

THIRTY EIGHTH DAY

MORNING SESSION

Senate Chamber, Olympia
 Wednesday, February 15, 2017

The Senate was called to order at 10:00 o'clock 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.

The Sergeant at Arms Color Guard consisting of Pages Nicholas Ames and Timothy Coleman, presented the Colors. The prayer was offered by Pastor Dan Panter of Road Baptist Church, Olympia.

MOTION

On motion of Senator Fain, 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 14, 2017
SB 5005 Prime Sponsor, Senator Padden: Identifying certain water rights held by municipal water suppliers as water rights available for municipal water supply purposes. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member; Brown; Honeyford; Pearson and Short.

MINORITY recommendation: Do not pass. Signed by Senators Wellman; McCoy and Van De Wege.

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

Passed to Committee on Rules for second reading.

February 14, 2017
SB 5046 Prime Sponsor, Senator Hasegawa: Providing public notices of public health, safety, and welfare in a language other than English. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5046 be substituted therefor, and the substitute bill do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

Passed to Committee on Rules for second reading.

February 14, 2017
SB 5099 Prime Sponsor, Senator Bailey: Concerning crimes against vulnerable persons. Reported by Committee on

Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5099 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Angel; Darneille; Frockt and Wilson.

Passed to Committee on Ways & Means.

February 14, 2017
SB 5251 Prime Sponsor, Senator Takko: Concerning tourism marketing. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5251 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member; Wellman; Brown; Honeyford; McCoy; Pearson; Short; Takko and Van De Wege.

Passed to Committee on Ways & Means.

February 14, 2017
SB 5254 Prime Sponsor, Senator Fain: Ensuring adequacy of buildable lands and zoning in urban growth areas and providing funding for low-income housing and homelessness programs. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5254 be substituted therefor, and the substitute bill do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

Passed to Committee on Ways & Means.

February 14, 2017
SB 5263 Prime Sponsor, Senator Warnick: Concerning the procurement of seeds by state agencies. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5263 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member; Wellman; Brown; Honeyford; McCoy; Pearson; Short; Takko and Van De Wege.

Passed to Committee on Rules for second reading.

February 14, 2017
SB 5269 Prime Sponsor, Senator Warnick: Concerning WAC 173-563-020(4) and 173-531A-060 regarding the processing of applications for Columbia river water right permits to clarify legislative intent to ensure that the rules can be implemented as written. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by

Senators Warnick, Chair; Hawkins, Vice Chair; Wellman; Brown; Honeyford; Pearson; Short and Takko.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Chase, Ranking Minority Member; McCoy and Van De Wege.

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5281 Prime Sponsor, Senator Angel: Concerning rules for on-site sewage systems. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5281 be substituted therefor, and the substitute bill do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5364 Prime Sponsor, Senator Palumbo: Removing disincentives to the voluntary formation of regional fire protection service authorities by establishing parity, equalizing certain provisions with existing laws governing fire protection districts, and clarifying the formation process. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5364 be substituted therefor, and the substitute bill do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5430 Prime Sponsor, Senator Pearson: Concerning notice to a victim when a registered out-of-state sex offender moves to Washington. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5430 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Angel; Darneille; Frockt and Wilson.

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5431 Prime Sponsor, Senator Warnick: Concerning the protection of composting from nuisance lawsuits. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5431 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member; Wellman; Brown; Honeyford; McCoy; Short; Takko and Van De Wege.

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

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5433 Prime Sponsor, Senator Miloscia: Concerning informed decision making for death with dignity decisions. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pedersen, Ranking Minority Member; Angel; Darneille; Frockt and Wilson.

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5502 Prime Sponsor, Senator Becker: Modifying Washington state's motion picture and film industries tax credit. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5502 be substituted therefor, and the substitute bill do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Wellman; Brown; McCoy; Pearson; Short; Takko and Van De Wege.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Chase, Ranking Minority Member and Honeyford.

Passed to Committee on Ways & Means.

February 14, 2017

SB 5615 Prime Sponsor, Senator Sheldon: Authorizing the development of new manufactured housing communities outside of urban growth areas under the growth management act. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5628 Prime Sponsor, Senator Takko: Providing for fire protection district formation by the legislative authority of a city or town subject to voter approval. Reported by Committee on Local Government

MAJORITY recommendation: That Substitute Senate Bill No. 5628 be substituted therefor, and the substitute bill do pass. Signed by Senators Short, Chair; Angel, Vice Chair; Takko, Ranking Minority Member; Palumbo and Sheldon.

Passed to Committee on Rules for second reading.

February 14, 2017

SB 5786 Prime Sponsor, Senator Walsh: Creating a business and occupation tax exemption for certain sales of commercial fertilizer, agricultural crop protection products, and seed. Reported by Committee on Agriculture, Water, Trade & Economic Development

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member;

THIRTY EIGHTH DAY, FEBRUARY 15, 2017

2017 REGULAR SESSION

Wellman; Brown; Honeyford; McCoy; Pearson; Short and Takko.

9, 2017, for the term ending December 31, 2019, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Natural Resources & Parks

MINORITY recommendation: Do not pass. Signed by Senator Van De Wege.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

February 14, 2017

SJM 8008 Prime Sponsor, Senator Chase: Requesting Congress to reform the harbor maintenance tax. Reported by Committee on Agriculture, Water, Trade & Economic Development

MOTION

MAJORITY recommendation: Do pass. Signed by Senators Warnick, Chair; Hawkins, Vice Chair; Chase, Ranking Minority Member; Wellman; Brown; Honeyford; McCoy; Pearson; Short and Takko.

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

MOTION

MINORITY recommendation: Do not pass. Signed by Senator Van De Wege.

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

Passed to Committee on Rules for second reading.

INTRODUCTION AND FIRST READING

February 14, 2017

SGA 9184 MICHAEL S. SHIOSAKI, appointed on May 2, 2016, for the term ending December 31, 2017, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Natural Resources & Parks

SB 5813 by Senator Padden

AN ACT Relating to crimes against minors; amending RCW 9A.40.100, 9.68A.070, 9.68A.050, and 9.68A.060; and prescribing penalties.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

Referred to Committee on Law & Justice.

Passed to Committee on Rules for second reading.

SB 5814 by Senator Chase

AN ACT Relating to asphalt pavement sealer products; and amending RCW 70.295.010.

February 14, 2017

SGA 9230 MICHAEL R. DELLER, reappointed on December 28, 2016, for the term ending December 31, 2019, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Natural Resources & Parks

Referred to Committee on Energy, Environment & Telecommunications.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

SB 5815 by Senators Rivers, Cleveland, Becker and Ranker

AN ACT Relating to the hospital safety net assessment; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.090, 74.60.100, 74.60.120, 74.60.130, 74.60.150, 74.60.160, 74.60.901, and 74.60.902; adding a new section to chapter 74.60 RCW; providing an expiration date; and declaring an emergency.

Passed to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

February 14, 2017

SGA 9232 DANICA READY, appointed on January 5, 2017, for the term ending December 31, 2019, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Natural Resources & Parks

SB 5816 by Senator Rivers

AN ACT Relating to designating Sasquatch the official cryptid or crypto-animal of Washington; adding a new section to chapter 1.20 RCW; and creating a new section.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Pearson, Chair; Hawkins, Vice Chair; Van De Wege, Ranking Minority Member; Fortunato and McCoy.

Referred to Committee on State Government.

Passed to Committee on Rules for second reading.

SB 5817 by Senators Rossi, O'Ban, Becker, Miloscia and Fain

AN ACT Relating to nullifying the imposition of certain taxes within regional transit authority boundaries; amending RCW 81.104.150, 81.104.160, 81.104.170, and 81.104.175; adding a new section to chapter 81.112 RCW; and declaring an emergency.

February 14, 2017

SGA 9234 KATHRYN GARDOW, appointed on January

Referred to Committee on Transportation.

SB 5818 by Senators Saldaña and Frockt

AN ACT Relating to providing public assistance to certain victims of human trafficking; amending RCW 74.08A.120; reenacting and amending RCW 74.04.005; adding a new section to chapter 74.04 RCW; and adding a new section to chapter 74.09 RCW.

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

SB 5819 by Senators King and Hobbs

AN ACT Relating to the board of pilotage commissioners; amending RCW 88.16.035, 88.16.061, and 88.16.090; reenacting and amending RCW 43.79A.040 and 43.84.092; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5820 by Senators Wilson, Bailey, Rossi and Zeiger

AN ACT Relating to financial assistance; amending RCW 28B.92.060; and creating a new section.

Referred to Committee on Higher Education.

SB 5821 by Senator Chase

AN ACT Relating to funding the state need grant by repealing tax preferences; amending RCW 82.04.540; repealing RCW 82.04.650; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

SB 5822 by Senators Baumgartner, Braun, Rossi, Sheldon, Angel, Becker, Wilson, Schoesler, Bailey, Ericksen, Warnick, King, Honeyford, Brown, Padden, Short, Fortunato, Walsh, Fain, O'Ban, Hawkins, Zeiger and Rivers

AN ACT Relating to improving workers' compensation system costs and administration and worker outcomes through modification of procedures for claims to self-insureds, clarification of recovery in third-party legal actions, clarification of occupational disease claims, and lowering age barriers for structured settlements; amending RCW 51.24.030, 51.24.050, 51.24.060, 51.08.140, 51.32.180, 51.28.055, 51.04.063, and 51.14.130; and creating new sections.

Referred to Committee on Commerce, Labor & Sports.

SB 5823 by Senator Cleveland

AN ACT Relating to ensuring quality ambulance services for medicaid beneficiaries by applying the medicare payment rate for ambulance services furnished under medicaid by providers of ambulance services; adding a new section to chapter 74.09 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 5824 by Senators McCoy, Hobbs, Takko and Chase

AN ACT Relating to conducting a comprehensive study of aerial imagery needs for state agencies and local governments intended to provide officials with the information needed for day-to-day business workflow and decision-making tasks; creating new sections; and providing an expiration date.

Referred to Committee on Natural Resources & Parks.

SB 5825 by Senators Mullet, Hobbs and Takko

AN ACT Relating to addressing the state's paramount duty to fully fund K-12 education by creating a new partnership between the state and local school districts; amending RCW 84.52.053, 84.36.381, 28A.545.070, 28A.500.010, 28A.500.050, 28A.320.330, 28A.505.140, 28A.505.100, 28A.400.200, 28A.150.260, and 28A.150.390; reenacting and amending RCW 28A.150.260; adding new sections to chapter 84.52 RCW; adding new sections to chapter 28A.500 RCW; adding a new section to chapter 43.09 RCW; creating new sections; repealing RCW 28A.500.020, 28A.500.030, and 84.52.0531; and providing effective dates.

Referred to Committee on Ways & Means.

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 Hasegawa moved adoption of the following resolution:

SENATE RESOLUTION

8614

By Senators Hasegawa, Brown, Hobbs, Schoesler, Wellman, Chase, Takko, Rivers, Honeyford, Wilson, Hawkins, Padden, Miloscia, Zeiger, Keiser, Fain, Saldaña, Conway, and Darneille

WHEREAS, Seventy-five years ago, on February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which deprived all Japanese-Americans of their constitutional liberties without due process of law, and which authorized the United States military to forcibly remove and incarcerate more than 120,000 persons of Japanese ancestry from the West Coast, including 13,000 Japanese-American residents of Washington State; and

WHEREAS, The first civilian evacuation order gave Japanese-Americans from Bainbridge Island less than one week to leave behind homes, personal belongings, farms, businesses, friends, and family; allowed them only two suitcases of personal belongings; and transported them to hastily constructed detention centers, like Camp Harmony located in the horse stalls on the grounds of the Washington State Fair in Puyallup where they were held until more permanent concentration camps could be built in more remote locations, like Hunt, Idaho (Minidoka) and Tule Lake, California, which is where most Japanese-Americans from the Puget Sound region were held; and

WHEREAS, This drastic course of action allegedly aimed to prevent acts of espionage and sabotage by Japanese-Americans who were deemed untrustworthy and disloyal to the United States even though no evidence was ever presented to support such distrust; and

WHEREAS, On March 23, 1943, the War Department organized a segregated unit of Japanese-Americans; and, from

THIRTY EIGHTH DAY, FEBRUARY 15, 2017

2017 REGULAR SESSION

within those American concentration camps where they and their families were incarcerated, surrounded by barbed wire and armed guards, thousands responded to questions of their loyalty and patriotism by volunteering to serve in the segregated Army unit known as the 442nd Regimental Combat Team, which went on to amass a battle record unmatched in United States military history earning 7 Presidential Unit Citations, 21 Medals of Honor, 29 Distinguished Service Crosses, a Distinguished Service Medal, 588 Silver Stars, more than 4,000 Bronze Stars, 22 Legion of Merit Medals, 15 Soldier's Medals, 9,486 Purple Hearts, and a total of 16 decorations from the governments of France and Italy; and

WHEREAS, Equally loyal and patriotic Japanese-Americans fought to protect our constitutional rights and liberties through dissent, like Minoru Yasui; Fred Korematsu; and University of Washington student Gordon Hirabayashi who was arrested, convicted, and imprisoned for defying the military curfew on select civilians and challenging the constitutionality of the exclusion and incarceration orders. Korematsu and Hirabayashi were eventually awarded the Presidential Medal of Freedom for their principled actions and sacrifices; and

WHEREAS, In 1982, the Congressional Commission on Wartime Relocation and Internment of Civilians found "no military or security reason for the internment" of persons of Japanese ancestry. Rather, it found the denial of constitutional rights "was caused by racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, In 1976, President Gerald Ford rescinded Executive Order 9066 saying, "I call upon the American people to affirm with me this American Promise—that we have learned from the tragedy of that long-ago experience forever to treasure liberty and justice for each individual American, and resolve that this kind of action shall never again be repeated"; and

WHEREAS, In 1979, newly elected Washington State Congressman Mike Lowry introduced H.R. 5977: The Civil Liberties Act of 1988, which was signed 10 years later by President Ronald Reagan who said, "So what is most important in this bill has less to do with property than with honor, for here, we admit a wrong. Here we reaffirm our commitment as a nation to equal justice under the law."; and

WHEREAS, In 2010, the United States Congress recognized the unparalleled record of Nisei soldiers by awarding the Congressional Gold Medal to the 100th Infantry Battalion, the 442nd Regimental Combat Team, and the Military Intelligence Service (MIS) of the U.S. Army who fought in the Pacific Theater as interpreters and code breakers; and

WHEREAS, Throughout Washington State, survivors of the European and Asian Pacific battlefields of World War II and of American incarceration camps continue to live their golden years in quiet contrast to their extraordinary acts of patriotism, conscience, and valor;

NOW, THEREFORE, BE IT RESOLVED, That on this auspicious occasion of the 75th Anniversary of the signing of Executive Order 9066, the Washington State Senate, along with the people of Washington State, pause to acknowledge and reflect on the significance of Executive Order 9066 and its effect in denying constitutional freedoms and protections. We also reflect on our democracy's greatness in recognizing the need to correct this failure, the need for constant vigilance to protect our constitutional rights and freedoms; and

BE IT FURTHER RESOLVED, That we recognize the Japanese-American internees, constitutional protectors, and World War II veterans from the state of Washington; honor their patience, heroism, sacrifice, and loyalty; and remember the lessons, rights, and responsibilities that come with the phrase,

"liberty and justice for all"; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Nisei Veterans Committee, the Military Intelligence Service-Northwest Association, the Japanese-American Citizens League National and Seattle Chapter, the Japanese Cultural & Community Center of Washington State, the Japanese American National Museum, and the Wing Luke Museum of the Asian Pacific American Experience.

Senators Hasegawa, Brown, Conway, Pearson, Hobbs and Becker spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8614.

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

MOTION

On motion of Senator Hasegawa and without objection, the remarks by Senator Hasegawa on Senate Resolution No. 8614 were spread upon the journal.

Senator Hasegawa: "Thank you Mr. President. Thank you for allowing the full reading of the resolution, I apologize for its length, but this is a particularly auspicious occasion being the seventy fifth anniversary of the signing of Executive Order 9066, which as you know incarcerated all Americans of Japanese descent and anyone of Japanese descent during World War II.

I appreciate this body reviewing this resolution every year because it truly is meant to keep us in mind of what can happen if we are not constantly vigilant to protect our civil rights and civil liberties.

We've heard all the great stories about the Nisei veterans who enlisted from behind barbed-wire in the American concentration camps, and they are very heart breaking and heart warming at the same time, but I don't want to get into the war stories right now. What I think is most important is the constitutionality arguments behind recognizing this resolution, because we are in a very perilous time right now. I have heard some top-level government officials say that the Japanese internment can set a precedent for more contemporary actions against certain groups, and this raises huge alarm bells for me personally and for my entire community and it should for every American here.

We, as the resolution said, can never let it happen again. If we don't learn from our history, we are doomed to the fate to repeat it. President Ford was, and it says in the resolution, but I don't think I can restate it often enough, he says ' I call upon the American people to affirm with me this American promise, that we have learned from the tragedy of that long ago experience forever to treasure liberty and justice for each individual American and resolve that this kind of action shall never again be repeated.'

Those are not just hollow words. That is our president upholding the Constitution and we live in a country, thank God, that recognizes and has the strength of character to acknowledge when we have done something that wasn't exactly right. The American government has issued the apology to the Japanese-American community but it should actually issue it to the entire American public because it is every one of us that suffers when anyone suffers. I would like to, Mr. President if I could just read a couple of quotes from a couple of the heroes of the Japanese American community who actually took the courageous stand to oppose, at that time, in a time of war hysteria, and as the commission on investigating the causes of the incarceration said

was 'a failure of political leadership' at that time? If I may Mr. President?"

Mr. President: "The Senator may proceed."

Senator Hasegawa: "Thank you. So Min Yasui said, well excuse me Min Yasui was actually jailed for breaking the curfew. His jailing was ultimately overturned. Fred Korematsu another one of the heroes of the community, one of the last things he said was, 'I will never forget my government treating me like this and I really hope this will never happen to anyone else because of the way they look, if they look like the enemy of our country.' He also urged others to protest, but not with violence, and don't be afraid to speak up. One person can make a difference even if it takes forty years. Another hero of our community, Gordon Hirabayashi who was actually a University of Washington student said, 'I would also say that if you believe in something, if you think the Constitution is a good one, and if you think the Constitution protects you, you better make sure that the Constitution is actively operating, and in other words, constant vigilance, otherwise it is a scrap of paper.' We had the Constitution to protect us in 1942. It didn't because the will of the people wasn't behind it. We have to believe in the Constitution if we are going to stand for anything as Americans. And that means we have to stand up to protect the rights of every one of us. And you know, I really feel like I have had the privilege of getting to know the other forty-eight members and the Lieutenant Governor here on the Senate floor. And I believe that we are all people of good conscience and it has really been a privilege to get to know you that way. And we don't let the politics divide us about 'They're Republicans or, We're Democrats! But, you know when we get to know each other as individuals, that's when we build relationships and truly start to understand how precious each one of us is and if we deny the rights of any one of us we are all hurting. So at this point in time, I truly appreciate this body considering this resolution, but more than that, for standing up to protect the Constitution in making sure that these things that happened to my community back in 1942-1945. My entire family lived through it. They were in the Puyallup Fairgrounds. They served in WWII. They served in the Korean War. I appreciate and want to thank you for standing up and honoring and remembering what the Constitution stands for by adopting this resolution. Thank you Mr. President."

MOTION

At 10:33 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

Senator Liias announced a Democratic caucus immediately.

Senator Becker announced a Majority Coalition caucus immediately.

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 sixth order of business.

SECOND READING

SENATE BILL NO. 5270, by Senators Hawkins, Takko and Pearson

Concerning expiration dates affecting the department of natural resources' contract harvesting program.

The measure was read the second time.

MOTION

On motion of Senator Hawkins, the rules were suspended, Senate Bill No. 5270 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hawkins, Pearson, Schoesler, Nelson and Baumgartner spoke on the bill.

REMARKS BY SENATOR LIAS

Senator Liias: "Thank you Mr. President. Also rising in opposition to this bill. I think the most troubling part is that he is trying to ban sunset, which I think is, I mean, if the sun is always shining and there is no darkness, how would we pass bills? That is my question. So, I think we should vote no."

REPLY BY THE PRESIDENT

President Habib: "You are speaking to a blind presiding officer Senator Liias. So, I don't know."

MOTION

On motion of Senator Fain, Senator Ericksen was excused.

MOTION

On motion of Senator Saldaña, Senators Billig and Van De Wege were excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5270.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5270 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, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, 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, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Billig, Ericksen and Van De Wege

SENATE BILL NO. 5270, 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.

PERSONAL PRIVILEGE

Senator Hawkins: "Well thank you Mr. President. It is my understanding that there is a long tradition here in the Senate of offering a gift from your district and so I am pleased to do that this morning despite some of the floor speeches that we heard ribbing me on my bill. We have the good pages here to deliver these. These are applets and cotlets, which some of you are

THIRTY EIGHTH DAY, FEBRUARY 15, 2017

2017 REGULAR SESSION

probably pretty familiar with, produced out of Cashmere in my home district. These have been produced since 1920. Those of you probably know the 12th district is well known for our tree fruit and so I just wanted to share these applets and cotlets with you all. But more importantly with them is a card with a photo from the district and I have personalized a message to each one of you because I want you all to know that I really enjoy the opportunity to serve with you. For those of you that I do know, really, I have enjoyed the opportunity to get to know you even better and those of you that I don't yet know, I look forward to working with you more closely and getting to know you in the months and the years ahead. And so, additionally, we have some fresh honeycrisp apples from the 12th district and I have some of my colleagues, freshmen senators, who are helping to distribute those for us today, so please enjoy those. These honeycrisp apples are from my home district. They are actually from my personal stash in my office, so please enjoy those and thank you again for the opportunity to serve.

REMARKS BY THE PRESIDENT

President Habib: "Thank you Senator Hawkins. The President feels uncomfortable since you have just provided a gift, reminding you to always address your remarks to the presiding officer. That said, thank you for the gifts and now that we know you have a quote 'personal stash' in your office, we will all bear that in mind. Thank you and would the body join me in congratulating Senator Hawkins? Congratulations Senator Hawkins."

PERSONAL PRIVILEGE

Senator Liias: "Thank you Mr. President. I apologize that I forgot that you live in darkness. I just wanted to assure you that no one is eating apples on the floor right now in violation of Senate rules. I just wanted to give you that advisory, just to help you out. I am looking around, I literally see no one eating an apple on the floor. They are all just holding them on their desks waiting for floor session to be over. Senator Miloscia is not chewing vigorously right now."

PERSONAL PRIVILEGE

Senator Darneille: "I wanted to personally thank the good Senator for bringing such a delicious treat to us in the form of these applets and cotlets that are with us from eastern Washington. These are made in Cashmere Washington which is the home of my mom and all my mom's peeps. She grew up in Cashmere and I just want to note that this was quite telling that a town as known so distinctively for a product like this that was brought to us by Armenian immigrants. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Sheldon: "Well thank you Mr. President. We all appreciate Senator Hawkins and his gift here today and we always take our senators, as freshman will learn, for whatever they say we take it verbatim and I appreciate to receive these applets and cotlets and you mentioned that these were produced in 1920, so I really think that it would be nice to get a fresh box once in a while."

PERSONAL PRIVILEGE

Senator King: "Well I did eat an apple on the floor today that

the good senator provided. It was a very good apple but, I have to tell you, the apples from the Yakima Valley are much better."

SECOND READING

SENATE BILL NO. 5129, by Senators Hunt, Fain, Zeiger, Mullet and Palumbo

Concerning charter school students participating in interschool athletics and extracurricular activities.

The measure was read the second time.

MOTION

On motion of Senator Hunt, the rules were suspended, Senate Bill No. 5129 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hunt, Zeiger, Mullet, Rolfes, Keiser and Fain spoke on the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5129.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5129 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Senators Angel, Bailey, Becker, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, 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, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senator Baumgartner

Excused: Senators Billig, Ericksen and Van De Wege

SENATE BILL NO. 5129, 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.

PERSONAL PRIVILEGE

Senator Hobbs: "So it took a lot to get Senator Hunt to come to the Senate. Many of us had to go over there and talk to him and convince him, and Mr. President if you don't mind I would like to read from my text messages I had with him?"

Mr. President: "Senator may proceed."

Senator Hobbs: Thank you. So, Me: 'You should come over to the Senate Sam; Hunt: I don't know I have it pretty good here; Me: What do you mean? Hunt: Well for one I am a chair and the other, we don't have to think over here. Everything is decided for me; -this is his words, this is not me, this is his words, I have a lot of respect for the House- Me: You need to come over here man. Hunt: Why? What are the benefits? Me: Nap time. Hunt: Good, because in my advanced age I need the rest and if I actually have to think and make decisions, I really need to take naps. -Again his words- Me: Bigger office. Hunt: I like the bigger office but can I get close to the bathroom? Me: I think we could work that out for you; Hunt: hey you might not know this but I am a big Mariners fan and I don't want to miss a lot of these games. Me: Hey don't worry because we in the Senate are

highly efficient around here and effective, and you shouldn't miss any of the evening games or weekend games like the place you're at now. However, I can't guarantee that we will be done before baseball season. So, congratulations Senator Hunt. I am glad you are here, looking forward to your gift."

PERSONAL PRIVILEGE

Senator Hunt: "I have done it twice and I haven't said, 'Mr. Speaker' yet. I feel good. Thank you for all of the hazing and things and I tried to get the motion passed that I wouldn't be considered a freshman in caucus but it was overwhelmingly defeated. I do have some gifts that are coming around. You got donuts in the caucus today, which came from a local minority-owned business called Heavenly Donuts. They have two locations here in town and they do a very good job of making their own donuts, not a wide chain, I think they have five stores around Washington and Oregon. Also, you are getting a bar of soap from Alaffia which is a locally owned company in Tumwater. They produce soaps, lotions, various other beauty needs. The interesting thing about Alaffia is the owners, Olowo-n'djo and Rose met in the Peace Corps in Togo and they moved to Olympia and they set up their company here, and they make soaps and lotions as I said, and they return a good deal of their profits to Togo for maternal care, education projects. They've built ten schools with the money they've made from their company, 7,800 bicycles. They also do reforestation and they provide eyeglasses for people in Togo as well as maternal health. So it is a good locally owned business that is ecologically free trade and I hope you enjoy the soap and it is something that won't add calories like the donuts do. So thank you and I hope you enjoy it."

REMARKS BY THE PRESIDENT

President Habib: "Thank you. Why don't we have the Senate thank Senator Hunt for his gifts and congratulate him on joining the wiser, more deliberative, body?"

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced former Washington State University and National Football League players Mr. Devard Darling and Mr. Marcus Trufant who were seated in the gallery.

Mr. President: "Both men have done a great deal to assist retiring football players enter into the postseason life, as one might say, and other initiatives to help youth throughout the state."

SECOND READING

SENATE BILL NO. 5230, by Senators Wilson, Palumbo, Braun, Mullet, Baumgartner, Takko, Brown, Keiser, King, Miloscia, Chase, Walsh, Warnick, Hobbs, Angel, Becker, Hasegawa, Hawkins, Padden, O'Ban, Sheldon and Bailey

Concerning licensing and regulatory requirements of small business owners.

The measure was read the second time.

MOTION

On motion of Senator Wilson, the rules were suspended, Senate Bill No. 5230 was advanced to third reading, the second

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

Senators Wilson, Mullet, Warnick, Keiser and Angel spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5230.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5230 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, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, 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, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Billig, Ericksen and Van De Wege

SENATE BILL NO. 5230, 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.

PERSONAL PRIVILEGE

Senator Wilson: "Thank you. In honor of your tradition in the Senate, which is kind of a weird one to me, but that is ok I will play along. I want to present to you a few gifts from the 17th District and, well, Amazon. By the way it only took twenty-two hours to get it here, so that is pretty impressive. First is from the 17th district is a hat, a water bottle, sunscreen, and lip balm in a very special package. So you might wonder what all these things have in common. Well first this is not an omen, but I suspect we are going to be here for a while and into the summer months, so think of this as a survivor kit. So, first of all, and most importantly, the hat it is represented by the biggest and best locally owned cabinet company in the 17th District, and I might say the state and maybe the country. And these are specifically to keep the sun off your head as you walk from committee to committee. Secondly, the water bottle, again directly reported from the 17th District, again from this magnificent small business, to make sure you stay very well hydrated during these long dry sessions, as well as helping you keep cool in an otherwise hot atmosphere. And then being that there will be summer months you must protect your skin from the hot sun that you will only experience as you walk from committee to committee. And then fourth is the lip balm for all those tattered and chapped lips that you will experience after the months and months of flapping floor speeches such as this one. So thank you very much and I look forward to working with all of you in the coming years. Thank you."

REMARKS BY THE PRESIDENT

President Habib: "Senator Wilson. A round of applause for Senator Wilson."

SECOND READING

SENATE BILL NO. 5316, by Senators Fortunato, Rossi, Rivers, Miloscia, Padden, Becker, Braun, Angel, Warnick, Schoesler, Brown, Zeiger and Wilson

THIRTY EIGHTH DAY, FEBRUARY 15, 2017

2017 REGULAR SESSION

Concerning the removal of provisions that are no longer necessary for continued publication in the Revised Code of Washington.

representation.”

The measure was read the second time.

REMARKS BY THE PRESIDENT

MOTION

President Habib: “The Senator will not impugn the origin of the jerky.”

On motion of Senator Fortunato, the rules were suspended, Senate Bill No. 5316 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SECOND READING

SENATE BILL NO. 5138, by Senators Palumbo, Kuderer, Fain, Billig and Rossi

Senators Fortunato, Hunt, Padden, Nelson, Pedersen and Takko spoke on final passage of the bill.

Concerning metropolitan park districts.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5316.

MOTIONS

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5316 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

On motion of Senator Palumbo, Substitute Senate Bill No. 5138 was substituted for Senate Bill No. 5138 and the substitute bill was placed on the second reading and read the second time.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, 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, Walsh, Warnick, Wellman, Wilson and Zeiger

On motion of Senator Palumbo, the rules were suspended, Substitute Senate Bill No. 5138 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Palumbo, Short and Liias spoke in favor of passage of the bill.

Excused: Senators Billig, Ericksen and Van De Wege

Senator Fain requested if Senator Palumbo would yield to a question.

Senator Palumbo did not yield.

SENATE BILL NO. 5316, 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.

Senators Nelson and Schoesler spoke on the final passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5138.

PERSONAL PRIVILEGE

ROLL CALL

Senator Fortunato: “Mr. President, in keeping with the traditions of the Senate, I have a small gift from one of our butchers in our district. We have a large hunting population in our district, and this is one of the best butchers to do beef jerky and elk jerky, etc. Unfortunately we didn’t have enough elk jerky for everybody so everybody gets beef jerky. This will go well with some of the other gifts you have received like: beef jerky and applets and cotlets; beef jerky and soap; beef jerky and some other miscellaneous gifts which you may receive in the future. So thank you very much Mr. President. I hope you enjoy your little crunchy gift there.”

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5138 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 2; Absent, 0; Excused, 4.

Voting yea: Senators Angel, Bailey, Becker, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, 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, Walsh, Warnick, Wellman, Wilson and Zeiger

Voting nay: Senators Baumgartner and Hasegawa

Excused: Senators Billig, Ericksen, Ranker and Van De Wege

REMARKS BY THE PRESIDENT

President Habib: “Would the Senate please recognize and thank Senator Fortunato for his generosity and welcome him to the state Senate?”

SUBSTITUTE SENATE BILL NO. 5138, 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

PERSONAL PRIVILEGE

On motion of Senator Saldaña, Senator Ranker was excused.

PERSONAL PRIVILEGE

Senator Palumbo: “I just wanted to talk about the gift a little bit and the tradition. They are going to be passing them out, we’ve got some individual bags here. Please make sure, staff, that you do not give one to Senator Fain. That would be helpful. I just want to say quickly what an honor it is to actually be standing here. So, for those of you who don’t know, I am quite a little social media guy, and on twitter there is a group of

Senator Hasegawa: “I just want to question whether or not this is actually a product of the 31st District that was just passed out? I noticed that it was teriyaki beef jerky. Sounds like it came from either the 11th or the 37th district unless this is false

WALEG-nerd hashtag people that have been following you for years. Many of you actually know this on this side. And we watch TVW relentlessly and to be able to stand here, I am still a little awestruck, this is really a humbling experience being on this floor with all of you and as I've learned it is actually a family that you don't really know from the outside until you get here. Regardless of party affiliation, there is clearly a family here. So I just want to say that it is really a pleasure to be here. Regarding the bags that are coming out right now, I am not sure if they put the ice cream in it or not, but if not, they are in the women's lounge in the caucus room over here, and I have to apologize to Mark Mullet because it is Snoqualmie ice cream. What I am trying to do here in this bag is highlight a lot of the rural small business that are in the area of the district where I live. I live in Maltby. It is kind of an often forgotten part of our district. It doesn't actually have a city council or anything representing it other than me, Derek, Shelly, and our county councilmember Sam Lowe. And there are a lot of really great small businesses, and the main one you see in here today is from the Maltby Café, which is a cinnamon bun and people from all around the region actually come to our area specifically to have breakfast at the Maltby Café. And it is one of the things that drives our economy in our local area there. Tom has been a wonderful friend of mine and on any given day, if you show up at the Maltby Café in the morning, you will find all the pillars of our local rural community, all the small business owners have breakfast together at the bar there. It is just a really great meeting place and absolutely wonderful food. So I hope you enjoy that. There is also a beer from Diamond Knot, which is brewed in Mountlake Terrace which is in the west part of my district. And as I mentioned Snoqualmie ice cream which is in, sorry Mark, which is in the Maltby area. And finally it wouldn't be a gift from the 1st, and you wouldn't really have a feel for the 1st, if you didn't have your own personalized I-405 ETL ticket for violating the toll lane, so I hope you all enjoy that as well. Thank you very much."

PERSONAL PRIVILEGE

Senator Mullet: "So I just want everyone in this body to know the progress that Senator Palumbo has made in the last month, because we sat here on January 9th, and I kid you not, a simple noonan from Senator Frockt as he went up and tried to repeat like eight words from a Supreme Court Justice and he completely screwed that whole thing up. Yet today, just one month later, he was able to get through an entire floor speech. Well done."

PERSONAL PRIVILEGE

Senator Hobbs: "Yes Mr. President I would like to first of all congratulate Senator Palumbo on making it to the Senate. I mean he spent six years trying to get here. So, you know you deserve to be here. A lot of people know that he loves TVW. He watches it all the time, and we know that because, and this is true on the other side of the aisle, many of us have received his text messages constantly telling us, or asking us what's going on. 'I can't wait to get there.' And so that leads me to another point TVW is really upset now that he no longer watches. Their viewership has dropped by a third. But the good news is, and I just found this out, is that their streaming has been way up since Senator Palumbo can't help but watch himself constantly. And so thank you for doing that. The good news in all this, is that I won't, and Senator Fain won't, and others will not be receiving his annoying text messages about what's going on here because we are already here at one a.m. or two a.m. from the comfort of your own home. No, Senator Palumbo, you will have to suffer with the rest of us here at one a.m. or two a.m. in 'the dead of the

night' that Senator Schoesler likes to say a lot. But thank you for coming here and welcome to the Senate."

PERSONAL PRIVILEGE

Senator Baumgartner: "I just wanted to extend a warm greeting to Senator Palumbo. First of all don't feel too bad about comments about taking six years to get here, that is far better than some of us who have spent six years trying to leave here. And also, I voted no on your bill. Disappointed that the yoga bill did not make it. That would have been the best freshman bill of all time, so we will work on that one. But I do appreciate your gift and I also never want to lose that sense of appreciation and wonder of some extent of what a privilege it is to be here and I appreciated you in your previous life, your pre-senate life of how much attention you paid to this body. If all of our citizens even did it half as much as you did we would have a better government. So it is great to have you on board."

PERSONAL PRIVILEGE

Senator Becker: "Thank you, Mr. President. Well I would first of all like to thank Senator Palumbo for this winter ale. It is the biggest bottle of ale I have ever seen. I would also like to ask Mr. President for permission to drink this out of my blue cup that we were given. And we won't lie we will tell you that we are drinking it."

REMARKS BY THE PRESIDENT

President Habib: "We will see how bad things get."

PERSONAL PRIVILEGE

Senator Liias: "I would just like to thank Senator Palumbo for handing out beer from my district, from the Diamond Knot Brewing Company in Mukilteo. I think he's mixed the lines up a little bit. I do appreciate his analogy of the Senate as a family. Since you are new I just wanted to clue the Senator in on some of the characters here in the Legislature. We've got the crazy uncle that makes alcohol in his garage, that's Senator Takko. So if you ever need some homemade alcohol, he's the person to talk to. There is that cousin that is like a good lawyer that can give you good legal advice, look at your will, if you have a business, that is Senator Pedersen, so if you have any legal questions just in caucus or on the floor you can bring a will by and he will take a look at it. Then we've got the aunt with an eccentric hobby, that is Senator Becker. She likes to grind rocks and she'll tell you all about it, so if you want to learn about eccentric hobbies she will tell you. And then we've got the grumpy grandpa that really, secretly, deep down loves you and that is Senator King, so when he barks at you it is just because he wants you to stand up straight and do your homework on time, but he really does love you deep down."

REMARKS BY THE PRESIDENT

President Habib: "Then we've got the chatty floor leader who is always trying to get a TVW award with every point of personal privilege."

SECOND READING

SENATE BILL NO. 5207, by Senators Kuderer, Miloscia, Frockt, Zeiger, Hobbs, Keiser, Chase and Hunt

THIRTY EIGHTH DAY, FEBRUARY 15, 2017

2017 REGULAR SESSION

Concerning the public disclosure of global positioning system data corresponding to residential addresses of public employees and volunteers.

MOTIONS

On motion of Senator Kuderer, Substitute Senate Bill No. 5207 was substituted for Senate Bill No. 5207 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kuderer, the rules were suspended, Substitute Senate Bill No. 5207 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer, Miloscia, Liias, Nelson, Fain and Takko 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. 5207.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5207 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, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, 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, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Billig, Ericksen and Van De Wege

SUBSTITUTE SENATE BILL NO. 5207, 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.

PERSONAL PRIVILEGE

Senator Kuderer: "I just want to tell everyone how happy I am to be here in the Senate, I was actually told when I was over in the House that coming over here would be a bit like a morgue and that I was really going to hate it. So, I thought what kind of gift could I get that would maybe liven the place up a bit, so I did what any well-educated, thinking person would do and I bought a lot of beer. The beer comes from the Bellevue Brewing Company which is in my district. And I know you all think that my district is just Microsoft but it is much, much more than that. And the Bellevue Brewing Company, I am a founding member, though most of you know that I traditionally drink wine, but I do like the occasional craft beer. This place started five years ago with the goal of also donating a good portion of the proceeds to helping children in all aspects of their lives, especially education. I invite you all to come there. You know Senator Baumgartner, We have four different kinds of beer, one of which has a high alcoholic content. Before you came over and said that you were going to hear my bill, I was going to suggest you select that particular bottle and then I was going to ask that you hear my bill. Senator Takko, I better not find the empty in one of the mouths of those animals on your wall or we may end up having to call you Senator Tacky. But I hope that you all enjoy it. There are four different kinds of beer including a citrus beer which I understand is infused with orange and nuts that might appeal to my friends on the other side of the aisle. Sorry I couldn't resist.

Anyway, I would also like to invite you all to come to my district and I will personally give you a tour of the Bellevue Brewing Company. I think you will enjoy seeing the district and learning a little more about it and having a cold brew. And if you don't drink, then may I suggest that now might be a good time to start or you can always re-gift it and I am always volunteering to be that person if you like to re-gift. So thank you very much."

PERSONAL PRIVILEGE

Senator Hunt: "I would like to remind, I don't know if you all know it, but when we came over from the House we had to go to the Speaker's office and surrender our GPS chip."

PERSONAL PRIVILEGE

Senator Becker: "Now we have two bottles we can drink out here on the floor. Can we use the glass and the cup now?"

REMARKS BY THE PRESIDENT

President Habib: "We are nearly done Senator, so... Would the Senate please join me in congratulating Senator Kurderer and thanking her for her gift? Welcome to the state Senate."

SECOND READING

SENATE BILL NO. 5069, by Senators Walsh, Frockt, O'Ban, Zeiger, Chase, Hasegawa, Conway and Palumbo

Providing associate degree education to enhance education opportunities and public safety.

MOTIONS

On motion of Senator Walsh, Substitute Senate Bill No. 5069 was substituted for Senate Bill No. 5069 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. 5069 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Walsh, Pedersen, Padden, Fain, Darneille, O'Ban, Liias, Hasegawa and Nelson 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. 5069.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5069 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, Braun, Brown, Carlyle, Chase, Cleveland, Conway, Darneille, Fain, Fortunato, Frockt, 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, Walsh, Warnick, Wellman, Wilson and Zeiger

Excused: Senators Billig, Ericksen and Van De Wege

SUBSTITUTE SENATE BILL NO. 5069, 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.

PERSONAL PRIVILEGE

Senator Walsh: "I just wanted to say that I am so pleased to be aboard this august body, I have been in the House, for twenty-four years prior to this, and just like the good Senator Hunt I was a little reluctant to leave a longtime, longstanding family in the House but I am feeling very familial here and I want to thank you all for that. I would also like to correct Senator O'Ban. We also have the best community college in my district in the nation. I will be handing out not sweet onion sausage, not Walla Walla sweet onions, but some delicious wine from Prosser in my district that actually the person, the good Representative in the House who replaced me, this is his winery and his wine and I hope you enjoy it. And, that being said, this august body of the Senate that I had always heard fairly negative things about, well I think they were right, its kind of like the blind leading the blind. Oh, I'm sorry Mr. President, please forgive me."

PERSONAL PRIVILEGE

Senator Sheldon: "Thank you Mr. President. After twenty years in the Senate, this has probably been one of my best days. I've got a hat, I've got water bottle, I got liquor. What am I going to do with all this liquor? I don't even drink anymore. My God, this is better than going to the ninth order of business. What a day. I have to say though, as a point of personal privilege is unique to the particular member that stands, as a former member of the Democratic Caucus and a member with the Majority Coalition Caucus I have some unique experiences and we have referred to food here quite a bit through the day and a lot of the gifts are certainly food but the Democratic Caucus has changed quite a bit. Senator Mullet has brought ice cream and pizza to the caucus and that has changed a lot. When I was there we usually had tofu and bean sprouts. They were brought in when there was a tough subject and people were getting cranky and needed something to eat. That was great but of all the gifts we've received today I have to single out one as being an experience that I have had before and is absolutely the best gift and it is right here. This small bar of soap made by Alaffia that Senator Hunt brought us because if you take this in your hand, find your bar of soap, put it to your nose and breathe very deeply. That is what we did in the Democratic Caucus all the time when we had a tough issue. It might be transportation, it might be school funding, but aromatherapy was always the go-to thing to do when you couldn't solve a problem. So when we are working on the McCleary decision this year keep this right on your desk and always think aromatherapy. It'll always solve it."

PERSONAL PRIVILEGE

Senator Liias: "I was just going to encourage the good Senator from the 35th that I hear Senator Rivers is actually bringing aromatherapy into your caucus as well so I think that you guys will be a lot calmer on the floor."

PERSONAL PRIVILEGE

Senator Becker: "I really welcome the kind lady from the 16th District and I am really glad that I have two bottles of beer and a

bottle of wine and I am really excited if you will let us drink it out of this cup on the floor we will never have to worry about anything. Thank you."

PERSONAL PRIVILEGE

Senator Hunt: "Mr. Speaker, Point of Personal Privilege."

REMARKS BY THE PRESIDENT

President Habib: "OOOOOOOh. Again this is why we don't have freshmen haze other freshman."

PERSONAL PRIVILEGE

Senator Hunt: "You know I serve on the oral history committee of the legislature and I just wanted to share a little bit of history. I started in this august body as a staffer way back in 1980 when this body was I think, all but one male. And the tradition in those days when you passed your first bill was every member got a cigar. How times have changed!"

REMARKS BY THE PRESIDENT

President Habib: "Would the Senate please join me in thanking Senator Walsh for these gifts from the lovely and highly educated 16th Legislative District and welcome her to the state Senate?"

MOTION

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

MESSAGE FROM THE HOUSE

February 15, 2017

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1130,
SUBSTITUTE HOUSE BILL NO. 1160,
HOUSE BILL NO. 1182,
HOUSE BILL NO. 1262,
HOUSE BILL NO. 1329,
HOUSE BILL NO. 1337,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

At 12:28 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock noon Thursday, February 16, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

1130-S		Second Reading	8
Messages	12	Third Reading Final Passage	9
1160-S		5364	
Messages	12	Committee Report.....	2
1182		5430	
Messages	12	Committee Report.....	2
1262		5431	
Messages	12	Committee Report.....	2
1329		5433	
Messages	12	Committee Report.....	2
1337		5502	
Messages	12	Committee Report.....	2
5005		5615	
Committee Report.....	1	Committee Report.....	2
5046		5628	
Committee Report.....	1	Committee Report.....	2
5069-S		5786	
Second Reading	11	Committee Report.....	2
Third Reading Final Passage	11	5813	
5099		Introduction & 1st Reading.....	3
Committee Report.....	1	5814	
5129		Introduction & 1st Reading.....	3
Second Reading	7	5815	
Third Reading Final Passage	7	Introduction & 1st Reading.....	3
5138-S		5816	
Second Reading	9	Introduction & 1st Reading.....	3
Third Reading Final Passage	9	5817	
5207-S		Introduction & 1st Reading.....	3
Second Reading	10, 11	5818	
Third Reading Final Passage	11	Introduction & 1st Reading.....	3
5230		5819	
Second Reading	8	Introduction & 1st Reading.....	4
Third Reading Final Passage	8	5820	
5251		Introduction & 1st Reading.....	4
Committee Report.....	1	5821	
5254		Introduction & 1st Reading.....	4
Committee Report.....	1	5822	
5263		Introduction & 1st Reading.....	4
Committee Report.....	1	5823	
5269		Introduction & 1st Reading.....	4
Committee Report.....	1	5824	
5270		Introduction & 1st Reading.....	4
Second Reading	6	5825	
Third Reading Final Passage	6	Introduction & 1st Reading.....	4
5281		8008	
Committee Report.....	2	Committee Report.....	3
5316		8614	

Adopted..... 5
 Introduced 4
 9184
 Committee Report..... 3
 9230
 Committee Report..... 3
 9232
 Committee Report..... 3
 9234
 Committee Report..... 3
CHAPLAIN OF THE DAY
 Panter, Pastor Dan Road Baptist Church,
 Olympia..... 1
GUESTS
 Darling, Mr. Devard..... 8
 Trufant, Mr. Marcus..... 8
PAGES
 Ames, Mr. Nicholas 1
 Cole, Mr., Timothy 1

PRESIDENT OF THE SENATE
 Remarks by the President.... 7, 8, 9, 10, 11, 12
WASHINGTON STATE SENATE
 Personal Privilege, Senator Baumgartner ... 10
 Personal Privilege, Senator Becker. 10, 11, 12
 Personal Privilege, Senator Darneille 7
 Personal Privilege, Senator Fortunato..... 9
 Personal Privilege, Senator Hasegawa..... 9
 Personal Privilege, Senator Hawkins 6
 Personal Privilege, Senator Hobbs..... 7, 10
 Personal Privilege, Senator Hunt 8, 11, 12
 Personal Privilege, Senator King 7
 Personal Privilege, Senator Kuderer 11
 Personal Privilege, Senator Lias 7, 10, 12
 Personal Privilege, Senator Mullet 10
 Personal Privilege, Senator Palumbo..... 9
 Personal Privilege, Senator Sheldon 7, 12
 Personal Privilege, Senator Walsh..... 12
 Personal Privilege, Senator Wilson..... 8

