

TWENTY NINTH DAY, FEBRUARY 8, 2021

2021 REGULAR SESSION

TWENTY NINTH DAY

MORNING SESSION

Senate Chamber, Olympia
Monday, February 8, 2021

The Senate was called to order at 11:46 a.m. by the President of the Senate, Lt. Governor Heck presiding. No roll call was taken.

MOTIONS

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

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

REPORTS OF STANDING COMMITTEES

February 5, 2021

SB 5116 Prime Sponsor, Senator Hasegawa: Establishing guidelines for government procurement and use of automated decision systems in order to protect consumers, improve transparency, and create more market predictability. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5116 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair and Hasegawa.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wilson, J., Ranking Member and Hawkins.

Referred to Committee on Ways & Means.

February 5, 2021

SB 5123 Prime Sponsor, Senator Darneille: Creating a developmentally appropriate response to youth who commit sexual offenses. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5123 be substituted therefor, and the substitute bill do pass. Signed by Senators Gildon, Ranking Member; Darneille, Chair; Nguyen, Vice Chair; Saldaña and Wilson, C.

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

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

Referred to Committee on Rules for second reading.

February 5, 2021

SB 5131 Prime Sponsor, Senator Holy: Concerning county clerks duties related to recall petitions. Reported by Committee on State Government & Elections

MAJORITY recommendation: Do pass. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Hawkins.

Referred to Committee on Rules for second reading.

February 5, 2021

SB 5163 Prime Sponsor, Senator Rolfes: Concerning the placement and treatment of conditionally released sexually violent predators. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5163 be substituted therefor, and the substitute bill do pass. Signed by Senators Gildon, Ranking Member; Darneille, Chair; Nguyen, Vice Chair; Saldaña and Wilson, C.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Dozier and McCune.

Referred to Committee on Ways & Means.

February 5, 2021

SB 5170 Prime Sponsor, Senator Carlyle: Concerning employment after public service in state government. Reported by Committee on State Government & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5170 be substituted therefor, and the substitute bill do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair and Hasegawa.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member and Hawkins.

Referred to Committee on Rules for second reading.

February 5, 2021

SB 5179 Prime Sponsor, Senator Liias: Concerning blood donation. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5179 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Padden; Randall; Robinson; Van De Wege and Wilson, J.

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

Referred to Committee on Rules for second reading.

February 5, 2021

SB 5195 Prime Sponsor, Senator Liias: Concerning prescribing opioid overdose reversal medication. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5195 be substituted therefor, and the substitute bill do

pass. Signed by Senators Dhingra, Chair; Frockt and Nobles.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Wagoner, Ranking Member and Warnick.

Referred to Committee on Ways & Means.

February 5, 2021

SB 5203 Prime Sponsor, Senator Van De Wege: Producing, distributing, and purchasing generic prescription drugs. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5203 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair; Cleveland, Chair; Conway; Keiser; Randall; Robinson and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Muzzall, Ranking Member; Rivers and Wilson, J.

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

Referred to Committee on Ways & Means.

February 5, 2021

SB 5214 Prime Sponsor, Senator Nguyen: Concerning economic assistance programs. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5214 be substituted therefor, and the substitute bill do pass. Signed by Senators Gildon, Ranking Member; Darneille, Chair; Nguyen, Vice Chair; Dozier; Saldaña and Wilson, C.

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

Referred to Committee on Ways & Means.

February 5, 2021

SB 5229 Prime Sponsor, Senator Randall: Concerning health equity continuing education for health care professionals. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5229 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Randall; Rivers; Robinson and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Senators Padden and Wilson, J.

Referred to Committee on Rules for second reading.

February 5, 2021

SB 5236 Prime Sponsor, Senator Warnick: Extending certificate of need exemptions. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

MAJORITY recommendation: That Substitute Senate Bill

No. 5236 be substituted therefor, and the substitute bill do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Frockt; Nobles and Warnick.

Referred to Committee on Rules for second reading.

February 5, 2021

SB 5245 Prime Sponsor, Senator Brown: Concerning the safety of crime victims. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5245 be substituted therefor, and the substitute bill do pass. Signed by Senators Gildon, Ranking Member; Darneille, Chair; Nguyen, Vice Chair; Dozier; McCune; Saldaña and Wilson, C.

Referred to Committee on Ways & Means.

February 5, 2021

SB 5246 Prime Sponsor, Senator Randall: Concerning reimbursement for primary care services for medicaid beneficiaries. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Padden; Randall; Rivers; Robinson; Van De Wege and Wilson, J.

Referred to Committee on Ways & Means.

February 5, 2021

SB 5249 Prime Sponsor, Senator Wellman: Supporting mastery-based learning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5249 be substituted therefor, and the substitute bill do pass. Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hawkins, Ranking Member; Dozier; Hunt; McCune; Mullet and Pedersen.

Referred to Committee on Ways & Means.

February 5, 2021

SB 5258 Prime Sponsor, Senator Cleveland: Concerning consumer directed employers. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Keiser; Padden; Randall; Rivers; Robinson; Van De Wege and Wilson, J.

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

Referred to Committee on Ways & Means.

February 5, 2021

SB 5264 Prime Sponsor, Senator Wagoner: Declaring January as Chinese American history month and encouraging public schools to commemorate the month. Reported by Committee on State Government & Elections

TWENTY NINTH DAY, FEBRUARY 8, 2021

2021 REGULAR SESSION

MAJORITY recommendation: Do pass. Signed by Senators Wilson, J., Ranking Member; Hunt, Chair; Kuderer, Vice Chair; Hasegawa and Hawkins.

MAJORITY recommendation: Do pass. Signed by Senators Dhingra, Chair; Wagoner, Ranking Member; Frockt; Nobles and Warnick.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

February 5, 2021

February 5, 2021

SB 5268 Prime Sponsor, Senator Keiser: Transforming services for individuals with intellectual and developmental disabilities by increasing the capabilities of community residential settings and redesigning the long-term nature of intermediate care facilities. Reported by Committee on Health & Long Term Care

SB 5331 Prime Sponsor, Senator Gildon: Establishing an early childhood court program for young children and their families involved or at risk of becoming involved in Washington's child welfare system. Reported by Committee on Human Services, Reentry & Rehabilitation

MAJORITY recommendation: That Substitute Senate Bill No. 5268 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Randall; Robinson and Van De Wege.

MAJORITY recommendation: That Substitute Senate Bill No. 5331 be substituted therefor, and the substitute bill do pass. Signed by Senators Gildon, Ranking Member; Darneille, Chair; Nguyen, Vice Chair; Dozier; McCune; Saldaña and Wilson, C.

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

Referred to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Padden and Wilson, J.

February 5, 2021

Referred to Committee on Ways & Means.

SJM 8002 Prime Sponsor, Senator Kuderer: Requesting an amendment to the United States Constitution on campaign finance reform. Reported by Committee on State Government & Elections

February 5, 2021

SB 5311 Prime Sponsor, Senator Rivers: Adjusting the skilled nursing medicaid rate methodology. Reported by Committee on Health & Long Term Care

MAJORITY recommendation: Do pass. Signed by Senators Hunt, Chair; Kuderer, Vice Chair and Hasegawa.

MINORITY recommendation: Do not pass. Signed by Senators Wilson, J., Ranking Member and Hawkins.

MAJORITY recommendation: That Substitute Senate Bill No. 5311 be substituted therefor, and the substitute bill do pass. Signed by Senators Frockt, Vice Chair; Muzzall, Ranking Member; Cleveland, Chair; Conway; Holy; Keiser; Padden; Randall; Rivers; Robinson; Van De Wege and Wilson, J.

Referred to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

MOTIONS

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

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

February 5, 2021

MESSAGE FROM OTHER STATE OFFICERS

SB 5327 Prime Sponsor, Senator Brown: Creating a confidential youth safety and well-being tip line. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

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

Agriculture, Department of – “Country of Origin Labeling Standards for Beef and Other Meat”, in accordance with Engrossed Substitute Senate Bill No. 6168;

Board of Education – “Statewide Indicators of Education System Health, 2020 Summary Report and Recommendations”, pursuant to 28A.150.550 RCW;

Commerce, Department of - “Retirement Marketplace, 2020 Biennial Report to the Legislature”, pursuant to 43.330.747 RCW; “Biennial Report of the Statewide Reentry Council”, pursuant to 43.380.050 RCW; “Long-Term Care Ombuds Program Funding Model Recommendations”, in accordance with Engrossed Substitute Senate Bill No. 6168; “Manufactured Housing Communities Workgroup Report”, in accordance with Engrossed Substitute House Bill No. 1582; “Washington State Energy Strategy, 2021 Report”, pursuant to 43.21F.045 RCW;

MAJORITY recommendation: That Substitute Senate Bill No. 5327 be substituted therefor, and the substitute bill do pass. Signed by Senators Wagoner, Ranking Member; Frockt; Nobles and Warnick.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Dhingra, Chair.

Referred to Committee on Ways & Means.

Courts, Administrative Office of the - “Family and Juvenile Court Improvement Program, 2020 Report”, pursuant to 2.56.230 RCW;

Ecology, Department of - “The Hydrofluorocarbon

February 5, 2021

SB 5328 Prime Sponsor, Senator Lovelett: Concerning clubhouses for persons with mental illness. Reported by Committee on Behavioral Health Subcommittee to Health & Long Term Care

Transition: Background and Recommendations for Incentive-Based Policies and Programs”, in accordance with Engrossed Second Substitute House Bill No. 1112; “*Greenhouse Gas Emissions Inventory 1990-2018*”, pursuant to 70A.45.020 RCW; “*Recycling Development Center, Report to the Legislature*”, pursuant to 70A.240.030 RCW;

Financial Management, Office of – “*Young Adults and Teenagers Who Are Disconnected From School and the Workforce in Washington*”, in accordance with Engrossed Substitute Senate Bill No. 6168;

Fish and Wildlife, Department of – “*Implementing Initiative 1401: The Washington Animal Trafficking Act Report to the Legislature*”, pursuant to 77.15.135 RCW; “*Hatchery Improvement Master Plan - Southern Resident Killer Whale Prey Enhancement*”, in accordance with Engrossed Substitute Senate Bill No. 6168; “*Hunter and Fisher Compliance: Harvest Reporting and Administrative Penalties Report to the Legislature*”, pursuant to 77.32.070 RCW;

Health Care Authority – “*Children and Youth Behavioral Health Work Group Recommendations 2016-2020*”, in accordance with Second Substitute House Bill No. 2737; “*Universal Health Care Work Group, Final Report to the Legislature*”, in accordance with Engrossed Substitute House Bill No. 1109; “*Bree Collaborative Reproductive and Sexual Health Report*”, in accordance with Second Substitute Senate Bill No. 5602; “*Behavioral Health Consultation and Referral Service*”, in accordance with Engrossed Second Substitute Senate Bill No. 5432; “*Survey of Peer Mental Health Programs*”, in accordance with Second Substitute House Bill No. 1394; “*Proportion of Non-Participating Providers Serving Apple Health Enrollees, July 1, 2019 - June 30, 2020*”, pursuant to 74.09.522 RCW; “*Involuntary Treatment Act Work Group*”, in accordance with Second Engrossed Second Substitute Senate Bill No. 5720; “*Operation of Community Behavioral Health Service Delivery System*”, pursuant to 71.24.420 RCW; “*Educational Service Districts' Employee Health Benefits*”, in accordance with Engrossed Substitute House Bill No. 2140;

Health, Department of – “*Improving Behavioral Health & Suicide Prevention in the Agricultural Industry: Pilot Program Results and Recommendations*”, in accordance with Second Substitute House Bill No. 2671;

Insurance Commissioner, Office of the – “*Bree Collaborative's 2019 Palliative Care Report*”, in accordance with Engrossed Substitute Senate Bill No. 6168; “*Palliative Care Report Letter*”, in accordance with Engrossed Substitute Senate Bill No. 6168; “*Palliative Care Letter*”, in accordance with Engrossed Substitute Senate Bill No. 6168; “*OIC Palliative Care Survey Questions*”, in accordance with Engrossed Substitute Senate Bill No. 6168;

Military Department – “*911 Cost Study; Report to the Legislature*”, in accordance with Engrossed Substitute House Bill No. 1109;

Natural Resources, Department of – “*Electric Utilities: Wildland Fire Prevention Task Force - Final Report 2020*”, in accordance with Substitute Senate Bill No. 5305; “*Trust Lands Performance Assessment Project: Charting a Course for the Future, Legislative Report*”, in accordance with Engrossed Substitute Senate Bill No. 6095;

Public Instruction, Office of the Superintendent of – “*180-Day Waivers for the 2019-20 School Year*”, pursuant to 28A.300.760 RCW; “*Graduation Pathways Snapshot, Class of 2020*”, pursuant to 28A.655.260 RCW; “*Update: Career and Technical Course Equivalencies, 2020 Report*”, pursuant to 28A.300.236 RCW; “*Monitoring and Data Collection: School Safety Programs*”, pursuant to 28A.300.645 RCW;

Revenue, Department of – “*Washington Action Plan: FAA*

Policy Concerning Airport Revenue 2021 Update”, in accordance with Engrossed Substitute Senate Bill No. 6168; “*State Agency Business Licensing Information for 2020 Updated Appendix*”, pursuant to 19.02.055 RCW;

Social & Health Services, Department of – “*Forensic Admissions and Evaluations - Performance Targets 2019 Third Quarter (July 1, 2019 - September 30, 2019)*”, pursuant to 10.77.068 RCW; “*Forensic Admissions and Evaluations - Performance Targets 2020 Second Quarter (April 1, 2020-June 30, 2020)*”, pursuant to 10.77.068 RCW; “*Traumatic Brain Injury Statewide Comprehensive Plan SFY 2022-2023*”, pursuant to 74.31.020 RCW; “*Forensic Admissions and Evaluations - Performance Targets 2019 Fourth Quarter (October 1, 2019 - December 31, 2019)*”, pursuant to 10.77.068 RCW; “*WorkFirst Maintenance of Effort and Work Participation Rate, April - June 2020*”, in accordance with Engrossed Substitute Senate Bill No. 6168;

Transportation, Department of – “*Regional Mobility Grant Program 2021-2023 Prioritized List of Projects*”, pursuant to 47.66.030 RCW; “*Washington State Ferries: System Electrification Plan*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Washington State Ferries: System Electrification Plan Appendices*”, in accordance with Engrossed Substitute House Bill No. 1160; “*Select Appropriations - Toll Division Allocation Analysis FY 2021*”, in accordance with Engrossed Substitute House Bill No. 2322;

University of Washington School of Environment and Forest Sciences – “*Washington's Small Forest Landowners in 2020: Status, Trends and Recommendations after 20 Years of Forests and Fish*”, in accordance with Engrossed Substitute Senate Bill No. 5330;

Washington Background Check Advisory Board – “*Annual Report*”, in accordance with Engrossed Second Substitute House Bill No. 2467.

MOTION

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

MESSAGE FROM THE HOUSE

February 5, 2021

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1055,

SUBSTITUTE HOUSE BILL NO. 1064,

and the same are herewith transmitted.

BERNARD DEAN, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5431 by Senators Randall and Nobles

AN ACT Relating to creating the Rosa Franklin legislative internship program scholarship; amending RCW 43.79A.040; adding new sections to chapter 44.04 RCW; and adding a new section to chapter 42.52 RCW.

Referred to Committee on Higher Education & Workforce Development.

TWENTY NINTH DAY, FEBRUARY 8, 2021

2021 REGULAR SESSION

SB 5432 by Senators Carlyle and Nguyen

AN ACT Relating to cybersecurity in state government; adding new sections to chapter 43.105 RCW; creating a new section; repealing RCW 43.105.215; and providing an expiration date.

Referred to Committee on Environment, Energy & Technology.

SB 5433 by Senators Lovelett and Dhingra

AN ACT Relating to creating the basic food categorical income eligibility program; adding a new section to chapter 43.41 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

SB 5434 by Senator Wagoner

AN ACT Relating to creating the Washington voter confidence act; amending RCW 29A.08.140, 46.20.155, 46.20.155, 46.20.202, and 29A.08.610; adding a new section to chapter 29A.08 RCW; adding a new section to chapter 29A.84 RCW; creating new sections; providing effective dates; and providing expiration dates.

Referred to Committee on State Government & Elections.

SB 5435 by Senator Wagoner

AN ACT Relating to permitting holders of disabled American veteran license plates and holders of Purple Heart license plates to utilize parking spaces reserved for persons with physical disabilities; and amending RCW 46.19.050.

Referred to Committee on Transportation.

SB 5436 by Senators Billig and Nguyen

AN ACT Relating to collective bargaining over the content of reports by ombuds and the selection of ombuds and their staff who oversee law enforcement personnel; and amending RCW 41.56.100.

Referred to Committee on Labor, Commerce & Tribal Affairs.

SB 5437 by Senator Dozier

AN ACT Relating to offender management network information and electronic health records systems at the department of corrections; adding a new section to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Human Services, Reentry & Rehabilitation.

MOTION

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

REMARKS BY SENATOR LIAS

Senator Liias: “Thank you Mr. President. I know for the last three sessions we have commemorated Bob Cantore Day in the Senate which was yesterday. So, we all join in wishing Bob Cantore a belated Happy Birthday.”

REMARKS BY THE PRESIDENT

President Heck: “Point well taken Senator Liias. Ironically, this coming Saturday is also Mrs. Gorrell’s birthday.”

MOTION

At 11:50 a.m., on motion of Senator Liias, the Senate adjourned until 12:30 p.m. Tuesday, February 9, 2021.

DENNY HECK, President of the Senate

BRAD HENDRICKSON, Secretary of the Senate

1055	Committee Report.....	2
Messages.....	4	5268
1064-S	Committee Report.....	3
Messages.....	4	5311
5116	Committee Report.....	3
Committee Report.....	1	5327
5123	Committee Report.....	3
Committee Report.....	1	5328
5131	Committee Report.....	3
Committee Report.....	1	5331
5163	Committee Report.....	3
Committee Report.....	1	5431
5170	Introduction & 1st Reading.....	4
Committee Report.....	1	5432
5179	Introduction & 1st Reading.....	5
Committee Report.....	1	5433
5195	Introduction & 1st Reading.....	5
Committee Report.....	1	5434
5203	Introduction & 1st Reading.....	5
Committee Report.....	2	5435
5214	Introduction & 1st Reading.....	5
Committee Report.....	2	5436
5229	Introduction & 1st Reading.....	5
Committee Report.....	2	5437
5236	Introduction & 1st Reading.....	5
Committee Report.....	2	8002
5245	Committee Report.....	3
Committee Report.....	2	MESSAGE FROM OTHER STATE
5246	OFFICERS	
Committee Report.....	2	Reports to the Legislature.....
5249	Reports to the Legislature.....	3
Committee Report.....	2	PRESIDENT OF THE SENATE
5258	Remarks by the President.....	5
Committee Report.....	2	WASHINGTON STATE SENATE
5264	Remarks by Senator Liias.....	5