

FORTY FOURTH DAY, FEBRUARY 25, 2020

2020 REGULAR SESSION

FORTY FOURTH DAY**NOON SESSION**Senate Chamber, Olympia
Tuesday, February 25, 2020

The Senate was called to order at 12:03 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 24, 2020

ESHB 1023 Prime Sponsor, Committee on Health Care & Wellness: Allowing certain adult family homes to increase capacity to eight beds. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

February 24, 2020

ESHB 1551 Prime Sponsor, Committee on Health Care & Wellness: Modernizing the control of certain communicable diseases. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator O'Ban, Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senators Becker; Muzzall and Rivers.

Referred to Committee on Rules for second reading.

February 24, 2020

ESHB 1608 Prime Sponsor, Committee on Health Care & Wellness: Protecting patient care. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway;

Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Rules for second reading.

February 24, 2020

SHB 2017 Prime Sponsor, Committee on Appropriations: Concerning collective bargaining for administrative law judges. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford; Walsh and Wellman.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King, Ranking Member and Braun.

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

Referred to Committee on Ways & Means.

February 24, 2020

HB 2259 Prime Sponsor, Representative Rude: Expanding background check requirements for certain educational institutions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2020

HB 2266 Prime Sponsor, Representative Doglio: Concerning reasonable accommodation for the expression of breast milk without requiring written certification from a health care professional. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Schoesler; Stanford; Walsh and Wellman.

Referred to Committee on Rules for second reading.

February 24, 2020

SHB 2378 Prime Sponsor, Committee on Health Care & Wellness: Concerning physician assistants. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

February 24, 2020
ESHB 2411 Prime Sponsor, Committee on Health Care & Wellness: Preventing suicide. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Conway; Dhingra; Frockt; Keiser; Muzzall; Rivers and Van De Wege.

Referred to Committee on Rules for second reading.

February 24, 2020
ESHB 2443 Prime Sponsor, Committee on Housing, Community Development & Veterans: Requiring the use of personal flotation devices on smaller vessels. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

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

February 24, 2020
SHB 2554 Prime Sponsor, Committee on Health Care & Wellness: Mitigating inequity in the health insurance market caused by health plans that exclude certain mandated benefits. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Cleveland, Chair; Randall, Vice Chair; Conway; Dhingra; Frockt; Keiser and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member; Becker; Muzzall and Rivers.

Referred to Committee on Ways & Means.

February 24, 2020
HB 2587 Prime Sponsor, Representative Ramel: Establishing a program for the designation of state scenic bikeways. Reported by Committee on Transportation

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Hobbs, Chair; Saldaña, Vice Chair; King, Ranking Member; Sheldon, Assistant Ranking Member; Cleveland; Das; Fortunato; Lovelett; O'Ban; Padden; Randall; Takko; Wilson, C. and Zeiger.

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

February 24, 2020
SHB 2613 Prime Sponsor, Committee on Labor & Workplace Standards: Granting relief of unemployment benefit charges when discharge is required by law and removing outdated statutory language. Reported by Committee on Labor &

Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Stanford; Walsh and Wellman.

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

Referred to Committee on Rules for second reading.

February 24, 2020
HB 2617 Prime Sponsor, Representative Robinson: Concerning the lease or rental of surplus property of school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Padden; Pedersen; Salomon and Wagoner.

Referred to Committee on Rules for second reading.

February 24, 2020
ESHB 2638 Prime Sponsor, Committee on Commerce & Gaming: Authorizing sports wagering subject to the terms of tribal-state gaming compacts. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

MINORITY recommendation: Do not pass. Signed by Senators King, Ranking Member and Walsh.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Braun and Schoesler.

Referred to Committee on Ways & Means.

February 24, 2020
HB 2691 Prime Sponsor, Representative Valdez: Concerning the scope of collective bargaining for language access providers. Reported by Committee on Labor & Commerce

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Saldaña; Stanford and Wellman.

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

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

Referred to Committee on Ways & Means.

February 24, 2020
SHB 2711 Prime Sponsor, Committee on Education: Increasing equitable educational outcomes for foster care and homeless children and youth from prekindergarten to postsecondary education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended.

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Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

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

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

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

MOTION

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

February 24, 2020

ESHB 2775 Prime Sponsor, Committee on Health Care & Wellness: Practicing colon hydrotherapy. Reported by Committee on Health & Long Term Care

MOTION

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

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Conway; Dhingra; Frockt; Muzzall; Rivers and Van De Wege.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

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

February 10, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Referred to Committee on Rules for second reading.

Ladies and Gentlemen:

February 24, 2020

EHB 2811 Prime Sponsor, Representative Johnson, J.: Establishing a statewide environmental sustainability education program. Reported by Committee on Early Learning & K-12 Education

I have the honor to submit the following appointment, subject to your confirmation.

MAJORITY recommendation: Do pass as amended. Signed by Senators Wellman, Chair; Wilson, C., Vice Chair; Hunt; McCoy; Mullet; Pedersen and Salomon.

JANE K. BROOM DAVIDSON, appointed February 10, 2020, for the term ending June 30, 2021, as Member of the Workforce Education Investment Accountability and Oversight Board.

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

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9391.

Referred to Committee on Rules for second reading.

February 18, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

February 24, 2020

SGA 9284 KENNETH J. PEDERSEN, appointed on March 21, 2019, for the term ending September 8, 2023, as Member of the Public Employment Relations Commission. Reported by Committee on Labor & Commerce

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Braun; Saldaña; Stanford; Walsh and Wellman.

MARK R. BUSTO, reappointed February 18, 2020, for the term ending September 8, 2024, as Member of the Public Employment Relations Commission.

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

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Labor & Commerce as Senate Gubernatorial Appointment No. 9392.

Referred to Committee on Rules for second reading.

February 18, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

February 24, 2020

SGA 9297 ISABEL A. COLE, appointed on June 18, 2019, for the term ending June 17, 2025, as Member of the Board of Industrial Insurance Appeals. Reported by Committee on Labor & Commerce

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Keiser, Chair; Conway, Vice Chair; King, Ranking Member; Saldaña; Stanford; Walsh and Wellman.

GERALD L. MARTIN, appointed February 18, 2020, for the term ending September 30, 2024, as Member of the Everett Community College Board of Trustees.

Sincerely,
JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9393.

February 19, 2020

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JEFFREY J. HENSLER, appointed February 19, 2020, for the term ending September 30, 2025, as Member of the Central Washington University Board of Trustees.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9394.

MOTION

On motion of Senator Liias, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

MOTION

Senator Hawkins moved adoption of the following resolution:

SENATE RESOLUTION
8685

By Senator Hawkins

WHEREAS, Washington's apple industry is a major contributor to the economic health of both the state and its people; and

WHEREAS, The Wenatchee Valley is preparing to celebrate the 101st annual Washington State Apple Blossom Festival to take place from April 23rd to May 3rd; and

WHEREAS, The Apple Blossom Festival, which began as a one day gathering of songs and speeches in Wenatchee's Memorial park, is the oldest major festival in the state, first celebrated in 1919 when Mrs. E. Wagner organized the first Blossom Day; and

WHEREAS, The Apple Blossom Festival celebrates the importance of the apple industry in the Wenatchee Valley; and

WHEREAS, The Apple Blossom Festival recognizes three young women who by their superior and distinctive efforts have exemplified the noble spirit and meaning of the Apple Blossom Festival; and

WHEREAS, These three young women were selected to reign over the Apple Blossom Festival and serve as ambassadors to the outlying communities as princesses and queen; and

WHEREAS, Kaia St. John has been selected to represent her community as a 2020 Apple Blossom Princess, in part for her many academic achievements and dedication to extracurricular activities, including being part of her High School's ASB for three consecutive years as Senate Member, Student Body Secretary, and Senior Class President; she was involved in the school newspaper, Horticulture and Honors Society, and she has one year of work experience as a tutor and mentor at a middle school after school program while also working on obtaining her High School Diploma and her Associates degree from Wenatchee Valley College; all of which illustrate her kindness, optimism, and love for her community; and

WHEREAS, Kelly Norland has been selected to represent her community as a 2020 Apple Blossom Princess, in part for her strong leadership skills and dedication to be an exemplary role model to her community, she is the ASB President of her high

school, has been a leader in the Random Acts of Kindness Club since middle school, is involved in Honor Society, is currently working on her fourth varsity letter in Community Service, founded an annual Duathlon to raise money for a local beneficiary, is involved in Young Life as a music leader and a volunteer at a month long camp, is a second year Running Start student involved in American Sign Language Club, and is an award winning poet at Wenatchee Valley College, all of which show her dedication to the community she loves; and

WHEREAS, Tess Sparks has been selected to represent her community as the 2020 Apple Blossom Queen, in part for her leadership, volunteer work, and drive to succeed in all that she does, including being the President of her high school's National Honor Society, and being captain of her soccer team her senior year, helping her team win the District Championship title for the first time in her high school's history; she volunteers in the Wenatchee Valley as a member of the Key Club, is a Link Crew Member Leader where she helps students transition from Junior High to High School, and in her free time she enjoys hiking and taking pictures of the beautiful Wenatchee Valley; and

WHEREAS, These three young women desire to share their proven talents and leadership to serve their community and honor the 101st Anniversary of the Apple Blossom Festival;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the accomplishments of the members of the Apple Blossom Royal Court and join the Wenatchee Valley and the people of the State of Washington in celebrating the Washington State Apple Blossom Festival and honoring the positive impact it has had on the state of Washington for 101 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Queen Tess Sparks, Princess Kaia St. John, Princess Kelly Norland, and the board of directors of the Washington State Apple Blossom Festival.

Senator Hawkins spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8685.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the 2020 Apple Blossom Royal Court: Queen Tess Sparks, Princess Kelly Norland, and Princess Kaia St. John who were seated in the gallery.

MOTION

Senator Randall moved adoption of the following resolution:

SENATE RESOLUTION
8690

By Senators Randall, Takko, Stanford, Nguyen, Cleveland, Hunt, Wilson, C., Sheldon, Liias, and Short

WHEREAS, National protections were written into law thirty years ago, while the origin of advocacy for persons with disabilities began as early as 1936 when a grass roots organization of parents from all over Washington state formed; and

WHEREAS, Nearly a quarter of Washingtonians live with some type of disability and rely on such protections every day; and

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WHEREAS, Advocates with disabilities, their families, and allies taught the nation that disability is a part of human existence and developed the rallying cry "nothing about us without us"; and

WHEREAS, The Americans with Disabilities Act was the first monumental piece of civil rights legislation for persons with disabilities; and

WHEREAS, This was the accomplishment of self-advocates, their families, and allies of all races, ethnicities, creeds, genders, abilities, and sexual orientations; and

WHEREAS, The ADA provided an encompassing definition of disability, which contends that disability is not a barrier to an individual's participation in society; and

WHEREAS, Washington state is still working to ensure that all persons with disabilities have equal opportunities and access to participate fully in our society; and

WHEREAS, The ADA has been an instrumental tool for advocates with disabilities and families to address such barriers; and

WHEREAS, We remain committed to working alongside advocates with disabilities and their families to address the barriers to equal opportunity and participation in society;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate commemorate the thirtieth anniversary of the Americans with Disabilities Act, which was the result of persistent efforts of self-advocates, their families, and allies from the disability community, but that it is only the beginning of our work.

Senator Randall spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8690.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced self-advocates Ms. Ivanova Smith and Mr. Ryan Nesbitt, Ms. Kelly Nesbitt, mother of Mr. Nesbitt, and Ms. Melissa Lund, Kitsap County Parent Coalition Coordinator, who were seated in the gallery.

MOTION

Senator Liias moved adoption of the following resolution:

SENATE RESOLUTION
8692

By Senators Liias and Salomon

WHEREAS, David Orrin Earling has served the people of Edmonds since 1992, first as a member of the city council and later as mayor of Edmonds since 2011, and has been a strong leader and an asset to the city and our region during a period of significant growth and change; and

WHEREAS, He has dedicated himself to building community, restoring civility, and encouraging civic participation during his tenure as mayor; and

WHEREAS, David Earling has served the public and his community in various capacities since the very beginning of his career, as a beloved music professor at Shoreline Community

College, as a member of the Edmonds City Council, the Edmonds Chamber of Commerce, Sound Transit, Senior Services of Snohomish County, and the Central Puget Sound Growth Management Hearings Board, among others; and

WHEREAS, David Earling successfully championed efforts to turn Edmonds into a destination for the arts, including launching the first-ever arts summit in 2013 and leading the city to be named Washington's first certified creative district; and

WHEREAS, He spearheaded growth for the city by overseeing a plan to redevelop the Edmonds stretch of Highway 99 to include more investment in affordable housing and a more pedestrian-friendly feel, promoting a healthy and vibrant feel to the area; and

WHEREAS, He played a key role in the revitalization of Edmonds' public spaces, notably with his efforts to purchase and launch Civic Park, which is now recognized as a first-class downtown facility; and

WHEREAS, David Earling has been widely appreciated and recognized for his spirit of cooperation with fellow leaders, his respectful interactions with colleagues, and his warm connections to many folks in the community;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize retired Edmonds Mayor David Earling, for his service to the people of Washington State, Snohomish County, and the City of Edmonds, and his long career dedicated to improving the lives of its residents; and

BE IT FURTHER RESOLVED, That in acknowledgment of their recent celebration of their fiftieth wedding anniversary, the Senate recognize Susan Earling for her dedication to the community and her loving presence in her husband's life as David undertook the responsibilities of public office throughout the years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to David Earling in celebration of his service to the City of Edmonds.

Senators Liias and Sheldon spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8692.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced The Honorable David Earling, Mayor Emeritus of Edmonds, who was seated in the gallery.

MOTION

At 12:27 p.m., on motion of Senator Liias, the Senate adjourned until 10:00 o'clock a.m. Wednesday, February 26, 2020.

CYRUS HABIB, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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