reading Final Passage | 14 | GUESTS | |
| 5720 | | Alvarado-Ramos, Director Alfie, Washington | |
| Second Reading | 9 | State Department of Veteran's Affairs | 4 |
| Third Reading Final Passage | 10 | Breeding, Sergeant Major Kenneth, | |
| 5736 | | Commanders Initiative Group..... | 4 |
| Second Reading | 12 | King, Colonel Timothy Deputy Chief of Staff | |
| Third Reading Final Passage | 12 | I Corps..... | 4 |
| 5761 | | NATIONAL ANTHEM | |
| Other Action..... | 11 | O'Ban, Sergeat Thomas..... | 1 |
| Second Reading | 11 | PAGES | |
| Third Reading Final Passage | 12 | Graf, Miss Rose | 1 |
| 5777 | | Hurst, Miss Annde | 1 |
| Second Reading | 14 | Kershaw, Miss Sophia | 1 |
| 5777-S | | PRESIDENT OF THE SENATE | |
| Second Reading | 14 | Remarks by the President..... | 4 |
| Third Reading Final Passage | 17 | WASHINGTON STATE SENATE | |
| 5826 | | Remarks by Colonel King..... | 4 |