

EIGHTH DAY, JANUARY 16, 2017

2017 REGULAR SESSION

## EIGHTH DAY

## NOON SESSION

Senate Chamber, Olympia  
Monday, January 16, 2017

The Senate was called to order at 12:09 p.m. by the President of the Senate, Lt. Governor Habib presiding. No roll call was taken.

The Sergeant at Arms Color Guard consisting of Pages Garcia Brayden and Austin Peart, presented the Colors. Reverend Steve Barber of St. Peter's United Methodist Church, Bellevue, offered the prayer. The National Anthem was performed by Ms. Kathryn Tewson member of the Seattle Symphony Chorale and Opus 7.

## 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

January 12, 2017

**SB 5031** Prime Sponsor, Senator Angel: Addressing licensing and enforcement provisions applicable to money transmitters and currency exchanges under the uniform money services act. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5031 be substituted therefor, and the substitute bill do pass. Signed by Senators Angel, Chair; Ericksen, Vice Chair; Mullet, Ranking Minority Member and Kuderer.

Referred to Committee on Rules for second reading.

## MOTION

On motion of Senator Fain, the recommendations of the Standing Committees were accepted and the measure listed on the Standing Committee report was referred to the committee as designated.

## MOTION

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

## MESSAGE FROM STATE OFFICERS

The following reports were submitted to the Office of the Secretary and received by the Senate:

**Caseload Forecast Council** - "Racial and Ethnic Impact Statements" in accordance with Second Engrossed Substitute House Bill No. 2376, report date December 27, 2016;

**Department of Commerce** - "Report on Reentry from Confinement" pursuant to 43.380.050 RCW, report date January 11, 2017;

**Department of Commerce** - "2017 Biennial Energy Report and State Energy Strategy Update" pursuant to 43.21F.045 RCW, report date December 31, 2016;

**Department of Ecology** - "Status of Developing Model Remedies" pursuant to 70.105D.030 RCW, report date December 1, 2016;

**Department of Labor and Industries** - "Elevator Program Performance Study" pursuant to 70.87.020 RCW, report date December 31, 2016;

**Department of Labor and Industries** - "Underground Economy Benchmark Report" pursuant to 18.27.800 RCW, report date December 1, 2016;

**Department of Labor and Industries** - "Structured Settlement Program" pursuant to 51.04.069 RCW, report date July 5, 2016;

**Department of Labor and Industries** - "Employment Standards Activity" pursuant to 49.12.180 RCW, report date December 1, 2016;

**Department of Licensing** - "Special License Plate Annual Report" pursuant to 46.18.060 RCW, report date January 1, 2017;

**Office of Program Research** - "Joint Legislative Task Force on Sexual Assault Forensic Examination Best Practices" in accordance with Substitute House Bill No. 1068 pursuant to 70.125.090 RCW, report date December 31, 2016;

**Department of Transportation** - "I-405 Express Toll Lanes Update" in accordance with Engrossed Substitute House Bill No. 2524, report date January 6, 2017;

**Department of Transportation** - "Practical Design Savings, Semiannual Report" pursuant to 47.01.480 RCW, report date January 1, 2017;

**Department of Transportation** - "Transit Mobility 2016 Report" pursuant to 47.01.330 RCW, report date December 22, 2016;

**Department of Transportation, Ferries Division** - "Diesel Fuel Price Hedging 2016 Report" pursuant to 47.60.830 RCW, report date December 1, 2016.

## MOTION

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

## INTRODUCTION AND FIRST READING

**SB 5159** by Senators Baumgartner, O'Ban and Conway

AN ACT Relating to community safety at eastern and western state hospitals; adding new sections to chapter 72.23 RCW; and creating a new section.

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

**SB 5160** by Senators Rivers, Cleveland, Keiser and O'Ban

AN ACT Relating to prescription drug insurance continuity of care; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

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SB 5161 by Senators Keiser, Wilson and Takko

AN ACT Relating to theater licenses; and amending RCW 66.24.655.

Referred to Committee on Commerce, Labor & Sports.

SB 5162 by Senators McCoy, Sheldon, Rolfes and Takko

AN ACT Relating to creating the wastewater treatment plant operator certification account; adding a new section to chapter 70.95B RCW; and repealing RCW 70.95B.150.

Referred to Committee on Ways & Means.

SB 5163 by Senators Keiser, Frockt, Conway, Liias and Darneille

AN ACT Relating to unknown changes to the federal affordable care act and the four-year balanced budget requirement; amending RCW 43.88.055; and creating a new section.

Referred to Committee on Ways & Means.

SB 5164 by Senators Keiser, Fain and Rivers

AN ACT Relating to authorizing grocery store license endorsements allowing beer and wine tastings at certain grocery stores that specialize in the sale of meat, poultry, seafood, or cheese; and amending RCW 66.24.363.

Referred to Committee on Commerce, Labor & Sports.

SB 5165 by Senator Ericksen

AN ACT Relating to snack bar licenses; and amending RCW 66.24.350.

Referred to Committee on Commerce, Labor & Sports.

SB 5166 by Senator Ericksen

AN ACT Relating to a sales tax exemption provided to state and local governments, public school districts, and public charter schools on construction when the funds were obtained from indebtedness; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5167 by Senator Ericksen

AN ACT Relating to prohibiting the use of mandatory project labor agreements by regional transit authorities; adding a new section to chapter 39.04 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5168 by Senator Ericksen

AN ACT Relating to prohibiting the use of mandatory project labor agreements; adding a new section to chapter 39.04 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.32 RCW; adding a new section to chapter 53.08 RCW; adding a new section to chapter 81.112 RCW; and creating a new section.

Referred to Committee on State Government.

SB 5169 by Senator Ericksen

AN ACT Relating to fantasy sports contests; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Commerce, Labor & Sports.

SB 5170 by Senator Ericksen

AN ACT Relating to independent remedial actions under the model toxics control act; and amending RCW 70.105D.090, 70.105D.030, 43.21C.036, 70.94.335, 70.95.270, 70.105.116, 77.55.061, 90.48.039, and 90.58.355.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5171 by Senator Ericksen

AN ACT Relating to certain uses of state-owned aquatic lands; amending RCW 79.105.210 and 79.110.240; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 5172 by Senator Ericksen

AN ACT Relating to department of ecology's reporting requirements on greenhouse gas emissions; and repealing RCW 70.235.040.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5173 by Senators Chase, Miloscia, Hunt and Hobbs

AN ACT Relating to loss prevention reviews by state agencies; and amending RCW 43.19.003, 43.19.782, and 43.19.783.

Referred to Committee on State Government.

SB 5174 by Senators Angel, Baumgartner, Honeyford and Padden

AN ACT Relating to amending the consumer protection act to prohibit labor organizations from engaging in unfair or deceptive acts or practices; amending RCW 19.86.070; and creating a new section.

Referred to Committee on Commerce, Labor & Sports.

SB 5175 by Senators Padden and Pedersen

AN ACT Relating to modifying the process for prevailing parties to recover judgments in small claims court; amending RCW 12.40.020, 12.40.030, 12.40.040, 12.40.050, 12.40.105, 12.40.120, and 43.79.505; adding a new section to chapter 12.40 RCW; and repealing RCW 12.40.110.

Referred to Committee on Law & Justice.

SB 5176 by Senators Hasegawa and Chase

AN ACT Relating to creating the Washington state preservation of liberty act condemning the unlawful detention of United States citizens and lawful resident aliens under the national defense authorization act; adding a new section to chapter 42.20 RCW; adding a new section to chapter 38.40 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5177 by Senator Bailey

AN ACT Relating to requiring long-term care workers to be trained to recognize hearing loss; and amending RCW 74.39A.074.

Referred to Committee on Health Care.

SB 5178 by Senator Bailey

AN ACT Relating to requiring the department of health to develop a hearing loss education program for health care professionals; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care.

SB 5179 by Senator Bailey

AN ACT Relating to requiring coverage for hearing instruments under public employee and medicaid programs; adding a new section to chapter 41.05 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care.

SB 5180 by Senators Bailey and Walsh

AN ACT Relating to the legislative advisory committee on aging; creating a new section; and providing an expiration date.

Referred to Committee on Health Care.

SB 5181 by Senators Bailey and Walsh

AN ACT Relating to notifying residents of long-term care facilities that they may install and conduct electronic monitoring in their rooms; and amending RCW 43.190.060.

Referred to Committee on Health Care.

SB 5182 by Senators Fain, Frockt, Miloscia, Liias, Walsh, Cleveland, Bailey, Chase, Zeiger, Rolfes and Keiser

AN ACT Relating to providing local governments with options to preserve affordable housing in their communities; and adding a new chapter to Title 84 RCW.

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

SB 5183 by Senators Rolfes, Rivers, Warnick and Billig

AN ACT Relating to career and technical education funding; amending RCW 28A.150.260; reenacting and amending RCW 28A.150.260; creating a new section; providing an effective date; and declaring an emergency.

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

SB 5184 by Senators Padden, O'Ban, Fain, Pedersen, Darneille and Frockt

AN ACT Relating to patronizing a prostitute; amending RCW 9A.88.110; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5185 by Senators Wilson and Mullet

AN ACT Relating to immunity from liability for professional or trade associations providing emergency response volunteers; and amending RCW 38.52.180.

Referred to Committee on State Government.

SB 5186 by Senator Padden

AN ACT Relating to the collection of blood samples for forensic testing; amending RCW 18.130.410, 46.61.506, and 46.61.508; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Law & Justice.

SB 5187 by Senators Angel, Takko and Warnick

AN ACT Relating to modernizing county auditor statutes; amending RCW 36.32.210, 36.72.075, 52.26.070, 68.50.040, and 70.94.120; and repealing RCW 36.32.310.

Referred to Committee on Local Government.

SB 5188 by Senators Angel, Takko and Warnick

AN ACT Relating to removal of land from the current use property tax classification due to certain natural disasters; amending RCW 84.33.145; and reenacting and amending RCW 84.34.108.

Referred to Committee on Local Government.

SB 5189 by Senators Warnick, Takko and Angel

AN ACT Relating to eliminating the collection of anticipated taxes and assessments; amending RCW 84.56.345 and 84.40.042; and repealing RCW 58.08.040.

Referred to Committee on Local Government.

SB 5190 by Senators Conway, King, Keiser and Braun

AN ACT Relating to the bona fide charitable or nonprofit organization member requirement; and amending RCW 9.46.0209.

Referred to Committee on Commerce, Labor & Sports.

SB 5191 by Senators Frockt, Walsh, Miloscia, Conway, Keiser, Becker, Rivers and Zeiger

AN ACT Relating to enactment of the physical therapy licensure compact; amending RCW 18.74.050, 18.74.090, 18.74.150, and 43.70.320; adding new sections to chapter 18.74 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 5192 by Senators Kuderer, Billig, Cleveland, Palumbo and Hunt

AN ACT Relating to extending the time period for voter registration; amending RCW 29A.08.140, 29A.08.110, 29A.08.410, and 29A.40.160; and providing a contingent effective date.

Referred to Committee on State Government.

SB 5193 by Senators Fain, Takko, Rivers and Liias

AN ACT Relating to the taxing authority of public facilities districts; and amending RCW 82.14.390 and 82.14.485.

Referred to Committee on Ways & Means.

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SB 5194 by Senators King, Conway and Wilson

AN ACT Relating to authorizing, under one license, the sale of spirits, beer, and wine at retail for off-premises consumption; amending RCW 66.24.360, 66.24.630, and 66.24.363; reenacting and amending RCW 66.24.371; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce, Labor & Sports.

SB 5195 by Senators Hunt and King

AN ACT Relating to signed written authorizations for special parking privileges; and amending RCW 46.19.010.

Referred to Committee on Transportation.

SB 5196 by Senators Warnick, Hobbs, Takko, King, Chase and Honeyford

AN ACT Relating to including certain cattle feedlots within the statutory exemption for odor or fugitive dust caused by agricultural activity; and amending RCW 70.94.640.

Referred to Committee on Agriculture, Water, Trade & Economic Development.

SB 5197 by Senators Becker, Rivers, Cleveland, Brown and Bailey

AN ACT Relating to requiring additional security review of the all payer claims database; and amending RCW 43.371.020.

Referred to Committee on Health Care.

SB 5198 by Senators Becker, Warnick, Fain, Bailey and Brown

AN ACT Relating to fire suppression methodologies; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 5199 by Senators Becker, Warnick, Fain, Bailey and Brown

AN ACT Relating to fire suppression volunteers; and adding a new section to chapter 76.04 RCW.

Referred to Committee on Natural Resources & Parks.

SB 5200 by Senators Becker, Warnick, Fain, Bailey and Brown

AN ACT Relating to allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass; and amending RCW 79A.80.020.

Referred to Committee on Natural Resources & Parks.

SB 5201 by Senator O'Ban

AN ACT Relating to individuals receiving both employment and community access services; and amending RCW 71A.12.290.

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

SB 5202 by Senators Baumgartner, Billig, Hunt, Liias, Sheldon, Rossi, Erickson and Honeyford

AN ACT Relating to authorizing nationally recognized college assessments for high school assessment purposes; amending RCW 28A.305.130, 28A.655.061, and 28A.655.070; and creating a new section.

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

SB 5203 by Senators Wilson, Hobbs, Pedersen, Wellman and Palumbo

AN ACT Relating to allowing youth courts to have jurisdiction over transit infractions; and amending RCW 3.72.010.

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

SB 5204 by Senator Fain

AN ACT Relating to modifying a property tax exemption for industrial and manufacturing industries in targeted areas; and amending RCW 84.25.010, 84.25.020, 84.25.030, 84.25.040, 84.25.050, 84.25.060, 84.25.070, 84.25.080, 84.25.090, 84.25.100, 84.25.110, 84.25.120, and 84.25.130.

Referred to Committee on Ways & Means.

SB 5205 by Senators Fain, Palumbo and Zeiger

AN ACT Relating to the excise taxation of martial arts; amending RCW 82.04.050; creating a new section; providing an effective date; and declaring an emergency.

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 with the exception of Senate Bill No. 5183 which had been designated to the Committee on Higher Education and was referred to the Committee on Early Learning & K-12 Education.

## MOTION

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

## MOTION

Senator Saldaña moved adoption of the following resolution:

SENATE RESOLUTION  
8604

By Senator Fain

WHEREAS, Today, the third Monday in January, we remember and honor the life and legacy of Dr. Martin Luther King Jr., who would become a beacon of hope for equality in our nation; and

WHEREAS, Dr. King used his gift of oratory to awaken America to the realities of life for African Americans and to make life better for all by encouraging change through nonviolent means; and

WHEREAS, Dr. King's steadfast faith encouraged others, as exemplified in his famous "I Have a Dream" speech delivered 54 years ago this coming August 28th, in which he said, "Now is the time to make justice a reality for all of God's children"; and

WHEREAS, Dr. King's unwavering support for the principles of racial justice and social equality helped change America; and

WHEREAS, In his life, Dr. King called on others to make a personal commitment to serve humanity by helping the less fortunate, uniting as a global family, and acting with kindness and compassion; and

WHEREAS, Service is a powerful way to commemorate the words and deeds of Dr. King and to translate our reverence for his life and teachings into action to make our nation better; and

WHEREAS, Dr. King believed that a person's worth should not be measured by his or her color, culture, or class, but rather by his or her commitment to making life better for all through service rendered to each other;

NOW, THEREFORE, BE IT RESOLVED, That the Senate, on behalf of the people of the State of Washington, and in recognition of the courageous leadership and legacy of hope demonstrated by Dr. Martin Luther King Jr., honor his memory by urging all citizens of our state to continue the legacy of Dr. King by treating all people as equal.

Senators Saldaña, Ranker, McCoy, Hasegawa and Liias spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8604.

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

#### MOTION

Senator Sheldon moved adoption of the following resolution:

#### SENATE RESOLUTION 8601

By Senator Sheldon

WHEREAS, The Miss and Mr. Mason Area Pageant has been serving Mason County one mission at a time for four years; and

WHEREAS, The pageant royalty, who range in age from newborn to young adult, compete in this "natural pageant" for the privilege of doing a year's worth of community service during which they and their families invest their time and resources into helping people in Mason County through community service projects; and

WHEREAS, Pageant participants have made a lasting impact in Mason County by raising money and walking in the Relay for Life, collecting food for Saint's Pantry, collecting coats for a domestic violence shelter, making Capes of Courage for foster children, and much more; and

WHEREAS, Royalty and ambassadors of the Miss and Mr. Mason Area Pageant have spent hours writing Christmas cards to

veterans in hospitals and nursing homes, for the Christmas Cards for Heroes campaign run by the Red Cross and for the United Service Organizations; and

WHEREAS, Pageant royalty gather backpacks for school food programs that support children who do not have enough food for the weekends; and

WHEREAS, The love and support of community displayed by the pageant royalty has inspired their families and other community members to participate in community service activities throughout the county; and

WHEREAS, The Miss and Mr. Mason Area Pageant continues to provide support to the people of Mason County; and

WHEREAS, The service of pageant royalty and ambassadors has made Mason County a wonderful place to live, work, and raise a family; and

WHEREAS, Through the leadership of their director, Carey Sanchez, the 2016 Miss and Mr. Mason Area Pageant Royalty has made a lasting impact on the lives of Mason County community members in need; and

WHEREAS, The pageant will continue to be a symbol of hope and community togetherness by its resilient staff and volunteers who make the pageant possible each year;

NOW, THEREFORE, BE IT RESOLVED, That the Senate express its gratitude and appreciation to the devoted members of the Miss and Mr. Mason Area Pageant and their dedicated families; and

BE IT FURTHER RESOLVED, That the Senate recognize the value and dedication of a strong community awareness to the vitality and well-being of this great state; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Carey Sanchez, the 2016 Miss and Mr. Mason Area Pageant Royalty, and the 2015 Miss and Mr. Mason Area Pageant Royalty Ambassadors.

Senator Sheldon spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8601.

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

#### MOTION

At 12:47 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 o'clock p.m. Tuesday, January 17, 2017.

CYRUS HABIB, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate