

TWENTY FIFTH DAY

NOON SESSION

Senate Chamber, Olympia, Thursday, February 5, 2015

The Senate was called to order at 12:00 o'clock noon by President Owen. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 4, 2015

SB 5001 Prime Sponsor, Senator Hewitt: Clarifying provisions that allow for the tasting of alcohol by students under twenty-one years of age. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5022 Prime Sponsor, Senator Angel: Providing fee immunity for certain city, town, and county water facilities. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5022 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Chase; Hewitt; McAuliffe and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hatfield, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5051 Prime Sponsor, Senator Hatfield: Clarifying transportation and delivery services for marijuana producers, marijuana processors, and marijuana retailers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5051 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Conway; Keiser; King and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hasegawa, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5089 Prime Sponsor, Senator Brown: Revising definitions in the energy independence act to promote the use of clean energy in the future. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

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

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5090 Prime Sponsor, Senator Brown: Providing an additional alternative compliance option in the energy independence act to promote the use of clean energy in the future. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

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

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5094 Prime Sponsor, Senator Brown: Allowing incremental electricity produced as a result of efficiency improvements to hydroelectric generation projects whose energy output is marketed by the Bonneville power administration to qualify as an eligible renewable resource under the energy independence act. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

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

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5166 Prime Sponsor, Senator Rolfes: Concerning the management of forage fish resources. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hewitt; McAuliffe and Warnick.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Hatfield, Ranking Minority Member.

Passed to Committee on Ways & Means.

February 4, 2015

SB 5212 Prime Sponsor, Senator Warnick: Increasing the number of tasting rooms allowed under a domestic winery license. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5260 Prime Sponsor, Senator Honeyford: Exempting cider makers from the wine commission assessment. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5329 Prime Sponsor, Senator Braun: Requiring public employee collective bargaining sessions to be open meetings. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5329 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5332 Prime Sponsor, Senator Braun: Regulating local employment laws and contracts. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5342 Prime Sponsor, Senator Hasegawa: Concerning definitions related to human trafficking. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; Hasegawa, Ranking Minority Member; Conway; Keiser; King and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5356 Prime Sponsor, Senator Mullet: Concerning a fishing line or monofilament recycling pilot program. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Chase; Hewitt; McAuliffe and Warnick.

Passed to Committee on Ways & Means.

February 4, 2015

SB 5378 Prime Sponsor, Senator Kohl-Welles: Concerning the preservation of housing options for participants in government assistance programs. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Benton, Chair; Angel, Vice Chair; Mullet, Ranking Minority Member; Darneille; Hobbs and Pedersen.

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

February 4, 2015

SB 5380 Prime Sponsor, Senator Pearson: Modifying provisions of the code that deal with migratory birds. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5380 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Dansel, Vice Chair; Hatfield, Ranking Minority Member; Chase; Hewitt; McAuliffe and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5424 Prime Sponsor, Senator King: Allowing public utility districts to produce and distribute renewable natural gas. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; McCoy, Ranking Minority Member; Braun; Brown; Cleveland; Habib and Honeyford.

Passed to Committee on Rules for second reading.

February 4, 2015

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SB 5430 Prime Sponsor, Senator Ericksen: Amending the energy independence act. Reported by Committee on Energy, Environment & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 5430 be substituted therefor, and the substitute bill do pass. Signed by Senators Ericksen, Chair; Sheldon, Vice Chair; Braun; Brown and Honeyford.

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

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5438 Prime Sponsor, Senator King: Allowing bicycles to stop and proceed through traffic control signals under certain conditions. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5438 be substituted therefor, and the substitute bill do pass. Signed by Senators King, Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland; Habib; Jayapal; Pedersen and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5457 Prime Sponsor, Senator Litzow: Modifying certain firefighting apparatus length and weight limits. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland; Habib; Jayapal; Pedersen and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5464 Prime Sponsor, Senator Warnick: Concerning unlawfully engaging in fishing guide activity. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dandel, Vice Chair; Hatfield, Ranking Minority Member; Chase; Hewitt; McAuliffe and Warnick.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5490 Prime Sponsor, Senator Ericksen: Modifying the use of motor vehicle and special fuel tax proceeds by border area transportation benefit districts. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators King, Chair; Fain, Vice Chair; Hobbs, Ranking Minority Member; Liias, Assistant Ranking Minority Member; Cleveland; Habib; Jayapal; Pedersen and Rivers.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5504 Prime Sponsor, Senator Hewitt: Allowing additional liquor distributor employees to stock liquor under certain circumstances. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

February 4, 2015

SB 5552 Prime Sponsor, Senator Padden: Accommodating the civil rights of religious objectors to mandatory payments to labor organizations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5552 be substituted therefor, and the substitute bill do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

February 4, 2015

SJM 8009 Prime Sponsor, Senator Baumgartner: Promoting the competitiveness of Washington state ports. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Baumgartner, Chair; Braun, Vice Chair; King and Warnick.

MINORITY recommendation: Do not pass. Signed by Senators Hasegawa, Ranking Minority Member; Conway and Keiser.

Passed to Committee on Rules for second reading.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

SB 5831 by Senators Honeyford, Hatfield, Rivers, Becker, Schoesler, King, Roach, Warnick, Hewitt and Angel

AN ACT Relating to the restoration of firearms rights; and reenacting and amending RCW 9.96.060.

Referred to Committee on Law & Justice.

SB 5832 by Senator Angel

AN ACT Relating to time limitations for certain plat approvals; and amending RCW 58.17.140 and 58.17.170.

Referred to Committee on Government Operations & Security.

SB 5833 by Senators Roach, Kohl-Welles, Pearson, Darneille and Chase

AN ACT Relating to assault in the third degree; amending RCW 9A.36.031; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5834 by Senators Ranker, Rolfes, Nelson, Frockt, Kohl-Welles and Conway

AN ACT Relating to oil transportation safety; amending RCW 90.56.005, 90.56.010, 90.56.500, 90.56.510, 88.40.011, 88.40.025, 88.40.030, 88.40.040, 88.16.170, 88.16.190, and 82.23B.020; reenacting and amending RCW 88.46.010 and 88.40.020; adding new sections to chapter 90.56 RCW; and providing an effective date.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5835 by Senator Darneille

AN ACT Relating to earned release time for felony convictions involving deadly weapon enhancements; amending RCW 9.94A.729; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5836 by Senators Darneille and Hasegawa

AN ACT Relating to changing the seriousness level for certain drug offenses; amending RCW 9.94A.518; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5837 by Senator Miloscia

AN ACT Relating to lean management and Baldrige performance excellence principles in schools; adding a new section to chapter 28A.320 RCW; and adding a new section to chapter 28A.300 RCW.

Referred to Committee on Accountability and Reform.

SB 5838 by Senators Chase and Hasegawa

AN ACT Relating to mutual insurers; adding a new section to chapter 48.09 RCW; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

SB 5839 by Senators Darneille, O'Ban and Kohl-Welles

AN ACT Relating to technical corrections to processes for persons sentenced for offenses committed prior to reaching eighteen years of age; amending RCW 9.94A.501, 9.94A.533, 9.94A.728, 9.94A.729, 10.95.030, 9.94A.730, 10.95.035, and 9.94A.704; and declaring an emergency.

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

SB 5840 by Senators Dammeier, Rolfes, Braun and Keiser

AN ACT Relating to reimbursement to eligible providers for medicaid ground emergency medical transportation services; and adding new sections to chapter 41.05 RCW.

Referred to Committee on Ways & Means.

SB 5841 by Senators King, Kohl-Welles, Rivers, Liias and Hobbs

AN ACT Relating to a tuition and fees exemption for children and surviving spouses of certain highway workers; and amending RCW 28B.15.380.

Referred to Committee on Higher Education.

SB 5842 by Senators Braun, Hatfield, Ericksen, Sheldon and Chase

AN ACT Relating to providing a compliance path based on sound utility planning under the energy independence act; and amending RCW 19.285.040 and 19.285.080.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5843 by Senators Ranker, Parlette, Pearson, Rolfes, Hewitt, Litzow, Conway, Hasegawa and McAuliffe

AN ACT Relating to outdoor recreation; amending RCW 79A.05.351; adding a new section to chapter 43.06 RCW; and making appropriations.

Referred to Committee on Ways & Means.

SB 5844 by Senators Rivers, Liias, Rolfes, Ranker, Braun, Warnick, Hewitt, Angel, Parlette and Conway

AN ACT Relating to ensuring that fishing opportunities in Washington are consistent with the economic contributions provided by the fishing user groups; amending RCW 77.04.012, 77.04.055, and 77.12.047; reenacting and amending RCW 77.12.170; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 5845 by Senators Warnick, Angel, Braun, Ericksen and Parlette

AN ACT Relating to replacement of like-in-kind household appliances; amending RCW 18.27.090, 18.106.150, and 19.28.006; and reenacting and amending RCW 19.28.091.

Referred to Committee on Commerce & Labor.

SB 5846 by Senators Warnick, Braun and Ericksen

AN ACT Relating to the granting of exemptions to the plumbing and electrical codes; adding a new section to chapter 19.28 RCW; adding a new section to chapter 18.106 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 5847 by Senator Angel

AN ACT Relating to contractor registration requirements for owners of property; and amending RCW 18.27.010.

Referred to Committee on Commerce & Labor.

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SB 5848 by Senators Rivers and Kohl-Welles

AN ACT Relating to authorizing the governor to enter into agreements with federally recognized Indian tribes in the state of Washington concerning marijuana; amending RCW 69.50.360, 69.50.363, and 69.50.366; adding new sections to chapter 43.06 RCW; adding a new section to chapter 69.50 RCW; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Commerce & Labor.

SB 5849 by Senators Padden, Pedersen, Hatfield and Pearson

AN ACT Relating to authorizing establishment of an ethics defense trust fund under certain circumstances; amending RCW 42.52.150; reenacting and amending RCW 42.52.010; and adding new sections to chapter 42.52 RCW.

Referred to Committee on Law & Justice.

SB 5850 by Senators Rivers, McAuliffe, Hill, Rolfes, Litzow, Mullet, Dammeier, Fain, Roach, Kohl-Welles and Hasegawa

AN ACT Relating to restraint or isolation of students, including students with disabilities, in public schools; amending RCW 28A.155.020 and 28A.600.485; and creating a new section.

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

SB 5851 by Senators Frockt, Kohl-Welles, Miloscia, Lias, Mullet, Pedersen, Nelson and McAuliffe

AN ACT Relating to recommendations of the college bound scholarship program work group; amending RCW 28B.118.040; reenacting and amending RCW 28B.118.010; adding new sections to chapter 28B.118 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Higher Education.

SB 5852 by Senators Frockt, O'Ban and Ranker

AN ACT Relating to behavioral rehabilitation services; adding new sections to chapter 74.13 RCW; and creating a new section.

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

SB 5853 by Senators Rivers, Dansel, King and Hasegawa

AN ACT Relating to the authority and duties of county treasurers; amending RCW 36.29.010; and adding a new section to chapter 36.29 RCW.

Referred to Committee on Government Operations & Security.

SB 5854 by Senators Braun, Baumgartner and Dammeier

AN ACT Relating to employee organizations submitting digital copies of their collective bargaining agreements to the public employment relations commission; adding a new section to chapter 41.56 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 41.76 RCW; adding a new section to chapter 41.59 RCW; adding a

new section to chapter 49.39 RCW; adding a new section to chapter 28B.52 RCW; adding a new section to chapter 47.64 RCW; adding a new section to chapter 49.66 RCW; and adding a new section to chapter 41.58 RCW.

Referred to Committee on Commerce & Labor.

SB 5855 by Senators Ericksen and Baumgartner

AN ACT Relating to permitting processes applicable to state highway projects; amending RCW 90.58.140; adding a new section to chapter 47.01 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35A.21 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Transportation.

SB 5856 by Senators Frockt, Litzow, Kohl-Welles, Pedersen, Nelson and McAuliffe

AN ACT Relating to creating a competitive grant program for high-quality, evidence-based outreach programs that improve high school graduation rates for college bound scholarship students; adding a new section to chapter 28A.300 RCW; creating a new section; and making appropriations.

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

SB 5857 by Senators Parlette, Conway, Becker and Pearson

AN ACT Relating to registration and regulation of pharmacy benefit managers; amending RCW 19.340.030 and 19.340.010; adding a new section to chapter 19.340 RCW; adding a new section to chapter 48.02 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Health Care.

SB 5858 by Senators Kohl-Welles and Rivers

AN ACT Relating to establishing the state cannabis industry and economic development committee; creating new sections; and providing an expiration date.

Referred to Committee on Commerce & Labor.

MOTION

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

MOTION

At 12:02 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 o'clock a.m. Friday, February 6, 2015.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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