

TWENTY NINTH DAY, FEBRUARY 11, 2019

2019 REGULAR SESSION

## TWENTY NINTH DAY

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 NOON SESSION
 

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Senate Chamber, Olympia  
Monday, February 11, 2019

The Senate was called to order at 12:01 p.m. by the President Pro Tempore, Senator Keiser presiding. No roll call was taken.

The President Pro Tempore called upon the Secretary to read the journal of the preceding day.

## MOTION

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

EDITOR'S NOTE: Due to inclement weather, notification was distributed on the previous day that committee hearings scheduled for the day had been cancelled. From February 10 through February 11, just over twenty inches of snow fell on Olympia. The winter storm created difficult driving conditions and numerous power outages throughout the Puget Sound region.

## MOTION

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

## REPORTS OF STANDING COMMITTEES

February 8, 2019

SB 5004 Prime Sponsor, Senator Cleveland: Allowing animal care and control agencies and nonprofit humane societies to provide additional veterinary services to low-income households. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5004 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

February 8, 2019

SB 5292 Prime Sponsor, Senator Keiser: Concerning prescription drug cost transparency. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5292 be substituted therefor, and the substitute bill do pass. Signed by Senators Van De Wege; Keiser; Frockt; Dhingra; Randall, Vice Chair Cleveland, Chair.

MINORITY recommendation: Do not pass. Signed by Senators O'Ban, Ranking Member and Becker.

Referred to Committee on Ways & Means.

February 8, 2019

SB 5380 Prime Sponsor, Senator Cleveland: Concerning opioid use disorder treatment, prevention, and related services.

Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5380 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Ways & Means.

February 8, 2019

SB 5386 Prime Sponsor, Senator Becker: Concerning training standards in providing telemedicine services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5386 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser; Frockt; Dhingra; Becker; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair and Van De Wege.

Referred to Committee on Rules for second reading.

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SB 5403 Prime Sponsor, Senator Bailey: Concerning safe egress from adult family homes. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5403 be substituted therefor, and the substitute bill do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Rules for second reading.

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SB 5405 Prime Sponsor, Senator Padden: Concerning nondiscrimination in access to organ transplants. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5405 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser; Frockt; Dhingra; Becker; O'Ban, Ranking Member; Randall, Vice Chair; Cleveland, Chair and Van De Wege.

Referred to Committee on Rules for second reading.

February 7, 2019

SB 5581 Prime Sponsor, Senator Rolfe: Improving the effectiveness and adequacy of state tax laws by clarifying and simplifying nexus provisions, by decreasing compliance and administrative burdens for taxpayers and the department of revenue, by facilitating the collection of new tax revenue resulting from the United States supreme court's decision in South Dakota v. Wayfair, Inc., by providing more consistent tax obligations for both domestic and foreign sellers, and by simplifying the expiration of sales tax sourcing mitigation payments to local governments on September 30, 2019. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5581 be substituted therefor, and the substitute bill do pass. Signed by Senators Rolfes, Chair; Pedersen; Hasegawa; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Honeyford, Assistant Ranking Member, Capital; Billig; Carlyle; Darneille; Hunt; Keiser; Liias; Palumbo; Rivers; Schoesler; Warnick; Van De Wege and Conway.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Brown, Assistant Ranking Member, Operating; Wagoner and Wilson, L.

Referred to Committee on Rules for second reading.

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SB 5699 Prime Sponsor, Senator Cleveland: Protecting consumers from charges for out-of-network health care services. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Cleveland, Chair; Randall, Vice Chair; O'Ban, Ranking Member; Becker; Dhingra; Frockt; Keiser and Van De Wege.

Referred to Committee on Ways & Means.

#### MOTIONS

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

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

#### INTRODUCTION AND FIRST READING

SB 5885 by Senators Padden, Dhingra and O'Ban  
AN ACT Relating to the admissibility of testimony of children in criminal and dependency proceedings; and amending RCW 9A.44.120.

Referred to Committee on Law & Justice.

SB 5886 by Senators Mullet and Braun  
AN ACT Relating to promoting the economic growth of the video game industry.

Held at the desk.

SB 5887 by Senators Short and Keiser  
AN ACT Relating to health carrier requirements for prior authorization standards; and amending RCW 48.43.016.

Referred to Committee on Health & Long Term Care.

SB 5888 by Senators Walsh and Padden  
AN ACT Relating to prison safety; amending RCW 9.94.045; and reenacting and amending RCW 42.56.240.

Referred to Committee on Law & Justice.

SB 5889 by Senator Dhingra

AN ACT Relating to insurance communications confidentiality; amending RCW 48.43.005, 48.43.505, 48.43.510, and 48.43.530; adding a new section to chapter 48.43 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health & Long Term Care.

SB 5890 by Senator O'Ban  
AN ACT Relating to providing tax exemptions for the assistance of disabled veterans and members of the armed forces of the United States of America; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; and creating new sections.

Referred to Committee on State Government, Tribal Relations & Elections.

SB 5891 by Senators Salomon, Holy, Palumbo, Rivers and Liias  
AN ACT Relating to establishing the Washington adult diploma and workforce training program; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5892 by Senators Nguyen, Darneille, Wilson and C.  
AN ACT Relating to factors to be considered in a shelter care hearing; and amending RCW 13.34.065.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5893 by Senators Hobbs and King  
AN ACT Relating to the private vehicle rental act; amending RCW 46.30.020; adding a new chapter to Title 46 RCW; and creating a new section.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5894 by Senator Braun  
AN ACT Relating to clarifying that the firefighters' pension levy may continue to be levied to fund benefits under the law enforcement officers' and firefighters' retirement system; and amending RCW 41.16.060.

Referred to Committee on Ways & Means.

SB 5895 by Senators Wilson, C., Nguyen and Darneille  
AN ACT Relating to fingerprint background checks for guardians ad litem; and amending RCW 13.34.100.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5896 by Senators Palumbo, Zeiger, Wilson, C. and Hobbs  
AN ACT Relating to shared employer shuttles; and amending RCW 35.58.250 and 47.04.290.

Referred to Committee on Transportation.

SB 5897 by Senator Padden  
AN ACT Relating to child sex trafficking and sexual exploitation; adding a new section to chapter 19.320 RCW; adding a new section to chapter 9.68A RCW; creating new

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sections; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5898 by Senator Rolfes

AN ACT Relating to the surcharge for local homeless housing and assistance; and amending RCW 36.22.179.

Referred to Committee on Ways & Means.

SB 5899 by Senators Mullet, Walsh, Cleveland, Ericksen, Wilson, L. and Takko

AN ACT Relating to sales and use tax for public facilities in rural or border counties; and amending RCW 82.14.370.

Referred to Committee on Financial Institutions, Economic Development & Trade.

SB 5900 by Senators Randall, Wilson, C., Takko, Saldaña, Van De Wege, Salomon, Liias and Das

AN ACT Relating to promoting access to earned benefits and services for lesbian, gay, bisexual, transgender, and queer veterans; adding a new section to chapter 43.60A RCW; and creating a new section.

Referred to Committee on State Government, Tribal Relations & Elections.

SJM 8010 by Senators Frockt, Dhingra, Randall and Keiser  
Asking Congress to include dental care in Medicare.

Referred to Committee on Health & Long Term Care.

SCR 8403 by Senator Hunt

Renaming Marathon Park after Joan Benoit Samuelson.

Referred to Committee on State Government, Tribal Relations & Elections.

SHB 1002 by House Committee on Public Safety (originally sponsored by Orwall, Mosbrucker, Goodman, Griffey, Lovick, Pellicciotti, Kraft, Valdez, Irwin, Jinkins, Macri, Wylie, Bergquist, Doglio, Ortiz-Self and Frame)

AN ACT Relating to modifying the offense of rape in the third degree; amending RCW 9A.44.060; and prescribing penalties.

Referred to Committee on Law & Justice.

SHB 1012 by House Committee on Transportation (originally sponsored by Bergquist, Barkis, Jinkins, Steele, Riccelli, Fey, Valdez, Fitzgibbon, Appleton, Robinson, Pollet and Stanford)

AN ACT Relating to the use of child passenger restraint systems; amending RCW 46.61.687; adding a new section to chapter 43.59 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 1014 by Representatives Jenkin, Kirby, Harris, Bergquist, Stanford, Sells, Barkis, Eslick and Rude

AN ACT Relating to financial responsibility of motorcycle operators; and amending RCW 46.30.020.

Referred to Committee on Transportation.

HB 1016 by Representatives Caldier, Cody, Griffey, Mosbrucker, Maycumber, Macri, Jinkins, Slatter, Shea, Van Werven, Irwin, Fitzgibbon, Appleton, Wylie, Doglio, Robinson, Chambers, Orwall, Stanford, Rude, Frame, Leavitt, Walen and Young

AN ACT Relating to hospital notification of availability of sexual assault evidence kit collection; adding a new section to chapter 70.41 RCW; and prescribing penalties.

Referred to Committee on Health & Long Term Care.

SHB 1023 by House Committee on Health Care & Wellness (originally sponsored by Macri, Harris, Cody, MacEwen, Pollet, DeBolt, Springer, Kretz, Appleton, Caldier, Slatter, Vick, Stanford, Fitzgibbon, Riccelli, Robinson, Kloba, Valdez, Ryu, Tharinger, Jinkins, Wylie, Goodman, Bergquist, Doglio, Chambers, Senn, Ortiz-Self, Stonier, Frame, Ormsby and Reeves)

AN ACT Relating to allowing certain adult family homes to increase capacity to eight beds; amending RCW 70.128.010 and 70.128.060; and adding a new section to chapter 70.128 RCW.

Referred to Committee on Health & Long Term Care.

HB 1120 by Representative Dolan

AN ACT Relating to updating the term essential academic learning requirements to state learning standards to reflect current terminology; amending RCW 28A.150.220, 28A.195.010, 28A.200.010, 28A.210.360, 28A.230.095, 28A.230.130, 28A.300.130, 28A.300.440, 28A.300.462, 28A.305.215, 28A.320.173, 28A.320.240, 28A.410.046, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070, 28A.655.071, 28A.655.075, 28A.655.130, 28A.655.140, 28A.710.040, 43.06B.020, and 79A.05.351; and repealing RCW 28A.655.010.

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

HB 1252 by Representatives Pellicciotti, Klippert, Dolan, Valdez, Orwall, Pollet, Riccelli, Goodman, Kilduff, Bergquist, Robinson, Doglio, Macri, Appleton, Hudgins, Peterson, Fitzgibbon, Stonier, Lovick, Jinkins, Tharinger, Stanford, Senn, Leavitt, Slatter, Chapman, Frame, Fey and Wylie

AN ACT Relating to crime committed by business entities; amending RCW 9A.08.030, 10.01.070, 10.01.090, and 10.01.100; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

HB 1486 by Representatives Mosbrucker, Gregerson and Chandler

AN ACT Relating to delegation of inspection duties for factory built housing and commercial structures; and amending RCW 43.22.470 and 43.22.450.

Referred to Committee on Labor & Commerce.

HB 1490 by Representatives Ormsby, Sells, Tarleton, Doglio and Pollet

AN ACT Relating to amending the application of the occupational disease presumption for cancer for Hanford site workers; and amending RCW 51.32.187.

Referred to Committee on Labor & Commerce.

#### MOTION

On motion of Senator Liias, the measures listed on the Introduction and First Reading report were referred to the committees as designated with the exceptions of Senate Bill No. 5886, which had been designated to the Committee on Financial Institutions, Economic Development & Trade and was held at the desk; and Senate Bill No. 5893 which had been designated to the Committee on Transportation and was referred to the Committee on Financial Institutions, Economic Development & Trade.

#### MOTIONS

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

Senator Liias moved adoption of the following resolution:

#### SENATE RESOLUTION 8610

By Senator Hunt

WHEREAS, Dorothy H. O'Loughlin was born in Malden, Massachusetts, on March 11, 1911, and died in Lacey, Washington, on January 11, 2019, at the age of 107; and

WHEREAS, Dorothy worked for the federal government for thirty-four years in Boston, New York City, and Fort Devins, Massachusetts, the Army Corps of Engineers in Waltham, Massachusetts, and the Offices of Naval Research at MIT and Harvard University; and

WHEREAS, She moved to Lacey in 1980 and volunteered for North Thurston Public Schools (where she was known as Grandma Dorothy) and Lacey Timberland Library, serving as Outreach Coordinator for the homebound delivery program for twenty-seven years, as well as liaison for the Washington Talking Book and Braille Library; and

WHEREAS, She also volunteered with the Lacey Sunrise

Lions, and Downtown YWCA; and

WHEREAS, Dorothy was recognized for her service by five City of Lacey Mayors and in 1986 Governor Booth Gardner honored her work by presenting her with the State Governor's Award for Outstanding Volunteer; and

WHEREAS, She was named 1988 Thurston County Citizen of the Year; and

WHEREAS, In 2001 she rode in a bright red Corvette in the Lakefair Parade as the Thurston County representative of the International Year of Volunteers; and

WHEREAS, She received the President's Volunteer Service Award recognizing America's most committed volunteers in 2005; and

WHEREAS, In 2009 the Timberland Library created the Dorothy O'Loughlin Distinguished Volunteer Service Award which is given annually; and

WHEREAS, Dorothy O'Loughlin was an active Democrat who often brought her fresh, homemade cookies to events, and it was commonly agreed that "No one could work a room like her";

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Dorothy H. O'Loughlin for her many years of service to the people of Washington and Thurston County and celebrate her 107 years; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Dorothy's daughter, Christie O'Loughlin, and the Lacey Timberland Library.

Senators Liias and Short spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8610.

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

#### MOTION

At 12:06 p.m., on motion of Senator Liias, the Senate adjourned until 12:00 o'clock noon Tuesday, February 12, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

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