

SIXTY FIFTH LEGISLATURE - REGULAR SESSION

SIXTIETH DAY

House Chamber, Olympia, Thursday, March 9, 2017

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jonathan Emerson and Taylor Clapp. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Paul Harris, 17th Legislative District.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the third order of business.

MESSAGES FROM THE SENATE

March 8, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5014,
 SENATE BILL NO. 5070,
 SUBSTITUTE SENATE BILL NO. 5100,
 SUBSTITUTE SENATE BILL NO. 5104,
 SUBSTITUTE SENATE BILL NO. 5233,
 SENATE BILL NO. 5336,
 SECOND SUBSTITUTE SENATE BILL NO. 5342,
 SENATE BILL NO. 5448,
 SENATE BILL NO. 5543,
 SUBSTITUTE SENATE BILL NO. 5633,
 SENATE BILL NO. 5662,
 SUBSTITUTE SENATE BILL NO. 5712,
 SENATE BILL NO. 5813,
 SUBSTITUTE SENATE BILL NO. 5835,
 SENATE CONCURRENT RESOLUTION NO. 8401,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5145,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5256,
 ENGROSSED SENATE BILL NO. 5280,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5645,

ENGROSSED SENATE BILL NO. 5800,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2017

MR. SPEAKER:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5016,
 SENATE BILL NO. 5146,
 SUBSTITUTE SENATE BILL NO. 5154,
 SECOND SUBSTITUTE SENATE BILL NO. 5201,
 SUBSTITUTE SENATE BILL NO. 5327,
 SENATE BILL NO. 5536,
 SENATE BILL NO. 5614,
 SUBSTITUTE SENATE BILL NO. 5770,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5797,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5808,
 SUBSTITUTE SENATE BILL NO. 5833,

and the same are herewith transmitted.

Hunter G. Goodman, Secretary

March 8, 2017

MR. SPEAKER:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5023,

and the same is herewith transmitted.

Hunter G. Goodman, Secretary

There being no objection, the House advanced to the fourth order of business.

INTRODUCTION & FIRST READING

HB 2142 by Representatives Reeves, Barkis, Kilduff, Stokesbary, Blake, Hayes, Stanford, Steele and Muri

AN ACT Relating to discover passes for state and national guard members; and amending RCW 79A.80.020 and 79A.80.080.

Referred to Committee on Environment.

HB 2143 by Representatives Haler, Hansen, Holy, Stanford and Muri

AN ACT Relating to expanding opportunities for higher education students; amending RCW 28B.145.005, 28B.145.010, 28B.145.020, 28B.145.030, 28B.145.040, and 28B.145.090; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

HB 2144 by Representatives Pollet, Cody, Ryu, Robinson, Jinkins, Kagi and Peterson

AN ACT Relating to the taxation of vapor products; reenacting and amending RCW 82.26.010; adding a new section to chapter 82.26 RCW; and creating a new section.

Referred to Committee on Finance.

SUPPLEMENTAL INTRODUCTION & FIRST READING

ESB 5023 by Senators Wellman, Rolfes, Nelson, McCoy, Carlyle, Frockt, Palumbo, Liias, Billig, Hunt, Keiser, Pedersen, Conway, Saldaña, Darneille, Hasegawa, Chase, Mullet and Kuderer

AN ACT Relating to delaying implementation of revisions to the school levy lid; amending RCW 84.52.0531; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010 c 237 ss 9, 8, and 10, and 2016 c 202 s 56 (unmodified); reenacting and amending RCW 84.52.0531; creating a new section; providing effective dates; and providing expiration dates.

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

ESSB 5131 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Rivers and Conway)

AN ACT Relating to marijuana with respect to privileges for research licenses, local authority notifications, the retail licensing merit-based application process, processor wholesale events, certain transfers of plants and seeds, licensing agreements and contracts, residency requirements, and jurisdictional requirements; amending RCW 69.50.325, 69.50.331, 69.50.372, 66.08.100, 69.50.366, 69.50.382, and 69.51A.250; reenacting and amending RCW 42.56.270 and 69.50.101; adding a new section to chapter 69.50 RCW; adding a new section to chapter 69.51A RCW; and creating a new section.

Referred to Committee on Commerce & Gaming.

SSB 5133 by Senate Committee on Local Government (originally sponsored by Senator Takko)

AN ACT Relating to county boards of equalization; and amending RCW 84.48.010.

Referred to Committee on Local Government.

SB 5232 by Senators Brown, Palumbo, Walsh, Dansel, Takko, Chase and Sheldon

AN ACT Relating to allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act; and amending RCW 19.285.030 and 19.285.040.

Referred to Committee on Technology & Economic Development.

ESSB 5312 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Baumgartner, Saldaña, Walsh, Billig, Angel, Hasegawa, Keiser, Chase, Zeiger, Rolfes, Ranker, Fain, Frockt, Conway, Wellman, Darneille, Pedersen and Miloscia)

AN ACT Relating to prohibiting certain employers from including any question on an application about an applicant's criminal record, inquiring either orally or in writing about an applicant's criminal records, or obtaining information from a criminal background check, until after the employer initially determines that the applicant is otherwise qualified; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Labor & Workplace Standards.

SSB 5339 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators O'Ban, Padden, Miloscia, King, Schoesler, Zeiger, Becker, Baumgartner, Rossi, Wilson, Sheldon, Angel, Honeyford, Braun and Warnick)

AN ACT Relating to accommodating the civil rights of religious objectors to mandatory payments to labor organizations; and amending RCW 41.56.122, 41.76.045, 41.59.100, 28B.52.045, 49.39.090, 47.64.160, 41.80.100, and 49.66.010.

Referred to Committee on Labor & Workplace Standards.

SSB 5340 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Baumgartner and Conway)

AN ACT Relating to class B elevator work permits; amending RCW 70.87.100; reenacting and amending RCW 70.87.010; and adding a new section to chapter 70.87 RCW.

Referred to Committee on Labor & Workplace Standards.

SSB 5362 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Braun, Mullet, Baumgartner, Liias and Rossi)

AN ACT Relating to an exemption from unemployment compensation for certain providers of commercial transportation services; and adding a new section to chapter 50.04 RCW.

Referred to Committee on Labor & Workplace Standards.

SSB 5403 by Senate Committee on Transportation (originally sponsored by Senators O'Ban and Conway)

AN ACT Relating to ferry district authority; and amending RCW 36.54.120, 36.54.130, and 36.54.135.

Referred to Committee on Transportation.

SB 5433 by Senators Miloscia, Angel, Sheldon, Padden and Fortunato

AN ACT Relating to informed decision making for death with dignity decisions; and amending RCW 70.245.010, 70.245.040, and 70.245.220.

Referred to Committee on Health Care & Wellness.

ESSB 5465 by Senate Committee on Law & Justice (originally sponsored by Senators Miloscia, Hasegawa, Rolfes, O'Ban, Darneille, Angel and Frockt)

AN ACT Relating to creating an office of the corrections ombuds; and adding a new chapter to Title 43 RCW.

Referred to Committee on Public Safety.

2SSB 5475 by Senate Committee on Ways & Means (originally sponsored by Senators Brown, Baumgartner, Rivers, Takko, King, Sheldon, Bailey, Ericksen, Angel, Honeyford, Miloscia, Becker, Braun, Hobbs and Schoesler)

AN ACT Relating to providing a business and occupation tax exemption for manufacturers of small modular reactors; adding a new section to chapter 82.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Technology & Economic Development.

SB 5490 by Senators O'Ban, Pedersen, Hunt and Darneille

AN ACT Relating to notification requirements for the department of social and health services; and amending RCW 26.44.100, 43.20B.430, 43.20B.435, 43.20B.635, and 74.20A.320.

Referred to Committee on Early Learning & Human Services.

SSB 5533 by Senate Committee on Commerce, Labor & Sports (originally sponsored by Senators Rossi, Baumgartner, Fortunato, Braun, Brown, Wilson, Becker, Padden and Angel)

AN ACT Relating to prohibiting contributions to and independent expenditures for gubernatorial candidates; amending RCW 42.17A.405; reenacting and amending RCW 42.17A.005; and providing for submission of this act to a vote of the people.

Referred to Committee on Labor & Workplace Standards.

3SSB 5558 by Senate Committee on Ways & Means (originally sponsored by Senators Darneille, O'Ban and Angel)

AN ACT Relating to issuing a two-year identicaid for offenders released from prison facilities; amending RCW 46.20.117 and 46.20.117; adding a new section to chapter 72.09 RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Public Safety.

ESSB 5620 by Senate Committee on Transportation (originally sponsored by Senators King, Hobbs, Fain, Mullet and Palumbo)

AN ACT Relating to transportation network companies; amending RCW 48.177.010, 51.12.020, 46.72.010, 46.74.020, and 50.04.100; reenacting and amending RCW 42.56.270 and 43.79A.040; adding a new chapter to Title 46 RCW; recodifying RCW 48.177.010; and repealing RCW 48.177.005.

Referred to Committee on Labor & Workplace Standards.

ESB 5647 by Senators Honeyford, Takko, Schoesler and Saldaña

AN ACT Relating to creating a low-income home rehabilitation revolving loan program; reenacting and amending RCW 43.79A.040; and adding new sections to chapter 43.330 RCW.

Referred to Committee on Community Development, Housing & Tribal Affairs.

ESSB 5659 by Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Hawkins, Schoesler and Warnick)

AN ACT Relating to the eligibility of emergency medical technicians employed by public hospital districts for membership in the law enforcement officers' and firefighters' retirement system; amending RCW 41.26.030; and creating new sections.

Referred to Committee on Appropriations.

SB 5762 by Senators Hunt, Short and Sheldon

AN ACT Relating to financing of the mercury-containing light stewardship program; and amending RCW 70.275.050, 70.275.040, 70.275.130, and 43.131.422.

Referred to Committee on Environment.

SB 5793 by Senators Warnick and Chase

AN ACT Relating to an assessment on cattle; and amending RCW 16.67.120.

Referred to Committee on Agriculture & Natural Resources.

There being no objection, the bills listed on the day's introduction sheet and supplemental introduction sheet under the fourth order of business were referred to the committees so designated, with the exception of ENGROSSED SENATE BILL NO. 5023 which was read the first time, and under suspension of the rules, was placed on the second reading calendar.

The Speaker (Representative Orwall presiding) called upon Representative Lovick to preside.

There being no objection, the House advanced to the sixth order of business.

SECOND READING

ENGROSSED SENATE BILL NO. 5023, by Senators Wellman, Rolfes, Nelson, McCoy, Carlyle, Frockt, Palumbo, Lias, Billig, Hunt, Keiser, Pedersen, Conway, Saldaña, Darneille, Hasegawa, Chase, Mullet and Kuderer

Delaying implementation of revisions to the school levy lid. (REVISED FOR ENGROSSED: Changing provisions relating to school district excess levies.)

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Lytton, Harris, Reeves, Manweller, Sullivan, Steele and Buys spoke in favor of the passage of the bill.

Representative Taylor and Kristiansen spoke against the passage of the bill.

COLLOQUY

Representative Harris: "ESB 5023 extends the school district levy authorization for calendar year 2018 and imposes new requirements. The bill language refers to "levies for maintenance and operation support." However, a general cross reference to RCW 84.52.053 could be interpreted to impose these requirements on two other sources of district funding that statute also contains: capital levies and the transportation levies.

Is it the intent to expand the new requirements in ESB 5023 to cover school district capital levies and transportation levies?"

Representative Sullivan: "No. The provisions of Section 2(13) and (14) and Section 3(10) and (11) of ESB 5023 do not apply to capital levies and transportation levies. ESB 5023 only amends the state law dealing with maintenance and operating levies. It is focused on amendments to RCW 84.52.0531 (see first line of Sec. 2 and see first line of Sec. 3)."

MOTION

On motion of Representative Hayes, Representative Johnson was excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5023.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5023, and the bill passed the House by the following vote: Yeas, 87; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Barkis, Bergquist, Blake, Buys, Caldier, Chapman, Clibborn, Cody, DeBolt, Dent, Doglio, Dolan, Farrell, Fey, Fitzgibbon, Frame, Goodman, Graves, Gregerson, Griffey, Haler, Hansen, Hargrove, Harmsworth, Harris, Hayes, Holy, Hudgins, Irwin, Jenkin, Jinkins, Kagi, Kilduff, Kirby, Klippert, Kloba, Koster, Kraft, Kretz, Lovick, Lytton, MacEwen, Macri, Manweller, Maycumber, McBride, McCabe, McDonald, Morris, Muri, Nealey, Ormsby, Ortiz-Self, Orwall, Pellicciotti, Peterson, Pettigrew, Pollet, Reeves, Riccelli, Robinson, Rodne, Ryu, Santos, Sawyer, Sells, Senn, Slatter, Smith, Springer, Stambaugh, Stanford, Steele, Stokesbary, Stonier, Sullivan, Tarleton, Tharinger, Van Werven, Vick, Volz, J. Walsh, Wilcox, Wylie, Young and Mr. Speaker.

Voting nay: Representatives Chandler, Condotta, Dye, Kristiansen, McCaslin, Orcutt, Pike, Schmick, Shea and Taylor.

Excused: Representative Johnson.

ENGROSSED SENATE BILL NO. 5023, having received the necessary constitutional majority, was declared passed.

There being no objection, the House adjourned until 9:55 a.m., March 10, 2017, the 61st Day of the Regular Session.

FRANK CHOPP, Speaker

BERNARD DEAN, Chief Clerk