

SIXTEENTH DAY, JANUARY 23, 2024

2024 REGULAR SESSION

**SIXTEENTH DAY****AFTERNOON SESSION**Senate Chamber, Olympia  
Tuesday, January 23, 2024

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

**MOTIONS**

Pursuant to Rule 46, on motion of Senator Pedersen, and without objection, the Committee on Labor & Commerce was granted special leave to continue to meet during the day's floor session.

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

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

**REPORTS OF STANDING COMMITTEES**

January 22, 2024

**SB 6109** Prime Sponsor, Senator Wilson, C.: Supporting children and families. Reported by Committee on Human Services

**MAJORITY** recommendation: That Substitute Senate Bill No. 6109 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

**MINORITY** recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Ways & Means.

January 22, 2024

**SB 6126** Prime Sponsor, Senator Kauffman: Increasing access to respite care for those with intellectual or developmental disabilities and their caregivers. Reported by Committee on Human Services

**MAJORITY** recommendation: That Substitute Senate Bill No. 6126 be substituted therefor, and the substitute bill do pass. Signed by Senators Wilson, C., Chair; Kauffman, Vice Chair; Frame; Nguyen; Warnick and Wilson, J.

**MINORITY** recommendation: That it be referred without recommendation. Signed by Senator Boehnke, Ranking Member.

Referred to Committee on Rules for second reading.

**MOTIONS**

On motion of Pedersen, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6126 which had been

designated to the Committee on Rules and was referred to the Committee on Ways & Means.

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

**MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS**

January 19, 2024

**TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON**

Ladies and Gentlemen:

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

**KAZIPUTALIMBA JOSHUA**, reappointed January 19, 2024, for the term ending September 25, 2027, as Member of the Clemency and Pardons Board.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Human Services as Senate Gubernatorial Appointment No. 9446.

January 19, 2024

**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.

**TATHAGATA PAL**, appointed January 19, 2024, for the term ending June 30, 2025, as Member of the Washington Student Achievement Council.

Sincerely,

JAY INSLEE, Governor

Referred to Committee on Higher Education & Workforce Development as Senate Gubernatorial Appointment No. 9447.

**MOTION**

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

**MESSAGE FROM THE SECRETARY OF STATE****CERTIFICATION OF INITIATIVE TO THE LEGISLATURE  
I-2109**

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 2109 to be examined in the following manner:

1. It was determined that 436,474 signatures were submitted by the sponsors of the initiative. A random sample of 13,095 signatures was taken from those submitted;
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 10,752 valid signatures, 2,324 signatures that were invalid and 19 pairs of duplicated

signatures in the sample;

3. We calculated an allowance for the chance error of sampling (72) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (79,872) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of duplicate pairs of signatures on the petition (32,086) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (324,516) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of duplicate pairs of signatures in the sample (29) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of duplicate pairs of signatures in the sample (20) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of duplicate pairs of signatures in the sample is less than the acceptable number of duplicate pairs of signatures in the sample.

Therefore, I hereby declare Initiative to the Legislature No. 2109 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 23rd day of January, 2024.

/s/

Steve Hobbs  
Secretary of State

[seal]

Bob Ferguson  
ATTORNEY GENERAL OF WASHINGTON  
Administration Division  
PO Box 40100 • Olympia, WA 98504-0100 • (360) 753-6200

May 30, 2023

The Honorable Steve Hobbs  
Elections Division  
ATTN: Initiative and Referendum  
PO Box 40220  
Olympia, WA 98504-0220

Re: Initiative No. 2109

Dear Secretary Hobbs:

Pursuant to RCW 29A.72.060, we supply herewith the ballot title and ballot measure summary for Initiative No. 2109 to the Legislature (an act relating repealing the tax on capital gains income authorized in chapter 82.87 RCW).

### **BALLOT TITLE**

Statement of Subject: Initiative Measure No. 2109 concerns taxes.

Concise Description: This measure would repeal an excise tax

imposed on the sale or exchange of certain long-term capital assets by individuals who have annual capital gains of over \$250,000.

Should this measure be enacted into law? Yes [ ] No [ ]

### **BALLOT MEASURE SUMMARY**

This measure would repeal an excise tax imposed on the sale or exchange of certain long-term capital assets by individuals who have annual capital gains of over \$250,000.

Sincerely,

/s/

JEFFREY T. EVEN  
Deputy Solicitor General

Initiative Measure No. 2109  
Filed May 17, 2023

AN ACT Relating to repealing the tax on capital gains income authorized in chapter 82.87 RCW; repealing RCW 82.87.010, 82.87.020, 82.87.030, 82.87.040, 82.87.050, 82.87.060, 82.87.070, 82.87.080, 82.87.090, 82.87.100, 82.87.110, 82.87.120, 82.87.130, 82.87.140, 82.87.150, and 82.04.4497; and repealing 2021 c 196 ss 18 and 20 (uncodified).

BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

NEW SECTION, Sec. 1. The following acts or parts of acts are each repealed:

- (1) RCW 82.87.010 (Findings-Intent-2021 c 196) and 2021 c 196 s 1;
- (2) RCW 82.87.020 (Definitions) and 2021 c 196 s 4;
- (3) RCW 82.87.030 (Distribution of revenues) and 2021 c 196 s 2;
- (4) RCW 82.87.040 (Tax imposed-Long-term capital assets) and 2021 c 196 s 5;
- (5) RCW 82.87.050 (Exemptions) and 2021 c 196 s 6;
- (6) RCW 82.87.060 (Deductions) and 2021 c 196 s 7;
- (7) RCW 82.87.070 (Qualified family-owned small business deduction) and 2021 c 196 s 8;
- (8) RCW 82.87.080 (Charitable donation deduction) and 2021 c 196 s 9;
- (9) RCW 82.87.090 (Other taxes) and 2021 c 196 s 10;
- (10) RCW 82.87.100 (Allocation of long-term capital gains and losses-Credit) and 2021 c 196 s 11;
- (11) RCW 82.87.110 (Filing of returns-Additional documentation- Penalty) and 2021 c 196 s 12;
- (12) RCW 82.87.120 (Joint filers-Separate filers-Tax liability) and 2021 c 196 s 13;
- (13) RCW 82.87.130 (Administration of taxes) and 2021 c 196 s 14;
- (14) RCW 82.87.140 (Tax criminal penalties) and 2021 c 196 s 15;
- (15) RCW 82.87.150 (Annual adjustments) and 2021 c 196 s 17;
- (16) RCW 82.04.4497 (Credit-Sale or exchange of long-term capital assets) and 2021 c 196 s 16;
- (17) 2021 c 196 s 18 (uncodified); and
- (18) 2021 c 196 s 20 (uncodified).

MOTION

On motion of Senator Pedersen, the Senate advanced to the

SIXTEENTH DAY, JANUARY 23, 2024  
fourth order of business.

2024 REGULAR SESSION

RCW; adding a new section to chapter 64.34 RCW; adding a new section to chapter 64.38 RCW; and adding a new section to chapter 64.90 RCW.

MESSAGE FROM THE HOUSE

January 22, 2024

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1054,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1589,  
and the same are herewith transmitted.  
BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6294 by Senator Stanford

AN ACT Relating to the unlawful trade of fur products; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Business, Financial Services, Gaming & Trade.

SB 6295 by Senator Dhingra

AN ACT Relating to creating a path to recovery for high users of behavioral health crisis and criminal justice systems; adding new sections to chapter 10.77 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6296 by Senator Boehnke

AN ACT Relating to establishing a retail industry work group; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

SB 6297 by Senator Gildon

AN ACT Relating to recognizing a court's authority to authorize a defendant's direct transfer from jail to inpatient or residential substance use disorder treatment; and adding a new section to chapter 10.21 RCW.

Referred to Committee on Law & Justice.

SB 6298 by Senators Frame and Kauffman

AN ACT Relating to the duty of the clergy to report child abuse or neglect; and amending RCW 26.44.020 and 26.44.030.

Referred to Committee on Human Services.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1054 by Representatives Walen, Simmons, Ryu, Bateman, Ramel, Doglio, Macri, Gregerson, Springer, Thai, Kloba and Donaghy

AN ACT Relating to the authority of owners' associations in common interest communities to regulate or limit occupancy by unrelated persons; adding a new section to chapter 64.32

Referred to Committee on Law & Justice.

ESHB 1589 by House Committee on Environment & Energy (originally sponsored by Representatives Doglio, Fitzgibbon, Berry, Alvarado, Bateman, Ramel, Peterson, Lekanoff, Hackney, Macri and Kloba)

AN ACT Relating to supporting Washington's clean energy economy and transitioning to a clean, affordable, and reliable energy future; amending RCW 80.28.010; adding a new chapter to Title 80 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Environment, Energy & Technology.

MOTIONS

On motion of Senator Pedersen, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 6294 which had been designated to the Committee on Agriculture, Water, Natural Resources & Parks and was referred to the Committee on Business, Financial Services, Gaming & Trade and Senate Bill No. 6295 which had been designated to the Committee on Law & Justice and was referred to the Committee on Health & Long-Term Care.

On motion of Senator Pedersen and without objection, Senate Bill No. 5788, which had been on the day's Consent Calendar, was placed on the day's Second Reading Calendar.

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

Senator Lovick moved adoption of the following resolution:

SENATE RESOLUTION  
8659

By Senator Lovick

WHEREAS, Snohomish County Sheriff Sergeant David Sorenson has provided 43 years of dedicated service to Snohomish County as a Reserve Officer for the Mountlake Terrace Police Department and as a Deputy for the Snohomish County Sheriff's Office; and

WHEREAS, Sergeant Sorenson founded the nonprofit Keep N Safe to help first responders and their family members cope with posttraumatic stress disorder and to reduce gun violence; and

WHEREAS, First responders, including police, firefighters, paramedics, emergency medical technicians, dispatchers, and corrections officers, frequently suffer from posttraumatic stress disorder and other mental health conditions because of their repeated exposures to tragedies in our communities; and

WHEREAS, Sergeant Sorenson had the kindness and bravery to recognize the importance of first responders' mental health and to create resources to help; and

WHEREAS, The resources provided by Sergeant Sorenson and Keep N Safe help first responders cope with the grievous difficulties of their work and can prevent career-ending mental health struggles or suicide;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and salute Sergeant Sorenson for both his career in Snohomish County law enforcement and his work in protecting first responders' mental health; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Sergeant Sorenson.

Senator Lovick spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8659.

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

MOTION

At 12:39 p.m., on motion of Senator Pedersen, the Senate adjourned until 1:30 p.m. Wednesday, January 24, 2024.

DENNY HECK, President of the Senate

SARAH BANNISTER, Secretary of the Senate

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