

**THIRTIETH DAY**

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NOON SESSION

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Senate Chamber, Olympia, Saturday, June 27, 2015

June 26, 2015

The Senate was called to order at 12:00 o'clock p.m. by President Owen. The Secretary called the roll and announced to the President that all senators were present with the exceptions of Senators Benton, Conway, McAuliffe, Mullet, Ranker and Rolfes.

The Sergeant at Arms Color Guard consisting of Mr. David Patstone and Mr. Bruce Selleg, Senate Security Officers, presented the Colors. Senator Angel offered the prayer.

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

June 26, 2015

SB 6051 Prime Sponsor, Senator Hill: Relating to state government. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6051 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Padden; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig; Fraser; Hasegawa and Kohl-Welles.

Passed to Committee on Rules for second reading.

June 26, 2015

SB 6052 Prime Sponsor, Senator Hill: Relating to state government. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6052 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Billig; Fraser; Hasegawa; Hatfield and Kohl-Welles.

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

Passed to Committee on Rules for second reading.

SB 6057 Prime Sponsor, Senator Hill: Relating to revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6057 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Becker; Brown; Hatfield; Hewitt; O'Ban; Parlette; Schoesler and Warnick.

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

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

Passed to Committee on Rules for second reading.

June 26, 2015

SB 6059 Prime Sponsor, Senator Hill: Relating to education. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6059 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Bailey; Becker; Brown; Hewitt; O'Ban; Parlette; Schoesler and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hargrove, Ranking Member; Billig; Fraser; Hasegawa and Kohl-Welles.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Assistant Ranking Member on the Capital Budget; Hatfield and Padden.

Passed to Committee on Rules for second reading.

June 26, 2015

SB 6131 Prime Sponsor, Senator Ericksen: Requiring safer chemicals in Washington. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6131 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

MINORITY recommendation: Do not pass. Signed by Senators McCoy, Ranking Minority Member; Cleveland and Habib.

Passed to Committee on Rules for second reading.

June 26, 2015

SB 6138 Prime Sponsor, Senator Hill: Increasing state revenue through improved compliance methods and eliminating tax

preferences for royalties and certain manufacturing equipment.  
Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6138 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Braun, Vice Chair; Dammeier, Vice Chair; Honeyford, Vice Chair, Capital Budget Chair; Hargrove, Ranking Member; Keiser, Assistant Ranking Member on the Capital Budget; Bailey; Becker; Billig; Fraser; Hasegawa; Hatfield; Hewitt; Kohl-Welles; O'Ban; Parlette; Schoesler and Warnick.

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

Passed to Committee on Rules for second reading.

#### MOTION

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

#### MOTION

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

#### MESSAGE FROM THE HOUSE

June 26, 2015

MR. PRESIDENT:

The House has passed:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2239,  
SUBSTITUTE HOUSE BILL NO. 2263

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

#### MESSAGE FROM THE HOUSE

June 27, 2015

MR. PRESIDENT:

The House has passed:

ENGROSSED SENATE BILL NO. 6092.

and the same is herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

#### 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  
8687

By Senators Hasegawa, Fraser, and Kohl-Welles

WHEREAS, Northwest Center was founded in 1965 by parents who chose to keep their children with developmental disabilities in the community and who challenged the prevailing notion that their children could not be taught; and

WHEREAS, These parents hired their own teachers to develop special needs education programs and found that their children could indeed learn; and

WHEREAS, The parents who formed Northwest Center also authored and won approval of civil rights legislation that opened the doors of Washington state schools to all children. This was the first such law in the nation and served as the model for federal legislation; and

WHEREAS, Northwest Center continues its mission to the present day by promoting the growth, development, and independence of children and adults with developmental disabilities through programs of education, rehabilitation, and work opportunity. In doing so, it touches the lives of nearly 1000 families annually; and

WHEREAS, Northwest Center has made a substantial difference in the lives of children and adults in Washington state. For example, in 2014 the center's work resulted in: An 18.3 percent increase in Seattle job placement and a 211 percent increase in Spokane job placement; over 130 children from ages birth to three receiving Early Intervention Services; and over 150 clients receiving job coaching and ongoing support in the work place; and

WHEREAS, The social enterprise model of the Northwest Center allows its programs to thrive through a sustainable combination of philanthropy, profits from its own inclusive businesses, donations collected by "The Big Blue Truck," and program revenue; and

WHEREAS, Northwest Center never turns a child away from services due to the severity of their disability or their family's ability to pay; and

WHEREAS, Northwest Center has developed an innovative Expanded School to Work pilot project within the Issaquah School District. This program allows Northwest Center to begin School to Work services for students a year earlier than the traditional program. As a result more students with special needs will be placed in well-matched, meaningful, steady jobs; and

WHEREAS, 2015 is the 50th anniversary of Northwest Center which has grown to become the largest community service organization serving children and adults of all abilities in the Pacific Northwest;

NOW, THEREFORE, BE IT RESOLVED, That the Senate congratulate Northwest Center on 50 years of service to the developmentally disabled community and recognize and honor Northwest Center for its remarkable work in providing important services for children and adults with developmental disabilities in this state; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Northwest Center.

Senator Hasegawa spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8687.

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

INTRODUCTION OF SPECIAL GUESTS

THIRTIETH DAY, JUNE 27, 2015

2015 2ND SPECIAL SESSION

The President welcomed and introduced representatives of Northwest Center, Mr. Tom Everill, President & CEO; Mr. Allan Munro, Board Director; and Ms. Kalyn Brady, Marketing and Outreach Coordinator and Safety Chair, who were present in the gallery and recognized by the senate.

Senator Fraser announced a meeting of the Senate Democratic Caucus immediately upon going at ease, requesting those members to bring the day's regular calendar.

Senator Parlette announced a meeting of the Majority Coalition Caucus immediately upon going at ease, requesting those members to bring the day's regular calendar.

MOTION

At 12:13 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

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AFTERNOON SESSION

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The Senate was called to order at 2:22 p.m. by President Owen.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6142 by Senators Chase and Benton

AN ACT Relating to paint stewardship; amending RCW 42.56.270, 43.21B.110, and 43.21B.110; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

E2SHB 1541 by House Committee on Appropriations (originally sponsored by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall and Gregerson)

AN ACT Relating to implementing strategies to close the educational opportunity gap, based on the recommendations of the educational opportunity gap oversight and accountability committee; amending RCW 28A.600.490, 28A.600.015, 28A.600.020, 28A.600.022, 43.41.400, 28A.405.106, 28A.405.120, 28A.660.045, 28A.660.050, 28A.180.040, 28A.180.090, 28A.300.042, 28A.300.505, and 28A.300.507; reenacting and amending RCW 13.50.010; adding a new section to chapter 28A.320 RCW; adding new sections to chapter 28A.345 RCW; adding new sections to chapter 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new section to chapter 43.215 RCW; creating new sections; and providing expiration dates.

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

MOTION

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING OF HOUSE BILLS

2E2SHB 2136 by House Committee on Appropriations (originally sponsored by Representative Carlyle)

AN ACT Relating to comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state; amending RCW 69.50.334, 69.50.357, 69.50.369, 69.50.535, 69.50.540, 69.50.331, 69.50.445, 69.50.4013, 18.170.020, 69.50.4014, 66.08.050, 69.50.101, 28B.20.502, 43.350.030, 69.50.530, 69.50.342, and 66.08.012; adding new sections to chapter 69.50 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 42.56 RCW; creating new sections; providing contingent effective dates; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 2239 by House Committee on Appropriations (originally sponsored by Representatives Hunter, Lytton, Sullivan and Carlyle)

AN ACT Relating to implementation of a plan for fulfilling Article IX obligations; adding a new chapter to Title 28A RCW; providing an expiration date; and declaring an emergency.

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

MOTION

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

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

ENGROSSED SENATE BILL NO. 6092.

MOTION

On motion of Senator Fain, the rules were suspended and Second Engrossed Second Substitute House Bill No. 2136 was placed on the day's second reading calendar.

MOTION

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

MOTION

On motion of Senator Habib, Senators Conway, McAuliffe, Mullet, Ranker and Rolfes were excused.

MOTION

On motion of Senator Rivers, Senator Benton was excused.

THIRD READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pearson moved that Bradley F. Smith, Gubernatorial Appointment No. 9162, be confirmed as a member of the Fish & Wildlife Commission.

Senators Pearson and Chase spoke in favor of the motion.

APPOINTMENT OF BRADLEY F. SMITH

The President declared the question before the Senate to be the confirmation of Bradley F. Smith, Gubernatorial Appointment No. 9162, as a member of the Fish & Wildlife Commission.

The Secretary called the roll on the confirmation of Bradley F. Smith, Gubernatorial Appointment No. 9162, as a member of the Fish & Wildlife Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon and Warnick

Excused: Senators Benton, Conway, McAuliffe, Mullet, Ranker and Rolfes

Bradley F. Smith, Gubernatorial Appointment No. 9162, having received the constitutional majority was declared confirmed as a member of the Fish & Wildlife Commission.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1738, by House Committee on Transportation (originally sponsored by Representatives Orcutt, Clibborn, Hayes, Fey, Hargrove, Farrell, Zeiger, Moscoso, Muri, Condotta, Buys and Harmsworth)

Concerning marine, off-road recreational vehicle, and snowmobile fuel tax refunds based on actual fuel taxes paid.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 1738 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King, Hobbs and Fraser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1738.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1738 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon and Warnick

Excused: Senators Benton, Conway, McAuliffe, Mullet, Ranker and Rolfes

SUBSTITUTE HOUSE BILL NO. 1738, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1157, by House Committee on Transportation (originally sponsored by Representatives Pike, Wylie, Wilson and Moeller)

Modifying the apportionment of quick title service fees collected by appointed subagents.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Substitute House Bill No. 1157 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and Hobbs spoke in favor of passage of the bill.

Senator Hatfield spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1157.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1157 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 1; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Brown, Chase, Cleveland, Dammeier, Dansel, Darneille, Ericksen, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hewitt, Hill, Hobbs, Honeyford, Jayapal, Keiser, King, Kohl-Welles, Lias, Litzow, McCoy, Miloscia, Nelson, O'Ban, Padden, Parlette, Pearson, Pedersen, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senator Hatfield

Excused: Senators Benton, Conway, McAuliffe, Mullet, Ranker and Rolfes

SUBSTITUTE HOUSE BILL NO. 1157, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

HOUSE BILL NO. 1918, by Representatives Shea, Orcutt, Hayes and Scott

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2015 2ND SPECIAL SESSION

Modifying provisions applicable to off-road, nonhighway, and wheeled all-terrain vehicles and their drivers.

The measure was read the second time.

#### MOTION

Senator King moved that the following committee striking amendment by the Committee on Transportation be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 38.52.180 and 2011 c 336 s 791 are each amended to read as follows:

(1) There shall be no liability on the part of anyone including any person, partnership, corporation, the state of Washington or any political subdivision thereof who owns or maintains any building or premises which have been designated by a local organization for emergency management as a shelter from destructive operations or attacks by enemies of the United States for any injuries sustained by any person while in or upon said building or premises, as a result of the condition of said building or premises or as a result of any act or omission, or in any way arising from the designation of such premises as a shelter, when such person has entered or gone upon or into said building or premises for the purpose of seeking refuge therein during destructive operations or attacks by enemies of the United States or during tests ordered by lawful authority, except for an act of willful negligence by such owner or occupant or his or her servants, agents, or employees.

(2) All legal liability for damage to property or injury or death to persons (except an emergency worker, regularly enrolled and acting as such), caused by acts done or attempted during or while traveling to or from an emergency or disaster, search and rescue, or training or exercise authorized by the department in preparation for an emergency or disaster or search and rescue, under the color of this chapter in a bona fide attempt to comply therewith, except as provided in subsections (3), (4), and (5) of this section regarding covered volunteer emergency workers, shall be the obligation of the state of Washington. Suits may be instituted and maintained against the state for the enforcement of such liability, or for the indemnification of persons appointed and regularly enrolled as emergency workers while actually engaged in emergency management duties, or as members of any agency of the state or political subdivision thereof engaged in emergency management activity, or their dependents, for damage done to their private property, or for any judgment against them for acts done in good faith in compliance with this chapter: PROVIDED, That the foregoing shall not be construed to result in indemnification in any case of willful misconduct, gross negligence, or bad faith on the part of any agent of emergency management: PROVIDED, That should the United States or any agency thereof, in accordance with any federal statute, rule, or regulation, provide for the payment of damages to property and/or for death or injury as provided for in this section, then and in that event there shall be no liability or obligation whatsoever upon the part of the state of Washington for any such damage, death, or injury for which the United States government assumes liability.

(3) No act or omission by a covered volunteer emergency worker while engaged in a covered activity shall impose any liability for civil damages resulting from such an act or omission upon:

(a) The covered volunteer emergency worker;

(b) The supervisor or supervisors of the covered volunteer emergency worker;

(c) Any facility or their officers or employees;

(d) The employer of the covered volunteer emergency worker;

(e) The owner of the property or vehicle where the act or omission may have occurred during the covered activity;

(f) Any local organization that registered the covered volunteer emergency worker; and

(g) The state or any state or local governmental entity.

(4) The immunity in subsection (3) of this section applies only when the covered volunteer emergency worker was engaged in a covered activity:

(a) Within the scope of his or her assigned duties;

(b) Under the direction of a local emergency management organization or the department, or a local law enforcement agency for search and rescue; and

(c) The act or omission does not constitute gross negligence or willful or wanton misconduct.

(5) For purposes of this section:

(a) "Covered volunteer emergency worker" means an emergency worker as defined in RCW 38.52.010 who (i) is not receiving or expecting compensation as an emergency worker from the state or local government, or (ii) is not a state or local government employee unless on leave without pay status.

(b) "Covered activity" means:

(i) Providing assistance or transportation authorized by the department during an emergency or disaster or search and rescue as defined in RCW 38.52.010, whether such assistance or transportation is provided at the scene of the emergency or disaster or search and rescue, at an alternative care site, at a hospital, or while in route to or from such sites or between sites; or

(ii) Participating in training or exercise authorized by the department in preparation for an emergency or disaster or search and rescue.

(6) Any requirement for a license to practice any professional, mechanical, or other skill shall not apply to any authorized emergency worker who shall, in the course of performing his or her duties as such, practice such professional, mechanical, or other skill during an emergency described in this chapter.

(7) The provisions of this section shall not affect the right of any person to receive benefits to which he or she would otherwise be entitled under this chapter, or under the workers' compensation law, or under any pension or retirement law, nor the right of any such person to receive any benefits or compensation under any act of congress.

(8) Any act or omission by a covered volunteer emergency worker while engaged in a covered activity using an off-road vehicle, nonhighway vehicle, or wheeled all-terrain vehicle does not impose any liability for civil damages resulting from such an act or omission upon the covered volunteer emergency worker or the worker's sponsoring organization.

**Sec. 2.** RCW 46.09.320 and 2011 c 171 s 24 are each amended to read as follows:

~~(The department shall issue a certificate of title to the owner of an off road vehicle. The owner shall pay the fee established under RCW 46.17.100. Issuance of the certificate of title does not qualify the vehicle for registration under chapter 46.16A RCW.)~~

(1) The application for a certificate of title of an off-road vehicle must be made by the owner or owner's representative to the department, county auditor or other agent, or subagent appointed by the director on a form furnished or approved by the department and must contain:

(a) A description of the off-road vehicle, including make, model, vehicle identification number or engine serial number if

no vehicle identification number exists, type of body, and model year of the vehicle;

(b) The name and address of the person who is the registered owner of the off-road vehicle and, if the off-road vehicle is subject to a security interest, the name and address of the secured party; and

(c) Other information the department may require.

(2) The application for a certificate of title must be signed by the person applying to be the registered owner and be sworn to by that person in the manner described under RCW 9A.72.085.

(3) The owner must pay the fee established under RCW 46.17.100.

(4) Issuance of the certificate of title does not qualify the off-road vehicle for registration under chapter 46.16A RCW.

**Sec. 3.** RCW 46.09.442 and 2013 2nd sp.s. c 23 s 4 are each amended to read as follows:

(1) Any wheeled all-terrain vehicle operated within this state must display a metal tag to be affixed to the rear of the wheeled all-terrain vehicle. The initial metal tag must be issued with an original off-road vehicle registration and upon payment of the initial vehicle license fee under RCW 46.17.350(1)(s). The metal tag must be replaced every seven years at a cost of two dollars. Revenue from replacement metal tags must be deposited into the nonhighway and off-road vehicle activities program account. The department must design the metal tag, which must:

(a) Be the same size as a motorcycle license plate;

(b) Have the words "RESTRICTED VEHICLE" listed at the top of the tag;

(c) Contain designated identification through a combination of letters and numbers;

(d) Leave space at the bottom left corner of the tag for an off-road tab issued under subsection (2) of this section; and

(e) Leave space at the bottom right corner of the tag for an on-road tab, when required, issued under subsection (3) of this section.

(2) Except as provided in subsection (5)(b) of this section, a person who operates a wheeled all-terrain vehicle must have a current and proper off-road vehicle registration, with the appropriate off-road tab, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(s), which must be deposited into the nonhighway and off-road vehicle activities program account. The off-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(s).

(3) Except as provided in subsection (5)(a) of this section, a person who operates a wheeled all-terrain vehicle upon a public roadway must have a current and proper on-road vehicle registration, with the appropriate on-road tab, which must be of a bright color that can be seen from a reasonable distance, and pay the annual vehicle license fee as provided in RCW 46.17.350(1)(r). The on-road tab must be issued annually by the department upon payment of initial and renewal vehicle license fees under RCW 46.17.350(1)(r). For purposes of this subsection, a special year tab issued pursuant to chapter 46.19 RCW to a person with a disability may be displayed on a wheeled all-terrain vehicle in lieu of an on-road tab.

(4) A wheeled all-terrain vehicle may not be registered for commercial use.

(5)(a) A wheeled all-terrain vehicle registration and a metal tag are not required under this chapter for a wheeled all-terrain vehicle that meets the definition in RCW 46.09.310(19), is owned by a resident of another state, and has an on-road vehicle registration and metal tag or license plate issued in accordance with the laws of the other state. This exemption applies only to the extent that: (i) A similar exemption or privilege is granted under the laws of that state for wheeled all-terrain vehicles

registered in Washington, and (ii) the other state has equipment requirements for on-road use that meet or exceed the requirements listed in RCW 46.09.457. The department may publish on its web site a list of states that meet the exemption requirements under this subsection.

(b) Off-road operation in Washington state of a wheeled all-terrain vehicle owned by a resident of another state and meeting the definition in RCW 46.09.310(19) is governed by RCW 46.09.420(4).

**Sec. 4.** RCW 46.09.457 and 2015 c 160 s 1 are each amended to read as follows:

(1) A person may operate a wheeled all-terrain vehicle upon any public roadway of this state, not including nonhighway roads and trails, subject to RCW 46.09.455 and the following equipment and declaration requirements:

(a) A person who operates a wheeled all-terrain vehicle must comply with the following equipment requirements:

(i) Headlights meeting the requirements of RCW 46.37.030 and 46.37.040 and used at all times when the vehicle is in motion upon a highway;

(ii) One tail lamp meeting the requirements of RCW 46.37.525 and used at all times when the vehicle is in motion upon a highway; however, a utility-type vehicle, as described under RCW 46.09.310, must have two tail lamps meeting the requirements of RCW 46.37.070(1) and to be used at all times when the vehicle is in motion upon a highway;

(iii) A stop lamp meeting the requirements of RCW 46.37.200;

(iv) Reflectors meeting the requirements of RCW 46.37.060;

(v) During hours of darkness, as defined in RCW 46.04.200, turn signals meeting the requirements of RCW 46.37.200. Outside of hours of darkness, the operator must comply with RCW 46.37.200 or 46.61.310;

(vi) A mirror attached to either the right or left handlebar, which must be located to give the operator a complete view of the highway for a distance of at least two hundred feet to the rear of the vehicle; however, a utility-type vehicle, as described under RCW 46.09.310(19), must have two mirrors meeting the requirements of RCW 46.37.400;

(vii) A windshield meeting the requirements of RCW 46.37.430, unless the operator wears glasses, goggles, or a face shield while operating the vehicle, of a type conforming to rules adopted by the Washington state patrol;

(viii) A horn or warning device meeting the requirements of RCW 46.37.380;

(ix) Brakes in working order;

(x) A spark arrester and muffling device meeting the requirements of RCW 46.09.470; and

(xi) For utility-type vehicles, as described under RCW 46.09.310(19), seat belts meeting the requirements of RCW 46.37.510.

(b) A person who operates a wheeled all-terrain vehicle upon a public roadway must provide a declaration that includes the following:

(i) Documentation of a safety inspection to be completed by a licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop in the state of Washington that must outline the vehicle information and certify under oath that all wheeled all-terrain vehicle equipment as required under this section meets the requirements outlined in state and federal law. A person who makes a false statement regarding the inspection of equipment required under this section is guilty of false swearing, a gross misdemeanor, under RCW 9A.72.040;

(ii) Documentation that the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop did not charge more than fifty dollars per safety inspection and that the entire safety

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inspection fee is paid directly and only to the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop;

(iii) A statement that the licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop is entitled to the full amount charged for the safety inspection;

(iv) A vehicle identification number verification that must be completed by a licensed wheeled all-terrain vehicle dealer or motor vehicle repair shop in the state of Washington;

(v) A release, on a form to be supplied by the department, signed by the owner of the wheeled all-terrain vehicle and verified by the department, county auditor or other agent, or subagent appointed by the director that releases the state, counties, cities, and towns from any liability; and

(vi) A statement that outlines that the owner understands that the original wheeled all-terrain vehicle was not manufactured for on-road use and that it has been modified for use on public roadways.

(2) This section does not apply to emergency services vehicles, vehicles used for emergency management purposes, or vehicles used in the production of agricultural and timber products on and across lands owned, leased, or managed by the owner or operator of the wheeled all-terrain vehicle or the operator's employer.

**Sec. 5.** RCW 46.19.030 and 2014 c 124 s 4 are each amended to read as follows:

(1) The department shall design special license plates for persons with disabilities, parking placards, and year tabs displaying the international symbol of access.

(2) Special license plates for persons with disabilities must be displayed on the motor vehicle as standard issue license plates as described in RCW 46.16A.200.

(3) Parking placards must include both a serial number and the expiration date on the face of the placard. The expiration date and serial number must be of a sufficient size as to be easily visible from a distance of ten feet from where the placard is displayed.

(4) Parking placards must be displayed when the motor vehicle is parked by suspending it from the rearview mirror. In the absence of a rearview mirror, the parking placard must be displayed on the dashboard. The parking placard must be displayed in a manner that allows for the entire placard to be viewed through the vehicle windshield.

(5) Special year tabs for persons with disabilities must be displayed on license plates or metal tags issued pursuant to RCW 46.09.442, in a manner as defined by the department.

(6) Persons who have been issued special license plates for persons with disabilities, parking placards, or special license plates with a special year tab for persons with disabilities may park in places reserved for persons with physical disabilities."

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Transportation to House Bill No. 1918.

The motion by Senator King carried and the committee striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "drivers;" strike the remainder of the title and insert "and amending RCW 38.52.180, 46.09.320, 46.09.442, 46.09.457, and 46.19.030."

#### MOTION

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On motion of Senator King, the rules were suspended, House Bill No. 1918 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

Senator Liias spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1918 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1918 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 29; Nays, 14; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Braun, Brown, Chase, Dammeier, Dansel, Ericksen, Fain, Frockt, Hargrove, Hatfield, Hewitt, Hill, Honeyford, King, Litzow, Miloscia, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Warnick

Voting nay: Senators Billig, Cleveland, Darneille, Fraser, Habib, Hasegawa, Hobbs, Jayapal, Keiser, Kohl-Welles, Liias, McCoy, Nelson and Pedersen

Excused: Senators Benton, Conway, McAuliffe, Mullet, Ranker and Rolfes

HOUSE BILL NO. 1918 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136, by House Committee on Appropriations (originally sponsored by Representative Carlyle)

Relating to comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state. Revised for 2nd Substitute: Concerning comprehensive marijuana market reforms to ensure a well-regulated and taxed marijuana market in Washington state.

The measure was read the second time.

#### MOTION

Senator Ericksen moved that the following amendment by Senator Ericksen be adopted:

On page 15, line 36, after "population." strike "Funds may only be distributed to jurisdictions that do not prohibit the siting of any state licensed marijuana producer, processor, or retailer."

On page 60, line 8, after "subsection." strike "A county in which the producing, processing, or retailing of marijuana products is prohibited in the unincorporated area of the county is not entitled to a distribution and the distribution amount must be distributed instead to the eligible cities within the county as provided in (c) of this subsection."

Senator Ericksen spoke in favor of adoption of the amendment.

Senators Chase and Sheldon spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Ericksen on page 15, line 36 to Second Engrossed Second Substitute House Bill No. 2136.

The motion by Senator Ericksen failed and the amendment was not adopted by voice vote.

#### MOTION

On motion of Senator Rivers, the rules were suspended, Second Engrossed Second Substitute House Bill No. 2136 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rivers, Kohl-Welles and Habib spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Second Substitute House Bill No. 2136.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Second Substitute House Bill No. 2136 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 7; Absent, 0; Excused, 6.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Billig, Braun, Chase, Cleveland, Dammeier, Darneille, Fain, Fraser, Frockt, Habib, Hargrove, Hasegawa, Hatfield, Hill, Hobbs, Jayapal, Keiser, King, Kohl-Welles, Liias, Litzow, McCoy, Miloscia, Nelson, O'Ban, Padden, Pearson, Pedersen, Rivers, Roach, Schoesler and Sheldon

Voting nay: Senators Brown, Dansel, Ericksen, Hewitt, Honeyford, Parlette and Warnick

Excused: Senators Benton, Conway, McAuliffe, Mullet, Ranker and Rolfes

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136, 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.

Senator Fain announced that, while welcome to continue to attend, senators were excused as no further legislative matters would be dealt with and succeeding business would consist of administrative matters between the houses to close the extraordinary session.

Senator Fain announced that the next extraordinary session would begin at noon the next day with floor action beginning, and senators were requested to be in attendance, at 1:00 o'clock p.m.

#### MOTION

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

#### MESSAGE FROM THE HOUSE

June 27, 2015

MR. PRESIDENT:

The Speaker has signed:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272,

SUBSTITUTE HOUSE BILL NO. 1274,

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276,

ENGROSSED HOUSE BILL NO. 2122,

SECOND ENGROSSED HOUSE BILL NO. 2151,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2160,

ENGROSSED HOUSE BILL NO. 2253

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

#### MESSAGE FROM THE HOUSE

June 27, 2015

MR. PRESIDENT:

The House has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4409,

HOUSE CONCURRENT RESOLUTION NO. 4410

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

#### SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1272,

SUBSTITUTE HOUSE BILL NO. 1274,

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1276,

ENGROSSED HOUSE BILL NO. 2122,

SECOND ENGROSSED HOUSE BILL NO. 2151,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2160,

ENGROSSED HOUSE BILL NO. 2253.

#### MOTION

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

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

HCR 4409 by Representatives Sullivan and Kretz

Returning bills to their house of origin.

HCR 4410 by Representatives Sullivan and Kretz

Adjourning SINE DIE.

#### MOTION

On motion of Senator Fain, the rules were suspended and House Concurrent Resolution No. 4409 and House Concurrent Resolution No. 4410 were placed on the day's second reading calendar.

#### MOTION

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

#### SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4409, by Representatives Sullivan and Kretz



THIRTIETH DAY, JUNE 27, 2015

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Returning bills to their house of origin.

June 27, 2015

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4409 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4409.

HOUSE CONCURRENT RESOLUTION NO. 4409 having received a majority was adopted by voice vote.

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4410, by Representatives Sullivan and Kretz

Adjourning SINE DIE.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, House Concurrent Resolution No. 4410 was advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

The President declared the question before the Senate to be the final passage of House Concurrent Resolution No. 4410.

HOUSE CONCURRENT RESOLUTION NO. 4410 having received a majority was adopted by voice vote.

MOTION

At 3:05 p.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:33 p.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

June 27, 2015

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1157,

SUBSTITUTE HOUSE BILL NO. 1738,

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136

and the same are herewith transmitted.

BERNARD DEAN, Deputy Chief Clerk

MESSAGE FROM THE HOUSE

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SENATE BILL NO. 6092

and the same is herewith transmitted.

BENARD DEAN, Deputy Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:

SUBSTITUTE HOUSE BILL NO. 1157,

SUBSTITUTE HOUSE BILL NO. 1738,

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2136.

MOTION

On motion of Senator Fain and without objections, all measures on the second and third reading calendars and being held at the desk were referred to the Committee on Rules.

PARLIAMENTARY INQUIRY

Senator Fain: "Has everything been signed?"

REPLY BY THE PRESIDENT

President Owen: "More or less."

MOTION

On motion of Senator Fain, the reading of the Journal for the 30<sup>th</sup> day of the 2015 Second Special Session of the 64<sup>th</sup> Legislature was dispensed with and it was approved.

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following House bills were returned to the House of Representatives:

SUBSTITUTE HOUSE BILL NO. 1037,

HOUSE BILL NO. 1062,

HOUSE BILL NO. 1065,

SUBSTITUTE HOUSE BILL NO. 1067,

SUBSTITUTE HOUSE BILL NO. 1257,

SECOND SUBSTITUTE HOUSE BILL NO. 1391,

SECOND SUBSTITUTE HOUSE BILL NO. 1469,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1541,

HOUSE BILL NO. 1561,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1761,

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1825,

SUBSTITUTE HOUSE BILL NO. 1855,

HOUSE BILL NO. 1871,

HOUSE BILL NO. 2195,

ENGROSSED HOUSE BILL NO. 2212,

SECOND ENGROSSED HOUSE BILL NO. 2214,

HOUSE BILL NO. 2217,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2239,

SUBSTITUTE HOUSE BILL NO. 2263.

MESSAGE FROM THE HOUSE

June 27, 2015

MR. PRESIDENT:

Under the provisions of HOUSE CONCURRENT RESOLUTION NO. 4409, the following Senate bills are returned to the Senate:

SECOND SUBSTITUTE SENATE BILL NO. 5105,  
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5152,  
SENATE BILL NO. 5171,  
SENATE BILL NO. 5174,  
SENATE BILL NO. 5180,  
SUBSTITUTE SENATE BILL NO. 5186,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5355,  
SENATE BILL NO. 5442,  
SUBSTITUTE SENATE BILL NO. 5463,  
THIRD ENGROSSED SUBSTITUTE SENATE BILL NO. 5857,  
SUBSTITUTE SENATE BILL NO. 6099,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 6125,

SUBSTITUTE SENATE BILL NO. 6134,  
SENATE BILL NO. 6141  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

At 3:35 p.m., on motion of Senator Fain, the 2015 Second Special Session of the Sixty-Fourth Legislature adjourned SINE DIE.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate



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1257-S	2253-E	
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1272-S2E2	Speaker Signed .....	8
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1274-S	Other Action .....	9
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1276-S2E2	Introduction & 1 <sup>st</sup> Reading .....	8
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1391-S2	Second Reading .....	8
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1469-S2	Adopted .....	9
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1738-S	5152-S2E	
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Second Reading .....	5171	
Speaker Signed .....	Messages .....	10
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1761-SE	Messages .....	10
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1825-S2E2	Messages .....	10
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1855-S	Messages .....	10
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1871	Messages .....	10
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Other Action .....	Committee Report .....	1
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Second Reading .....	Committee Report .....	1
Speaker Signed .....	6092-E	
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