

FIFTIETH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, March 4, 2019

The Senate was called to order at 10:05 a.m. by the President Pro Tempore, Senator Keiser presiding. The Secretary called the roll and announced to the President Pro Tempore that all senators were present with the exception of Senator Wagoner.

The Sergeant at Arms Color Guard consisting of Pages Mr. Adam Brooks and Mr. Jackson Van De Wege, presented the Colors. Page Miss Michaela Renick led the Senate in the Pledge of Allegiance.

The prayer was offered by Mr. Phra Ratsamee, abbot, Buddhangkura Buddhist Temple, Olympia.

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

MOTIONS

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

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

MESSAGES FROM THE HOUSE

March 1, 2019

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8404,
and the same is herewith transmitted.

NONA SNELL, Deputy Chief Clerk

March 1, 2019

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1009,
SUBSTITUTE HOUSE BILL NO. 1034,
SUBSTITUTE HOUSE BILL NO. 1041,
SUBSTITUTE HOUSE BILL NO. 1071,
HOUSE BILL NO. 1137,
HOUSE BILL NO. 1146,
SUBSTITUTE HOUSE BILL NO. 1170,
SUBSTITUTE HOUSE BILL NO. 1189,
HOUSE BILL NO. 1212,
HOUSE BILL NO. 1247,
HOUSE BILL NO. 1255,
HOUSE BILL NO. 1335,
HOUSE BILL NO. 1341,
HOUSE BILL NO. 1349,
SUBSTITUTE HOUSE BILL NO. 1356,
HOUSE BILL NO. 1366,
HOUSE BILL NO. 1380,
HOUSE BILL NO. 1385,
SUBSTITUTE HOUSE BILL NO. 1399,
HOUSE BILL NO. 1412,
SUBSTITUTE HOUSE BILL NO. 1485,
SUBSTITUTE HOUSE BILL NO. 1520,
SUBSTITUTE HOUSE BILL NO. 1529,
SUBSTITUTE HOUSE BILL NO. 1531,

HOUSE BILL NO. 1534,
HOUSE BILL NO. 1568,
SUBSTITUTE HOUSE BILL NO. 1602,
SUBSTITUTE HOUSE BILL NO. 1633,
HOUSE BILL NO. 1657,
HOUSE BILL NO. 1672,
HOUSE BILL NO. 1730,
HOUSE BILL NO. 1743,
SUBSTITUTE HOUSE BILL NO. 1870,
HOUSE BILL NO. 1913,
SUBSTITUTE HOUSE BILL NO. 1919,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

Senator Becker announced a meeting of the Republican Caucus immediately upon going at ease.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon going at ease.

AFTERNOON SESSION

The Senate was called to order at 1:15 p.m. by the President Pro Tempore, Senator Keiser presiding.

MOTION

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

THIRD READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Hunt moved that Karen Fraser, Senate Gubernatorial Appointment No. 9213, be confirmed as a member of The Evergreen State College Board of Trustees.

Senators Hunt and Conway spoke in favor of passage of the motion.

MOTION

On motion of Senator Rivers, Senators Fortunato and Wagoner were excused.

MOTION

On motion of Senator Mullet, Senator Nguyen was excused.

APPOINTMENT OF KAREN FRASER

The President Pro Tempore declared the question before the Senate to be the confirmation of Karen Fraser, Senate Gubernatorial Appointment No. 9213, as a member of The Evergreen State College Board of Trustees.

The Secretary called the roll on the confirmation of Karen Fraser, Senate Gubernatorial Appointment No. 9213, as a member of The Evergreen State College Board of Trustees and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Absent: Senator Sheldon

Excused: Senators Fortunato, Nguyen and Wagoner

Karen Fraser, Senate Gubernatorial Appointment No. 9213, having received the constitutional majority was declared confirmed as a member of The Evergreen State College Board of Trustees.

MOTION

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

SECOND READING

SENATE BILL NO. 5030, by Senators Mullet, Wilson and L.

Concerning service contract providers.

MOTIONS

On motion of Senator Mullet, Substitute Senate Bill No. 5030 was substituted for Senate Bill No. 5030 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Mullet, the rules were suspended, Substitute Senate Bill No. 5030 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5030.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5030 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Nguyen and Wagoner

SUBSTITUTE SENATE BILL NO. 5030, 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

SENATE BILL NO. 5106, by Senators Das, Mullet, Frockt, Keiser, Zeiger and Kuderer

Concerning the creation of a work group to study and make recommendations on natural disaster mitigation and resiliency activities.

MOTIONS

On motion of Senator Das, Substitute Senate Bill No. 5106 was substituted for Senate Bill No. 5106 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Das, the rules were suspended, Substitute Senate Bill No. 5106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5106.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5106 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5106, 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

SENATE BILL NO. 5267, by Senators Saldaña, Darneille, Kuderer, O'Ban, King and Randall

Exempting certain marine cargo from vehicle registrations.

MOTIONS

On motion of Senator Saldaña, Substitute Senate Bill No. 5267 was substituted for Senate Bill No. 5267 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Saldaña, the rules were suspended, Substitute Senate Bill No. 5267 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Saldaña spoke in favor of passage of the bill.

The Vice President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5267.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5267 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5267, 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

SENATE BILL NO. 5584, by Senators Mullet, Takko, Wilson, L. and Hobbs

Concerning joint self-insurance programs for property and liability risks.

The measure was read the second time.

MOTION

On motion of Senator Mullet, the rules were suspended, Senate Bill No. 5584 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Mullet and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5584.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5584 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5584, 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

SENATE BILL NO. 5839, by Senators Darneille, Nguyen, Hasegawa, Palumbo, Wilson, C.

Creating a pilot project to provide personal care services for

homeless seniors and persons with disabilities.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5839 was substituted for Senate Bill No. 5839 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5839 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

MOTION

On motion of Senator Wilson, C., Senator Wellman was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5839.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5839 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Wagoner and Wellman

SUBSTITUTE SENATE BILL NO. 5839, 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

SENATE BILL NO. 5107, by Senators Das and Mullet

Addressing trust institutions.

The measure was read the second time.

MOTION

On motion of Senator Das, the rules were suspended, Senate Bill No. 5107 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Das and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5107.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5107 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Wagoner and Wellman

SENATE BILL NO. 5107, 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

SENATE BILL NO. 5627, by Senators Brown and Keiser

Establishing the healthy energy workers board. Revised for 1st Substitute: Creating the healthy energy work group to develop the healthy energy workers board.

MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5627 was substituted for Senate Bill No. 5627 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5627 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5627.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5627 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato, Wagoner and Wellman

SUBSTITUTE SENATE BILL NO. 5627, 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

SENATE BILL NO. 5551, by Senators Dhingra, Palumbo, Das, Kuderer, Wellman and Van De Wege

Concerning courthouse facility dog assistance for testifying witnesses.

The measure was read the second time.

MOTION

On motion of Senator Dhingra, the rules were suspended, Senate Bill No. 5551 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5551.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5551 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5551, 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

SENATE BILL NO. 5508, by Senators Fortunato, Darneille, Saldaña, Pedersen, King, Sheldon, Hobbs, Dhingra, Holy, Wilson and L.

Clarifying background check requirements for an application for a concealed pistol license.

The measure was read the second time.

MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5508 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Padden and Pedersen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5508.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5508 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5508, 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

SENATE BILL NO. 5895, by Senators Wilson, C., Nguyen and Darneille

Concerning fingerprint background checks for guardians ad litem.

The measure was read the second time.

MOTION

On motion of Senator Wilson, C., the rules were suspended, Senate Bill No. 5895 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Wilson, C. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5895.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5895 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5895, 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

SENATE BILL NO. 5398, by Senators Keiser, King, Van De Wege and Conway

Concerning unemployment benefit eligibility for apprentices.

The measure was read the second time.

MOTION

On motion of Senator Conway, the rules were suspended, Senate Bill No. 5398 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5398.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5398 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SENATE BILL NO. 5398, 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

SENATE BILL NO. 5502, by Senators Zeiger and Hunt

Aligning statutory redistricting deadlines to the Constitution.

MOTIONS

On motion of Senator Zeiger, Substitute Senate Bill No. 5502 was substituted for Senate Bill No. 5502 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Zeiger, the rules were suspended, Substitute Senate Bill No. 5502 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Zeiger spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5502.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5502 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Erickson, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5502, 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

SENATE BILL NO. 5322, by Senators Palumbo, Carlyle, Wellman, Hunt, McCoy, Hasegawa, Kuderer, Nguyen and Saldaña

Ensuring compliance with the federal clean water act by prohibiting certain discharges into waters of the state.

MOTION

On motion of Senator Palumbo, Substitute Senate Bill No. 5322 was substituted for Senate Bill No. 5322 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Short moved that the following amendment no. 115 by Senators Fortunato and Palumbo be adopted:

On page 2, line 8, after "act." insert "The department shall evaluate whether the number of dischargers subject to this section warrants the adoption of a general permit for motorized or gravity siphon aquatic mining. If so, the department is directed to minimize the cost to permit applicants by basing general permit provisions on existing general permits adopted in other states to comply with the federal clean water act."

Senators Short and Palumbo spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 115 by Senators Fortunato and Palumbo on page 2, line 8 to Substitute Senate Bill No. 5322.

The motion by Senator Short carried and amendment no. 115 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Substitute Senate Bill No. 5322 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.

Senators Short, Sheldon and Becker spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5322.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5322 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 17; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hawkins, Hobbs, Hunt, Keiser, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Holy, Honeyford, King, O'Ban, Padden, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5322, 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

SENATE BILL NO. 5597, by Senators Rolfes, Saldaña, McCoy, Conway and Hasegawa

Creating a work group on aerial pesticide applications in forestlands. Revised for 1st Substitute: Creating a work group on aerial herbicide applications in forestlands.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 5597 was substituted for Senate Bill No. 5597 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 5597 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rolfes and Warnick spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5597.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5597 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5597, 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

SENATE BILL NO. 5579, by Senators Billig, Carlyle, Pedersen, Palumbo, Hasegawa, Keiser, Rolfes, Saldaña, Van De Wege, Frockt, Conway, Hunt, Lias, Dhingra, Kuderer and Nguyen

Concerning the volatility of crude oil received in the state by rail.

MOTION

On motion of Senator Billig, Substitute Senate Bill No. 5579 was substituted for Senate Bill No. 5579 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ericksen moved that the following amendment no. 072 by Senator Ericksen be adopted:

On page 3, after line 5, insert the following:

"(4) This section does not: (a) Prohibit a railroad car carrying

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crude oil from entering Washington; (b) require a railroad car carrying crude oil to stop before entering Washington; or (c) require a railroad car carrying crude oil to be checked for vapor pressure before entering Washington.”

Senators Ericksen and Billig spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 072 by Senator Ericksen on page 3, after line 5 to Substitute Senate Bill No. 5579.

The motion by Senator Ericksen carried and amendment no. 072 was adopted by voice vote.

MOTION

Senator Billig moved that the following amendment no. 124 by Senator Billig be adopted:

On page 4, after line 21, insert the following:

“**NEW SECTION. Sec. 4.** Section 2 of this act takes effect July 1, 2020.”

On page 1, line 3 of the title, after “section;” strike “and prescribing penalties” and insert “prescribing penalties; and providing an effective date”

Senators Billig, Lovelett and Sheldon spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 124 by Senator Billig on page 4, after line 21 to Substitute Senate Bill No. 5579.

The motion by Senator Billig carried and amendment no. 124 was adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 128 by Senator Ericksen be adopted:

On page 4, after line 21, insert the following:

“**NEW SECTION. Sec. 4.** This act may not take effect unless and until infrastructure and equipment is available in North Dakota to allow for crude oil being loaded into railroad cars in North Dakota to satisfy a vapor pressure standard of less than nine pounds per square inch.”

On page 1, line 3 of the title, after “section;” strike the remainder of the title and insert “prescribing penalties; and providing a contingent effective date.”

Senator Ericksen spoke in favor of adoption of the amendment. Senator Billig spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 128 by Senator Ericksen on page 4, after line 21 to Substitute Senate Bill No. 5579.

The motion by Senator Ericksen did not carry and amendment no. 128 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following striking amendment no. 129 by Senator Ericksen be adopted:

Strike everything after the enacting clause and insert the following:

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“**NEW SECTION. Sec. 5.** The department of ecology must contact the North Dakota petroleum council and ask it to work with the North Dakota legislature and appropriate North Dakota regulatory agencies to establish a vapor pressure standard of less than nine pounds per square inch for crude oil that is loaded into railroad cars in North Dakota.”

On page 1, line 2 of the title, after “rail;” strike the remainder of the title and insert “and creating a new section.”

Senator Ericksen spoke in favor of adoption of the striking amendment.

Senator Billig spoke against adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 129 by Senator Ericksen to Substitute Senate Bill No. 5579.

The motion by Senator Ericksen did not carry and striking amendment no. 129 was not adopted by voice vote.

MOTION

On motion of Senator Billig, the rules were suspended, Engrossed Substitute Senate Bill No. 5579 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Billig spoke in favor of passage of the bill.

Senators Ericksen and Sheldon spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5579.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5579 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frocht, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Hawkins, Hobbs, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5579, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Liias: “Thank you Madam President. I want to first congratulate Senator Billig on passing his first bill of the 2019 session, but I also want to note that he was so committed to passing this bill that he actually brought in reinforcements. Today the 3rd District actually has a second senator with us, Assistant Senator Sam Billig joined in the lobbying effort to protect their community from that issue and I know that he is in fact, because he's got that spacious corner office Senator Billig

actually installed a second desk for the assistant senator as well and I know we all join in congratulating both Senator and Assistant Senator Billig on their first bill of the 2019 session.”

REMARKS BY THE PRESIDENT PRO TEMPORE

President Pro Tempore Keiser: “Indeed, and it was also a pleasure to become Senator Sam’s adopted grandmother today.”

SECOND READING

SENATE BILL NO. 5403, by Senators Bailey, Darneille, Conway, Rivers, Keiser and Kuderer

Concerning safe egress from adult family homes.

MOTIONS

On motion of Senator Bailey, Substitute Senate Bill No. 5403 was substituted for Senate Bill No. 5403 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Bailey, the rules were suspended, Substitute Senate Bill No. 5403 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Bailey and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5403.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5403 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O’Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Fortunato and Wagoner

SUBSTITUTE SENATE BILL NO. 5403, 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.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Mr. Butch Bailey, husband of Senator Bailey, who was seated in the gallery.

SECOND READING

SENATE BILL NO. 5811, by Senators Nguyen, Rolfes, Wilson, C., Liias, Das, Hunt, Kuderer and Saldaña

Reducing emissions by making changes to the clean car standards and clean car program.

The measure was read the second time.

MOTION

Senator Padden moved that the following striking amendment no. 044 by Senator Padden be adopted:

Strike everything after the enacting clause and insert the following:

“**NEW SECTION. Sec. 6.** The following acts or parts of acts are each repealed:

(1)RCW 70.120A.010 (Department of ecology to adopt rules to implement California motor vehicle emission standards—Limitations—Advisory group—Exemptions) and 2010 c 76 s 1 & 2005 c 295 s 2;

(2)RCW 70.120A.020 (Early credits and banking—Alternative means of compliance) and 2005 c 295 s 3; and

(3)RCW 70.120A.050 (New vehicle greenhouse gas emissions disclosure—Rule-making authority) and 2014 c 76 s 8 & 2008 c 32 s 2.”

On page 1, line 1 of the title, after “Relating to” strike the remainder of the title and insert “the clean car standards and clean car program; and repealing RCW 70.120A.010, 70.120A.020, and 70.120A.050.”

Senators Padden, Ericksen, Sheldon and Short spoke in favor of adoption of the striking amendment.

Senator Nguyen spoke against adoption of the striking amendment.

Senator Short demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senator Padden to Senate Bill No. 5811.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Padden and the amendment was not adopted by the following vote: Yeas, 19; Nays, 28; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Braun, Brown, Ericksen, Hawkins, Holy, Honeyford, King, O’Ban, Padden, Rivers, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Voting nay: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Excused: Senators Fortunato and Wagoner.

MOTION

On motion of Senator Nguyen, the rules were suspended, Senate Bill No. 5811 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nguyen spoke in favor of passage of the bill.

Senators Ericksen, King and Sheldon spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5811.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5811 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Hobbs, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Takko, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

SENATE BILL NO. 5811, 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

SENATE BILL NO. 5298, by Senators Rivers, Palumbo and Wellman

Regarding labeling of marijuana products.

MOTION

On motion of Senator Rivers, Substitute Senate Bill No. 5298 was substituted for Senate Bill No. 5298 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5298 was deferred and the bill held its place on the second reading calendar.

MOTION

At 3:24 p.m., on motion of Senator Liias, the Senate was declared to be at ease subject to the call of the President Pro Tempore.

The Senate was called to order at 3:38 p.m. by President Pro Tempore Keiser.

SECOND READING

The senate resumed consideration of Substitute Senate Bill No. 5298 which had been deferred earlier in the day.

SUBSTITUTE SENATE BILL NO. 5298, by Senate Committee on Labor & Commerce (originally sponsored by Rivers, Palumbo and Wellman)

Regarding labeling of marijuana products.

The measure was read the second time.

MOTION

On motion of Senator Liias, further consideration of Substitute Senate Bill No. 5298 was again deferred and the bill held its place on the second reading calendar.

MOTION

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

MESSAGE FROM THE HOUSE

March 1, 2019

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1058,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.

1112,

ENGROSSED HOUSE BILL NO. 1563,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1916,

and the same are herewith transmitted.

NONA SNELL, Deputy Chief Clerk

MOTION

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

SECOND READING

SENATE BILL NO. 5002, by Senators Pedersen and Padden

Concerning limited cooperative associations.

The measure was read the second time.

MOTION

On motion of Senator Pedersen, the rules were suspended, Senate Bill No. 5002 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pedersen and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5002.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5002 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SENATE BILL NO. 5002, 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

SENATE BILL NO. 5303, by Senators Liias and Saldaña

Addressing motorcycle safety.

MOTIONS

On motion of Senator Liias, Substitute Senate Bill No. 5303 was substituted for Senate Bill No. 5303 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Liias, the rules were suspended, Substitute Senate Bill No. 5303 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Liias spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5303.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5303 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short and Wilson, L.

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5303, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Sheldon: "Madam President. Is there a reason my name was eliminated from the roll call on that last bill? I know I've suggested that Washington go back to being a territory and eliminating our licensing and perhaps having California plates but, am I on probation? Or is or is there something else brewing up there at the rostrum?"

President Pro Tempore Keiser: "Senator Sheldon, I am going to assure you it was an inadvertent oversight but it is also possible that we thought you had left for California driving a motorcycle in a split lane, as they are allowed to do in California."

Senator Sheldon: "Thank you Madam President but I don't have to leave for California because California is already taken over."

EDITOR'S NOTE: Although Senator Sheldon's name was not called during the initial roll call, the reader-in-training, Ms. Breann Sherrill, deftly recorded the Senator's vote prior to the vote closing.

SECOND READING

SENATE BILL NO. 5714, by Senators Dhingra, Padden, Salomon, Kuderer, Billig, Darneille, Das and Hasegawa

Concerning the reliability of evidence in criminal proceedings.

MOTIONS

On motion of Senator Dhingra, Substitute Senate Bill No. 5714 was substituted for Senate Bill No. 5714 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Dhingra, the rules were suspended, Substitute Senate Bill No. 5714 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Dhingra and Padden spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5714.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5714 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5714, 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

SENATE BILL NO. 5386, by Senators Becker, Cleveland, Rivers, O'Ban, Short, Braun, Wilson, L., Holy, Brown, Warnick, Bailey, Zeiger, Conway and Van De Wege

Concerning training standards in providing telemedicine services.

MOTIONS

On motion of Senator Becker, Substitute Senate Bill No. 5386 was substituted for Senate Bill No. 5386 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Becker, the rules were suspended, Substitute Senate Bill No. 5386 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Becker and Cleveland spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5386.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5386 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5386, 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

SENATE BILL NO. 5223, by Senators Palumbo, Rivers, Rolfes, King, Carlyle, Mullet, McCoy, Wellman, Das, Nguyen, Randall, Frockt, Salomon, Keiser, Wilson, C., Kuderer, Darneille, Cleveland, Saldaña, Dhingra, Pedersen, Conway and Van De Wege

Concerning net metering.

MOTION

On motion of Senator Palumbo, Second Substitute Senate Bill No. 5223 was substituted for Senate Bill No. 5223 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Rivers moved that the following striking amendment no. 126 by Senator Rivers be adopted:

Strike everything after the enacting clause and insert the following:

“Sec. 1. RCW 80.60.010 and 2007 c 323 s 1 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly indicates otherwise.

(1) “Commission” means the utilities and transportation commission.

(2) “Customer-generator” means a user of a net metering system.

(3) “Electrical company” means a company owned by investors that meets the definition of RCW 80.04.010.

(4) “Electric cooperative” means a cooperative or association organized under chapter 23.86 or 24.06 RCW.

(5) “Electric utility” means any electrical company, public utility district, irrigation district, port district, electric cooperative, or municipal electric utility that is engaged in the business of distributing electricity to retail electric customers in the state.

(6) “Irrigation district” means an irrigation district under chapter 87.03 RCW.

(7) “Meter aggregation” means the administrative combination of ~~((readings from and))~~ billing ~~((for all meters, regardless of the rate class, on premises owned or leased by a customer-generator located within the service territory of a single electric utility))~~ net

energy consumption from a designated net meter and eligible aggregated meter.

(8) “Municipal electric utility” means a city or town that owns or operates an electric utility authorized by chapter 35.92 RCW.

(9) “Net metering” means measuring the difference between the electricity supplied by an electric utility and the excess electricity generated by a customer-generator’s net metering system over the applicable billing period.

(10) “Net metering system” means a fuel cell, a facility that produces electricity and used and useful thermal energy from a common fuel source, or a facility for the production of electrical energy that generates renewable energy, and that:

(a) Has an electrical generating nameplate capacity of not more than one hundred kilowatts;

(b) Is located on the customer-generator’s premises;

(c) Operates in parallel with the electric utility’s transmission and distribution facilities and is connected to the electric utility’s distribution system; and

(d) Is intended primarily to offset part or all of the customer-generator’s requirements for electricity.

(11) “Premises” means any residential property, commercial real estate, or lands, owned or leased by a customer-generator within the service area of a single electric utility.

(12) “Port district” means a port district within which an industrial development district has been established as authorized by Title 53 RCW.

(13) “Public utility district” means a district authorized by chapter 54.04 RCW.

(14) “Renewable energy” means energy generated by a facility that uses water, wind, solar energy, or biogas ~~((from animal waste))~~ as a fuel.

(15) “Aggregated meter” means an electric service meter measuring electric energy consumption that is eligible to receive credits under a meter aggregation arrangement as described in RCW 80.60.030.

(16) “Consumer-owned utility” means a municipal electric utility formed under Title 35 RCW, a public utility district formed under Title 54 RCW, an irrigation district formed under chapter 87.03 RCW, a cooperative formed under chapter 23.86 RCW, or a mutual corporation or association formed under chapter 24.06 RCW, that is engaged in the business of distributing electricity to more than one retail electric customer in the state.

(17) “Designated meter” means an electric service meter at the service of a net metering system that is interconnected to the utility distribution system.

(18) “Investor-owned utility” means a company owned by investors that meets the definition of “corporation” in RCW 80.04.010 and is engaged in distributing electricity to more than one retail electric customer in the state.

(19) “Retail electric customer” includes an individual, organization, group, association, partnership, corporation, agency, unit of state government, or entity that is connected to the electric utility’s distribution system and purchases electricity for ultimate consumption and not for resale.

Sec. 2. RCW 80.60.020 and 2007 c 323 s 2 are each amended to read as follows:

(1) An electric utility:

(a) Shall offer to make net metering, pursuant to RCW 80.60.030, available to eligible customers-generators on a first-come, first-served basis until the ((cumulative generating capacity of net metering systems equals 0.25 percent of the utility’s peak demand during 1996. On January 1, 2014, the cumulative generating capacity available to net metering systems will equal 0.5 percent of the utility’s peak demand during 1996)) earlier of either: (i) June 30, 2029; or (ii) until the cumulative generating

capacity available to net metering systems pursuant to RCW 80.60.030 equals four percent of the utility's peak demand during 1996. Not less than one-half of the utility's 1996 peak demand available for net metering systems shall be reserved for the cumulative generating capacity attributable to net metering systems that generate renewable energy;

(b) Shall allow net metering systems to be interconnected using a standard kilowatt-hour meter capable of registering the flow of electricity in two directions, unless the commission, in the case of an electrical company, or the appropriate governing body, in the case of other electric utilities, determines, after appropriate notice and opportunity for comment:

(i) That the use of additional metering equipment to monitor the flow of electricity in each direction is necessary and appropriate for the interconnection of net metering systems, after taking into account the benefits and costs of purchasing and installing additional metering equipment; and

(ii) How the cost of purchasing and installing an additional meter is to be allocated between the customer-generator and the utility;

(c) Shall charge the customer-generator a minimum monthly fee that is the same as other customers of the electric utility in the same rate class, but shall not charge the customer-generator any additional standby, capacity, interconnection, or other fee or charge unless the commission, in the case of an electrical company, or the appropriate governing body, in the case of other electric utilities, determines, after appropriate notice and opportunity for comment that:

(i) The electric utility will incur direct costs associated with interconnecting or administering net metering systems that exceed any offsetting benefits associated with these systems; and

(ii) Public policy is best served by imposing these costs on the customer-generator rather than allocating these costs among the utility's entire customer base.

(2) If a production meter and software is required by the electric utility to provide meter aggregation under RCW 80.60.030(4), the customer-generator is responsible for the purchase of the production meter and software.

(3)(a)(i) An electric utility must provide net metering pursuant to RCW 80.60.030 to eligible customer-generators until the earlier of either: (A) June 30, 2029; or (B) until the cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030 equals four percent of the utility's peak demand during 1996.

(ii) A consumer-owned utility may develop a standard rate or tariff schedule that deviates from RCW 80.60.030 for eligible customer-generators to take effect either upon reaching four percent of the cumulative generating capacity available to net metering systems pursuant to subsection (1) of this section or after June 30, 2029, whichever is earlier.

(iii) An investor-owned utility may submit a filing with the commission to develop a standard tariff schedule that deviates from RCW 80.60.030 for eligible customer-generators. The commission must approve, reject, or approve with conditions an alternative net metering tariff schedule within one year of an investor-owned utility filing. If the commission approves the filing with conditions, the investor-owned utility may choose to accept the tariff schedule with conditions or file a new tariff schedule with the commission.

(b) An approved alternative standard rate or tariff schedule applies to any customer-generator subject to an interconnection agreement entered into: (i) After June 30, 2029, or (ii) the first date upon which the cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030 equals four percent of the utility's peak demand during 1996, whichever is earlier, unless the commission or governing body determines that

a customer-generator is eligible for net metering under a rate or tariff schedule pursuant to RCW 80.60.030.

(c)(i) A consumer-owned utility must notify the Washington State University extension energy program sixty days in advance of when a standard rate for an eligible customer-generator is first placed on the agenda of the governing body.

(ii) Each electric utility must give notice by July 31, 2020, and semiannually thereafter, to the Washington State University extension energy program of the current status of meeting the cumulative generating capacity available to net metering systems pursuant to subsection (1)(a) of this section.

(iii) The Washington State University extension energy program must make available on its web site a list of the following:

(A) Each electric utility's progress on reaching the cumulative generating capacity available to net metering systems pursuant to subsection (1)(a) of this section;

(B) Electric utilities that have provided notice of an alternative rate or tariff schedule under this subsection; and

(C) Electric utilities that have adopted an alternative standard rate or tariff schedule under this subsection.

(d) If the commission does not approve an investor-owned utility's alternative tariff schedule under (a)(iii) of this subsection, the commission may determine the alternative cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030.

(4)(a) An electric utility must continue to credit a customer-generator pursuant to RCW 80.60.030 if:

(i) The customer-generator takes service under net metering prior to the earlier of: (A) June 30, 2029; or (B) the cumulative generating capacity available to net metering systems pursuant to RCW 80.60.030 reaches four percent of the utility's peak demand in 1996; and

(ii) The customer-generator's existing interconnection agreement for the net metering system remains valid.

(b) The commission, in the case of investor-owned utilities, and a governing body, in the case of consumer-owned utilities, must determine as part of an alternative standard rate or tariff schedule under this subsection when customer-generators become ineligible for credit pursuant to RCW 80.60.030.

(c) Upon adoption of a standard rate or tariff schedule by the commission or governing body pursuant to subsection (3)(a) of this section, the electric utility is exempt from requirements under subsection (1)(c) of this section and RCW 80.60.030 for new interconnection agreements.

Sec. 3. RCW 80.60.030 and 2007 c 323 s 3 are each amended to read as follows:

Consistent with the other provisions of this chapter, the net energy measurement, billed kilowatt-hour consumption charges, and kilowatt-hour credit for excess generation by a net metered system, must be calculated in the following manner:

(1) The electric utility shall measure the net electricity produced or consumed during the billing period, in accordance with normal metering practices.

(2) If the electricity supplied by the electric utility exceeds the electricity generated by the customer-generator's net metering system and fed back to the electric utility during the billing period, the customer-generator shall be billed for the net electricity supplied by the electric utility, in accordance with normal metering practices.

(3) If excess electricity generated by the ((customer-generator)) net metering system during a billing period exceeds the electricity supplied by the electric utility during the same billing period, the customer-generator:

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(a) Shall be billed for the appropriate customer charges for that billing period, in accordance with RCW 80.60.020; and

(b) Shall be credited for the excess kilowatt-hours generated during the billing period, with this kilowatt-hour credit appearing on the bill for the following billing period.

(4) If a customer-generator requests, an electric utility shall provide such a customer-generator meter aggregation.

(a) For a customer-generator((s)) participating in meter aggregation, kilowatt-hours credits earned by ((a)) the customer-generator's net metering system during the billing period first shall be used to offset electricity supplied by the electric utility at the location of the customer-generator's designated meter.

~~(b) ((Not more than a total of one hundred kilowatts shall be aggregated among all customer generators participating in a generating facility under this subsection.~~

~~((e)) A customer-generator may aggregate a designated meter with one additional aggregated meter located on the same parcel as the designated meter or a parcel that is contiguous with the parcel where the designated meter is located.~~

(c) For the purposes of (b) of this subsection, a parcel is considered contiguous if they share a common property boundary, but may be separated only by a road or rail corridor.

(d) A retail electric customer who is a customer-generator and receives retail electric service from an electric utility at an aggregated meter must be the same retail electric customer who receives retail electric service from such an electric utility at the designated meter that is located on the premises where such a customer-generator's net metering system is located.

(e) Excess kilowatt-hours credits earned by the net metering system((r)) at the site of a designated meter during ((the same)) a billing period((r)) shall be credited ((equally)) by the electric utility ((to remaining meters located on all premises of a customer-generator)) for kilowatt hour charges due at the aggregated meter at the ((designated)) applicable rate of ((each)) the aggregated meter.

((d)) (f) If credits generated in any billing period exceed total consumption for that billing period at both meters that are part of an aggregated arrangement, credits are retained pursuant to subsections (3) and (5) of this section.

(g) Credits carried over from one billing period to the next pursuant to (f) of this subsection must be applied in subsequent billing periods in the same manner described under (a) and (e) of this subsection.

(h) Meters so aggregated shall not change rate classes due to meter aggregation under this section.

(5) On ((April 30th)) **March 31st** of each calendar year, any remaining unused kilowatt-hour credit accumulated during the previous year shall be granted to the electric utility, without any compensation to the customer-generator.

(6) Nothing in this section prohibits a utility from allowing aggregation under terms different than the requirements of subsection (4) of this section if a customer-generator has an existing arrangement for meter aggregation in effect or a customer submits a written request for aggregation on or before July 1, 2019.

(7) Nothing in this section prohibits the owner of multifamily residential facility from installing a net metering system as defined in RCW 80.60.010 assigned to a single designated meter located on the premises of the multifamily residential facility where the tenants are not individually metered customers of the utility and distributing any benefits of the net metering to tenants of the facility where the net metering system is located. The utility must measure the net energy produced and provide credit to the single designated meter to which the net metering system is assigned in accordance with subsections (1) through (3) of this

section or under the terms of a standard rate or tariff schedule established under RCW 80.60.020(3). The distribution of benefits to tenants of such a system, if any, is the responsibility of the owner of the net metering system and not the responsibility of the utility.

Sec. 4. RCW 80.60.040 and 2006 c 201 s 4 are each amended to read as follows:

(1) A net metering system used by a customer-generator shall include, at the customer-generator's own expense, all equipment necessary to meet applicable safety, power quality, and interconnection requirements established by the national electrical code, national electrical safety code, the institute of electrical and electronics engineers, and underwriters laboratories.

(2) The commission, in the case of an electrical company, or the appropriate governing body, in the case of other electric utilities, after appropriate notice and opportunity for comment, may adopt by regulation additional safety, power quality, and interconnection requirements for customer-generators, including limitations on the number of customer-generators and total capacity of net metering systems that may be interconnected to any distribution feeder line, circuit, or network that the commission or governing body determines are necessary to protect public safety and system reliability.

(3) An electric utility may not require a customer-generator whose net metering system meets the standards in subsections (1) and (2) of this section to comply with additional safety or performance standards, perform or pay for additional tests, or purchase additional liability insurance. However, an electric utility shall not be liable directly or indirectly for permitting or continuing to allow an attachment of a net metering system, or for the acts or omissions of the customer-generator that cause loss or injury, including death, to any third party.

(4) Except when required under the federal public utility regulatory policies act, an electric utility may not establish compensation arrangements or interconnection requirements, other than those permitted in this chapter, for a customer-generator that would have the effect of prohibiting or restricting the ability of a customer-generator to generate or store electricity for consumption on its premises.

Sec. 5. RCW 82.16.090 and 1988 c 228 s 1 are each amended to read as follows:

Any customer billing issued by a light or power business or gas distribution business that serves a total of more than twenty thousand customers and operates within the state shall include the following information:

(1) The rates and amounts of taxes paid directly by the customer upon products or services rendered by the light and power business or gas distribution business; ~~((and))~~

(2) The rate, origin and approximate amount of each tax levied upon the revenue of the light and power business or gas distribution business and added as a component of the amount charged to the customer. Taxes based upon revenue of the light and power business or gas distribution business to be listed on the customer billing need not include taxes levied by the federal government or taxes levied under chapters 54.28, 80.24, or 82.04 RCW; and

(3) The total amount of kilowatt-hours of electricity consumed for the most recent twelve-month period or other information that provides the customer with information regarding their energy usage over a twelve-month period.

NEW SECTION. Sec. 6. A new section is added to chapter 19.27 RCW to read as follows:

The state building code council, in consultation with the department of commerce and local governments, shall conduct a study of the state building code and adopt changes necessary to encourage greater use of renewable energy systems as defined in RCW 82.16.110.”

On page 1, beginning on line 1 of the title, after “metering;” strike the remainder of the title and insert “amending RCW 80.60.010, 80.60.020, 80.60.030, 80.60.040, and 82.16.090; and adding a new section to chapter 19.27 RCW.”

MOTION

Senator Ericksen moved that the following amendment no. 137 by Senator Ericksen to striking amendment no. 126 be adopted:

On page 6, after line 5, insert the following:

“(5) If the use of net metering by customer-generators results in increased costs for electricity being borne by school districts, hospital districts, and other public entities that are not customer-generators, then the state of Washington shall reimburse the public entities for the additional costs imposed as a result of net metering.”

Senator Ericksen spoke in favor of adoption of the amendment to the striking amendment.

Senator Palumbo spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 137 by Senator Ericksen on page 6, after line 5 to striking amendment no. 126.

The motion by Senator Ericksen did not carry and amendment no. 137 was not adopted by voice vote.

MOTION

Senator Ericksen moved that the following amendment no. 138 by Senator Ericksen to striking amendment no. 126 be adopted:

On page 6, after line 5, insert the following:

“(5) If the use of net metering by customer-generators results in increased costs for electricity being borne by an electric utility's residential customers who are not customer-generators, then the state of Washington shall reimburse the noncustomer-generators for the additional costs imposed as a result of net metering.”

Senator Ericksen spoke in favor of adoption of the amendment to the striking amendment.

Senator Palumbo spoke against adoption of the amendment to the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 138 by Senator Ericksen on page 6, after line 5 to striking amendment no. 126.

The motion by Senator Ericksen did not carry and amendment no. 138 was not adopted by voice vote.

Senators Rivers and Palumbo spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of striking amendment no. 126 by Senator Rivers to Second Substitute Senate Bill No. 5223.

The motion by Senator Rivers carried and striking amendment no. 126 was adopted by voice vote.

MOTION

On motion of Senator Palumbo, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5223 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Palumbo spoke in favor of passage of the bill.

Senators Ericksen, Sheldon and Fortunato spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5223.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5223 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Van De Wege, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Schoesler, Sheldon, Short, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5223, 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

SENATE BILL NO. 5077, by Senators Kuderer, Darneille, Palumbo, Hunt and Pedersen

Prohibiting single-use plastic straws. Revised for 1st Substitute: Restricting single-use plastic straws at food service establishments.

MOTION

On motion of Senator Kuderer, Substitute Senate Bill No. 5077 was substituted for Senate Bill No. 5077 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fortunato moved that the following amendment no. 054 by Senator Fortunato be adopted:

On page 2, line 20, after “(1)” strike “The” and insert “Except as provided in subsection (3) of this section, the”

On page 2, after line 30, insert the following:

“(3) The department of health must enforce this chapter as applied to straws provided on vessels operating on waters within the seaward boundary of Washington.”

Senator Fortunato spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 054 by Senator

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Fortunato on page 2, line 20 to Substitute Senate Bill No. 5077.

The motion by Senator Fortunato did not carry and amendment no. 054 was not adopted by voice vote.

MOTION

Senator Short moved that the following amendment no. 053 by Senator Short be adopted:

On page 2, beginning on line 31, strike all of section 4 and insert the following:

“**NEW SECTION. Sec. 4.** This chapter preempts all local government ordinances that apply to the provision of plastic beverage straws in food service establishments.”

Senator Short spoke in favor of adoption of the amendment.

Senator Kuderer spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 053 by Senator Short on page 2, line 31 to Substitute Senate Bill No. 5077.

The motion by Senator Short did not and amendment no. 053 was not adopted by voice vote.

MOTION

Senator Kuderer moved that the following amendment no. 051 by Senator Kuderer be adopted:

On page 2, line 34, after “act.” insert “This chapter does not preempt or limit a local government from enforcing a grandfathered ordinance. For the purposes of this chapter, “grandfathered ordinance” means a plastic beverage straw ordinance that was in effect as of the effective date of this section and meets at least the requirements of this chapter, as determined by the local health jurisdiction.”

Senator Kuderer spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 051 by Senator Kuderer on page 2, line 34 to Substitute Senate Bill No. 5077.

The motion by Senator Kuderer carried and amendment no. 051 was adopted by voice vote.

MOTION

On motion of Senator Kuderer, the rules were suspended, Engrossed Substitute Senate Bill No. 5077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kuderer and Takko spoke in favor of passage of the bill.

Senators Fortunato, Padden, Ericksen and Schoesler spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5077.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5077 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser,

Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rolfes, Saldaña, Salomon, Takko, Wellman and Wilson, C.

Voting nay: Senators Bailey, Becker, Braun, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, King, O'Ban, Padden, Rivers, Schoesler, Sheldon, Short, Van De Wege, Walsh, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5077, 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

SENATE BILL NO. 5023, by Senators Hasegawa, Conway, Frockt, Wellman, Wilson, C. and Saldaña

Concerning an ethnic studies curriculum for public school students. Revised for 1st Substitute: Concerning ethnic studies materials and resources for public school students.

MOTIONS

On motion of Senator Hasegawa, Substitute Senate Bill No. 5023 was substituted for Senate Bill No. 5023 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hasegawa, the rules were suspended, Substitute Senate Bill No. 5023 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hasegawa spoke in favor of passage of the bill.

Senator Hawkins spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5023.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5023 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Frockt, Hasegawa, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senators Bailey, Fortunato, Hawkins, Padden and Short

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5023, 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

SENATE BILL NO. 5621, by Senators Warnick, Padden, Holy, Wagoner, Wilson, L.

Increasing the jurisdictional amount for small claims courts.

MOTION

Senator Warnick moved that Substitute Senate Bill No. 5621 be substituted for Senate Bill No. 5621 and that the substitute bill be placed on the second reading and read the second time.

Senator Padden objected to the motion by Senator Warnick.

Senator Padden spoke against adoption of the substitute bill.

Senator Pedersen spoke in favor of adoption of the substitute bill.

The President Pro Tempore declared the question before the Senate to be the adoption of the substitute bill.

The motion by Senator Warnick carried and the substitute bill was adopted by voice vote.

WITHDRAWAL OF AMENDMENT

On motion of Senator Padden and without objection, striking amendment no. 140 by Senator Padden to Substitute Senate Bill No. 5621 was withdrawn.

MOTION

On motion of Senator Warnick, the rules were suspended, Substitute Senate Bill No. 5621 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Warnick spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5621.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5621 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

Voting yea: Senators Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Bailey, Becker, Brown, Ericksen, Honeyford, O'Ban, Padden, Short and Wilson, L.

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5621, 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

SENATE BILL NO. 5792, by Senators Salomon, Wellman, Walsh and Honeyford

Making statutory requirements and policies for cultural access programs the same in all counties of the state.

The measure was read the second time.

MOTION

On motion of Senator Salomon, the rules were suspended, Senate Bill No. 5792 was advanced to third reading, the second

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

Senators Salomon, Short and Takko spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5792.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5792 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Lias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senator Wagoner

SENATE BILL NO. 5792, 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

SENATE BILL NO. 5332, by Senators Pedersen, Rivers, Wilson, C., Walsh, Randall, Cleveland and Lias

Concerning vital statistics.

MOTION

On motion of Senator Pedersen, Substitute Senate Bill No. 5332 was substituted for Senate Bill No. 5332 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pedersen moved that the following amendment no. 113 by Senator Pedersen be adopted:

On page 21, line 7, after "archives" insert " , other than those charged through the central services billing model for the cost of operating the state archives"

Senator Pedersen spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of amendment no. 113 by Senator Pedersen on page 21, line 7 to Substitute Senate Bill No. 5332.

The motion by Senator Pedersen carried and amendment no. 113 was adopted by voice vote.

MOTION

On motion of Senator Pedersen, the rules were suspended, Engrossed Substitute Senate Bill No. 5332 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pedersen spoke in favor of passage of the bill.

Senator Padden spoke against passage of the bill.

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The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5332.

objection, the title of the bill was ordered to stand as the title of the act.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5332 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Takko, Walsh, Wellman and Wilson, C.

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Padden, Schoesler, Sheldon, Short, Van De Wege, Warnick, Wilson, L. and Zeiger

Excused: Senator Wagoner

ENGROSSED SUBSTITUTE SENATE BILL NO. 5332, 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

SENATE BILL NO. 5488, by Senators Darneille, Saldaña, Wilson, C., Keiser and Nguyen

Concerning the sentencing of persons under the age of twenty-one years at the time of the commission of a crime.

MOTIONS

On motion of Senator Darneille, Substitute Senate Bill No. 5488 was substituted for Senate Bill No. 5488 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Darneille, the rules were suspended, Substitute Senate Bill No. 5488 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Darneille and Walsh spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5488.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5488 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Billig, Braun, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Frockt, Hasegawa, Hobbs, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Sheldon, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C. and Zeiger

Voting nay: Senators Becker, Brown, Ericksen, Fortunato, Hawkins, Holy, Honeyford, Padden, Schoesler, Short and Wilson, L.

Excused: Senator Wagoner

SUBSTITUTE SENATE BILL NO. 5488, having received the constitutional majority, was declared passed. There being no

SECOND READING

SENATE BILL NO. 5795, by Senators Zeiger and Saldaña

Increasing contractor bonding requirements.

The measure was read the second time.

MOTION

On motion of Senator Zeiger, the rules were suspended, Senate Bill No. 5795 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zeiger and Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5795.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5795 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Takko, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senator Wagoner

SENATE BILL NO. 5795, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

On motion of Senator Wilson, C., Senator Takko was excused.

SECOND READING

SENATE BILL NO. 5490, by Senators Frockt, Brown, Hobbs and Mullet

Transferring duties of the life sciences discovery fund.

The measure was read the second time.

MOTION

On motion of Senator Frockt, the rules were suspended, Senate Bill No. 5490 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Frockt and Wilson, L. spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5490.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5490 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Voting nay: Senator Hasegawa

Excused: Senators Takko and Wagoner

SENATE BILL NO. 5490, 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

SENATE BILL NO. 5021, by Senators Van De Wege, Walsh, Keiser, Conway, Hunt, Hobbs, Wellman, Hasegawa and Kuderer

Granting interest arbitration to department of corrections employees. Revised for 2nd Substitute: Granting interest arbitration to certain department of corrections employees.

MOTIONS

On motion of Senator Van De Wege, Second Substitute Senate Bill No. 5021 was substituted for Senate Bill No. 5021 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Van De Wege, the rules were suspended, Second Substitute Senate Bill No. 5021 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Van De Wege, Hasegawa and King spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5021.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5021 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Bailey, Becker, Billig, Braun, Brown, Carlyle, Cleveland, Conway, Darneille, Das, Dhingra, Ericksen, Fortunato, Frockt, Hasegawa, Hawkins, Hobbs, Holy, Honeyford, Hunt, Keiser, King, Kuderer, Liias, Lovelett, McCoy, Mullet, Nguyen, O'Ban, Padden, Palumbo, Pedersen, Randall, Rivers, Rolfes, Saldaña, Salomon, Schoesler, Sheldon, Short, Van De Wege, Walsh, Warnick, Wellman, Wilson, C., Wilson, L. and Zeiger

Excused: Senators Takko and Wagoner

SECOND SUBSTITUTE SENATE BILL NO. 5021, 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 Becker announced a meeting of the Republican Caucus immediately upon adjournment.

Senator McCoy announced a meeting of the Democratic Caucus immediately upon adjournment.

MOTION

At 5:43 p.m., on motion of Senator Liias, the Senate adjourned until 9:00 o'clock a.m. Tuesday, March 5, 2019.

KAREN KEISER, President Pro Tempore of the Senate

BRAD HENDRICKSON, Secretary of the Senate

1009-S	Messages	1	1529-S	Messages	1
1034-S	Messages	1	1531-S	Messages	1
1041-S	Messages	1	1534	Messages	1
1058-E	Messages	9	1563-E	Messages	9
1071-S	Messages	1	1568	Messages	1
1112-S2E	Messages	9	1602-S	Messages	1
1137	Messages	1	1633-S	Messages	1
1146	Messages	1	1657	Messages	1
1170-S	Messages	1	1672	Messages	1
1189-S	Messages	1	1730	Messages	1
1212	Messages	1	1743	Messages	1
1247	Messages	1	1870-S	Messages	1
1255	Messages	1	1913	Messages	1
1335	Messages	1	1916-SE	Messages	9
1341	Messages	1	1919-S	Messages	1
1349	Messages	1	5002	Second Reading	9
1356-S	Messages	1		Third Reading Final Passage	9
1366	Messages	1	5021	Second Reading	18
1380	Messages	1	5021-S2	Second Reading	18
1385	Messages	1		Third Reading Final Passage	18
1399-S	Messages	1	5023	Second Reading	15
1412	Messages	1	5023-S	Second Reading	15
1485-S	Messages	1		Third Reading Final Passage	15
1520-S			5030	Second Reading	2
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5077		Second Reading	10
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5107		Second Reading	17
Second Reading	3	5488-S	
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5223		Third Reading Final Passage	17
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5267		5502-S	
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5298		Third Reading Final Passage	4
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5332-S		Second Reading	6
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5332-SE		5621	
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5386		5621-S	

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5627		Second Reading	5
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Third Reading Final Passage	4	9213 Karen Fraser	
5714		Confirmed	1
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5714-S		Ratsamee, Mr. Phra, abbot, Buddhangkura	
Second Reading	10	Buddhist Temple, Olympia.....	1
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5792		Brooks, Mr. Adam	1
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5795		Renick, Miss Michaela, Pledge of Allegiance	
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Third Reading Final Passage	17	PRESIDENT PRO TEMPORE OF THE	
5811		SENATE	
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5839		Personal Privilege, Senator Lias	7
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5839-S		Sherrill, Ms. Breann, recognized	10