

DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, January 30, 2013

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Miller White and Siobhan Wells, presented the Colors. Senator Morton offered the prayer.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 29, 2013

SB 5013 Prime Sponsor, Senator Benton: Requiring a vote of the people before all annexations. Reported by Committee on Governmental Operations

MAJORITY recommendation: That Substitute Senate Bill No. 5013 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun; Hasegawa, Ranking Member and Rivers.

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

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5019 Prime Sponsor, Senator Benton: Concerning the use of public resources by office holders during campaigns. Reported by Committee on Governmental Operations

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun and Rivers.

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

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5027 Prime Sponsor, Senator Hasegawa: Requiring prepaid postage for primary and general election ballots. Reported by Committee on Governmental Operations

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun; Conway; Fraser; Hasegawa, Ranking Member and Rivers.

Passed to Committee on Ways & Means.

January 29, 2013

SB 5061 Prime Sponsor, Senator Carrell: Addressing a veteran's preference for the purpose of public employment. Reported by Committee on Governmental Operations

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun; Conway; Hasegawa, Ranking Member and Rivers.

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5068 Prime Sponsor, Senator Conway: Concerning the annexation of property owned by the state for military purposes. Reported by Committee on Governmental Operations

MAJORITY recommendation: That Substitute Senate Bill No. 5068 be substituted therefor, and the substitute bill do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun; Conway; Hasegawa, Ranking Member and Rivers.

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5078 Prime Sponsor, Senator Ericksen: Modifying the property tax exemption for nonprofit fairs. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5078 be substituted therefor, and the substitute bill do pass. Signed by Senators Hatfield, Chair; Eide; Hobbs; Honeyford, Ranking Member; Schoesler and Shin.

Passed to Committee on Ways & Means.

January 29, 2013

SB 5088 Prime Sponsor, Senator Benton: Concerning the equal distribution of votes within certain taxing districts. Reported by Committee on Governmental Operations

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun and Rivers.

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

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5099 Prime Sponsor, Senator Rivers: Concerning fuel usage of publicly owned vehicles, vessels, and construction equipment. Reported by Committee on Governmental Operations

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun and Rivers.

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5139 Prime Sponsor, Senator Hatfield: Concerning milk and milk products. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Hatfield, Chair; Eide; Hobbs; Honeyford, Ranking Member; Schoesler and Shin.

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5145 Prime Sponsor, Senator Keiser: Allowing fire departments to develop a community assistance referral and education services program. Reported by Committee on Governmental Operations

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun; Conway; Fraser; Hasegawa, Ranking Member and Rivers.

Passed to Committee on Rules for second reading.

January 29, 2013

SJR 8206 Prime Sponsor, Senator Bailey: Amending the Constitution to require emergency clauses only be allowed by amendment to a bill and approved by sixty percent of each house of the legislature. Reported by Committee on Governmental Operations

MAJORITY recommendation: Do pass. Signed by Senators Roach, Chair; Benton, Vice Chair; Braun and Rivers.

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

Passed to Committee on Rules for second reading.

#### MOTION

On motion of Fain, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5088 which was referred to the Committee on Transportation.

#### MOTION

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

#### INTRODUCTION AND FIRST READING

SB 5422 by Senator Ericksen

AN ACT Relating to telecommunications tax parity; amending RCW 82.14B.040, 82.14B.042, 82.14B.030, 82.14B.200, 80.36.430, and 43.20A.725; and reenacting and amending RCW 82.14B.020 and 82.08.0289.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5423 by Senators Schlicher, Becker, Keiser, Delvin, Bailey, Murray, McAuliffe, Conway, Kohl-Welles and Roach

AN ACT Relating to containing the scope and costs of the diabetes epidemic in Washington; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care.

SB 5424 by Senators Chase, Benton, McAuliffe, Roach, Ranker, Nelson, Shin, Kohl-Welles and Kline

AN ACT Relating to paint stewardship; amending RCW 42.56.270; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new chapter to Title 70 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5425 by Senators Benton and Roach

AN ACT Relating to the entering of monetary judgments against defendants under the residential and manufactured/mobile home landlord-tenant acts; and amending RCW 59.18.055.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5426 by Senator Roach

AN ACT Relating to the definition of unlawful detainer; and amending RCW 59.12.030.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5427 by Senators King and Eide

AN ACT Relating to removing certain requirements for vehicle registration certificate applicants; reenacting and amending RCW 46.63.020; and repealing RCW 46.16A.050.

Referred to Committee on Transportation.

SB 5428 by Senators Schlicher, Darneille, Rolfes, Kohl-Welles, Braun, Kline, Keiser, Conway and Chase

AN ACT Relating to initiatives in high schools to save lives in the event of cardiac arrest; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28A.230 RCW; and creating a new section.

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

SB 5429 by Senators Chase, Hasegawa, Conway, Nelson, Kohl-Welles, Keiser and Kline

AN ACT Relating to increasing accountability for the tax preferences for manufacturing machinery and equipment by requiring a net benefit to the state and deferring sales and use tax; adding a new chapter to Title 82 RCW; repealing RCW 82.08.02565 and 82.12.02565; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

SEVENTEENTH DAY, JANUARY 30, 2013

2013 REGULAR SESSION

SB 5430 by Senators Hobbs, King, Eide, Honeyford, Schlicher and Cleveland

Referred to Committee on Law & Justice.

AN ACT Relating to the distribution and use of aircraft excise taxes; and amending RCW 82.48.080.

Referred to Committee on Transportation.

SB 5431 by Senators Ericksen, Carrell, Pearson, Benton, Padden, Smith and Bailey

AN ACT Relating to recognizing hydroelectricity as an eligible renewable resource in the energy independence act; amending RCW 19.285.020; and reenacting and amending RCW 19.285.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5432 by Senator Ericksen

AN ACT Relating to hydroelectric power; and reenacting and amending RCW 19.285.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5433 by Senators Frockt, Keiser, Ranker, Nelson, Kohl-Welles, Hasegawa, McAuliffe and Murray

AN ACT Relating to mid-level dental professionals; amending RCW 18.32.030, 18.32.0351, 18.260.010, 18.260.040, 18.260.070, 18.260.080, and 69.41.010; reenacting and amending RCW 18.120.020, 18.120.020, 18.130.040, 18.130.040, and 69.41.030; adding a new chapter to Title 18 RCW; creating new sections; providing effective dates; and providing an expiration date.

Referred to Committee on Health Care.

SB 5434 by Senators Becker, Dammeier, Keiser, Harper and Conway

AN ACT Relating to the filing and public disclosure of health care provider compensation; amending RCW 48.46.243; adding a new section to chapter 48.43 RCW; and repealing RCW 48.44.070.

Referred to Committee on Health Care.

SB 5435 by Senators Cleveland and Rivers

AN ACT Relating to the creation of a storm water compliance pilot project; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5436 by Senators Pearson, Darneille and Carrell

AN ACT Relating to making specific prosecution and defense documents and materials exempt from public inspection and copying; and amending RCW 42.56.240.

SB 5437 by Senators Padden, Hargrove, Roach, Kline, Sheldon, Pearson and Chase

AN ACT Relating to boating safety; amending RCW 79A.60.040, 10.31.100, and 79A.60.150; reenacting and amending RCW 7.80.120; adding new sections to chapter 79A.60 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5438 by Senators Ericksen and Chase

AN ACT Relating to using conservation achieved by a qualifying utility in excess of its biennial acquisition target under the energy independence act; and amending RCW 19.285.040.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5439 by Senators Benton and Hobbs

AN ACT Relating to the administrative costs for the allocation, management, and oversight of housing trust fund investments; and amending RCW 43.185.020, 43.185.050, 43.185.070, 43.185A.010, 43.185A.030, and 43.185A.050.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5440 by Senators McAuliffe, Litzow, Dammeier, Harper, Cleveland, Billig, Rivers, Kohl-Welles, Eide, Hill, Tom, Schlicher, Conway, Chase and Kline

AN ACT Relating to support public schools special license plates; amending RCW 46.18.200, 46.17.220, 46.68.425, and 46.18.060; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5441 by Senator Rivers

AN ACT Relating to prioritizing state investments in storm water control; amending RCW 90.48.290 and 90.48.285; reenacting and amending RCW 70.105D.070; and adding a new section to chapter 43.21A RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5442 by Senators Hill and Hargrove

AN ACT Relating to protecting the state's interest in collecting deferred property taxes; amending RCW 35.49.160, 36.35.110, 36.35.140, 36.35.190, 36.35.220, 36.35.250, 84.37.070, 84.38.100, 84.38.140, 84.60.010, and 84.64.050; and adding a new section to chapter 84.64 RCW.

Referred to Committee on Ways & Means.

SB 5443 by Senators Roach, Hasegawa, Keiser, Chase and Mullet

AN ACT Relating to creating greater efficiency in the offices of county assessors by allowing notification via electronic means; and adding a new section to chapter 84.09 RCW.

Referred to Committee on Governmental Operations.

SB 5444 by Senators Hasegawa, Nelson, Kohl-Welles, Hobbs, Chase, Keiser and Kline

AN ACT Relating to creating greater efficiency in the offices of county assessor by eliminating the requirement to annually appraise tax-exempt government properties; and amending RCW 84.40.045, 84.40.175, and 82.29A.120.

Referred to Committee on Governmental Operations.

SB 5445 by Senators Honeyford, Schoesler, Dammeier, Braun, Parlette, Litzow, Baumgartner, Carrell, Sheldon, Ericksen, Becker, King, Fain and Bailey

AN ACT Relating to funding capital projects; adding a new chapter to Title 43 RCW; creating new sections; making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5446 by Senators Hobbs, Schoesler, Hatfield and Tom

AN ACT Relating to state auditor applications for investigative subpoenas; adding a new section to chapter 43.09 RCW; and creating a new section.

Referred to Committee on Law & Justice.

SB 5447 by Senators Murray, Rolfes and Kohl-Welles

AN ACT Relating to unintentional lapses of long-term care insurance policies; adding a new section to chapter 48.84 RCW; adding a new section to chapter 48.83 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 5448 by Senators Ericksen, Hewitt, Carrell, Schoesler, Honeyford, Delvin, Sheldon, Hatfield, Smith, Benton, Padden and Chase

AN ACT Relating to narrowing the requirement that utilities purchase electricity, renewable energy credits, or electric generating facilities that are not needed to serve their customers' loads; and amending RCW 19.285.040.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5449 by Senators Parlette, Keiser, Becker, Bailey, Dammeier, Frockt, Ericksen and Schlicher

AN ACT Relating to modification of the Washington state health insurance pool; amending RCW 48.41.060 and 48.41.160; reenacting and amending RCW 48.41.100; adding

a new section to chapter 44.28 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health Care.

SB 5450 by Senator Parlette

AN ACT Relating to public hospital districts insurance coverage for commissioners; and amending RCW 70.44.050.

Referred to Committee on Health Care.

SB 5451 by Senators Shin, Litzow, McAuliffe, Keiser, Conway, Chase and Kohl-Welles

AN ACT Relating to supporting music education for young children in public schools; adding a new section to chapter 28A.630 RCW; and creating a new section.

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

SJM 8003 by Senators Kohl-Welles, Padden, Kline, Roach, Fraser, Carrell, Darneille, Pearson, Conway and Chase

Requesting Congress to amend the Communications Decency Act.

Referred to Committee on Human Services & Corrections.

#### MOTION

On motion of Senator Fain, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5426 which was referred to the Committee on Financial Institutions, Housing & Insurance.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Miss Abby Lohman, the 2012-2013 Washington State of Skagit County Dairy Ambassador, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Dairy Ambassador Abby Lohman.

#### REMARKS BY MISS ABBY LOHMAN

Miss Abby Lohman: "Good morning. My name is Abby Lohman. I am 19 years old and I was raised on my family's two-hundred acre seed crop farm in Edison, Washington. I have been involved in the dairy industry since before I was strong enough to hold a calf's milk bottle. To this day I'm still a proud, 'Ambassador for Milk' in the dairy industry. Milk is the most highly regulated food in the United States and that regulation begins on the farm itself. Dairy farmers are held to strict standards when it comes to animal well-being, labor, milk safety and environmental stewardship. Dairy farmers take great pride in following sustainable farming practices. Not only to protect their businesses but because it's the right thing to do. Dairy farmers are committed to supporting and raising healthy environments and healthy communities. One prominent way dairy farmers ensure their farming practices are compliant with strict environmental standards is our dairy nutrient management plans which are required and tailored to each farm's unique needs and characteristics. Dairy farmers have been proactive and innovative in utilizing waste by recycling high quality fertilized for crops,

SEVENTEENTH DAY, JANUARY 30, 2013

compost, energy and other uses. Proper waste management not only protects water quality but promotes the health and well-being of our animals. Dairy farms also create thousands of acres of habitat for wild life, particularly for migrating water fowl such as trumpeter swans and snow geese that frequent the Skagit Valley where I'm from. Ninety-eight percent of farms in this country are family owned. They have been passed down for generations. While dairy farmers use many time-tested traditional farming practices, new innovations and technologies are embraced and implemented in our ever evolving world. Beside environmental stewardship, the dairy industry plays an important economic role in the state of Washington, contributing 2.3 billion dollars in economic benefits a year. We invite you to get to know us and visit our family dairy farms, especially as you consider voting on items that could significantly impact us. Thank you for the opportunity to speak with you this morning. I hope to see you at a local agriculture event or family dairy farm in the future and invite you to the rotunda at noon to enjoy some delicious ice cream. Thank you."

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the remaining representatives of the Washington State Dairy Women's Ambassador Program: Alternate Dairy Ambassadors Miss Jennifer Callanan, King-Pierce Counties, and Miss Elizabeth Beck, Lewis County, who were seated at the

The President also welcomed and introduced County and regional Dairy Ambassadors: Whatcom County Dairy Ambassador Miss Rebecca Steiger, Miss Lily Kroontje and Miss Mary Kahle, Alternates; Skagit County Dairy Ambassador Miss Samantha Mesman; Snohomish County Dairy Ambassador Miss Shana Morcom and Miss Haley Grillo, Alternate; King-Pierce Counties Dairy Ambassador Miss Annie Birkliid and Miss Samantha Lanting, Alternate; Lewis County Dairy Ambassador Miss Jennifer Swenson; Inland Northwest Dairy Ambassador Miss Alayna Loveall; and Mid-Columbia Dairy Ambassador Olivia Zurcher who were present in the gallery.

#### PERSONAL PRIVILEGE

Senator Becker: "I'd like to address the ambassadors. Thank you Mr. President. I really wanted to say thank you to the current Ambassador, the Dairy Ambassador. It is such a privilege to see you here. I know I've talked for the last few years but I grew up in Enumclaw on a dairy farm and when you're talking about dairies it brings back all sorts of memories for me. It's the time when dairy farms were a lot smaller and I can remember running out and getting the cows and my horse and the cow knocking me off my horse and things like that, but being in 4-H and living and breathing the dairy industry for all the years that I did, it was a remarkable way to grow up. I want to thank you. One of the other things that I had the privilege to do a few years GO and I'll never forget IT was to be a judge for the Dairy Ambassador position. It was like interviewing all sorts people that all had skills and abilities and desires to succeed like I've never seen before. It was one of the hardest things that I ever did but one of the most enjoyable. So, to this day, I believe that everybody should drink milk and to this day I drink milk every day and it is a wholesome way of life. It is an awesome way that you will now represent the state in your role and I thank you very much."

#### PERSONAL PRIVILEGE

2013 REGULAR SESSION

Senator Honeyford: "Well thank you Mr. President. I stand and recognize the women behind you there and the contribution they are making to the dairy industry being from Yakima County being one of the largest, is the largest dairy producing county in the state. Also want to mention that my wife was once a dairy princess so you may be a legislator or a wife of a legislator in the future. Thank you."

#### REMARKS BY THE PRESIDENT

President Owen: "Senator Becker, the President doesn't drink a lot of milk but he does believe that ice cream is an essential food group."

#### MOTION

On motion of Senator Fain, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

#### MOTION

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

#### MOTION

Senator Shin moved adoption of the following resolution:

#### SENATE RESOLUTION

8611

By Senators Shin and Honeyford

WHEREAS, Taiwan and the United States are long-standing friends with a shared historical relationship and dearly cherished values of freedom, democracy, and human rights; and

WHEREAS, Taiwan is the world's eighteenth largest economy, one of the key trading partners of the United States, and the two-way trade volume between the United States and Taiwan reached sixty-seven billion two hundred million dollars in 2011; and

WHEREAS, The state of Washington and Taiwan have enjoyed a long and mutually beneficial partnership that promises further growth based on strong bilateral trade, the exchange of education and culture, scientific and technological innovation, and tourism; and

WHEREAS, The United States officially included Taiwan in its visa waiver program, allowing its residents to travel to the United States for tourism or business stays of ninety days or less without obtaining a visa with the purpose of increasing tourism, business, and the exchange of ideas; and

WHEREAS, Taiwan is Washington's ninth largest export consumer with the trade volume from Washington to Taiwan totaling one billion nine hundred twenty million dollars, and with major products including aircraft, wheat, iron, steel, electric machinery, and industrial machinery; and

WHEREAS, Taiwan's strong economy and dedication to democratic freedoms for its people will continue with the support of the people of the state of Washington; and

WHEREAS, Taiwan is tied economically to our shared responsibility to address climate change; and

WHEREAS, Taiwan, as a willing and contributing member of the world community, has made countless contributions of technical and financial assistance in the aftermath of hurricane Katrina and other natural disasters worldwide; and

WHEREAS, The contributions made by the people of Taiwan, the Honorable Ma Ying-jeou, and the institutions and businesses of Taiwan deserve praise from the state of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate reaffirm its commitment to the strong relationship between the state of Washington and Taiwan and support Taiwan's meaningful participation in international organizations as well as encouraging continued discussions that may lead to increased trade; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Director General of the Taipei Economic and Cultural Office in Seattle.

Senators Shin, Delvin, Honeyford, Fraser, Ericksen, Kohl-Welles, Benton and Roach spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8611.

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

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Director-General Chin Hsing (Andy Chin) and Director Richard Lin of the Taipei Economic and Cultural Office in Seattle who were present in the gallery and recognized by the Senate.

#### MOTION

Senator Honeyford moved adoption of the following resolution:

#### SENATE RESOLUTION 8610

By Senators Honeyford, Becker, Bailey, Pearson, Padden, Braun, Fain, Smith, Rivers, Parlette, Tom, Carrell, Baumgartner, Schoesler, Dammeier, King, Litzow, Ericksen, Sheldon, Roach, Hill, Holmquist Newbry, Hewitt, Hargrove, Delvin, Nelson, Conway, Keiser, Benton, Hatfield, Murray, Ranker, and Fraser

WHEREAS, Senator Bob Morton served the 7th legislative district with distinction for twenty-two years, first in the Washington State House of Representatives from 1991 through 1994, and then in the Senate from 1995 through 2013; and

WHEREAS, Senator Morton tirelessly traveled one of the farthest distances to represent his constituents in Olympia, but was happiest when he returned home to the scenic 7th legislative district and his beautiful wife Linda; and

WHEREAS, Senator Morton came to elected office with a diverse professional background including experience working as a Methodist minister, farmer, logger, and bush pilot in Alaska; and

WHEREAS, Senator Morton continued to fill in at local churches as a preacher during his time in the legislature and officiated at several weddings, including for legislative staff and lobbyists; and

WHEREAS, Senator Morton often lead the opening prayer in the Senate chambers with ecumenical grace; and

WHEREAS, This great institution affectionately refers to him as its "Minister of Agriculture"; and

WHEREAS, Senator Morton was extremely well liked and respected not only by his faithful constituents and staff, but by Senators on both sides of the aisle, as they recall how he was the consummate gentleman who was respectful of all viewpoints and always made people around him smile; and

WHEREAS, Senator Morton fought passionately for his district which also led him on one occasion to be gavelled down by the President of the Senate for blowing a railroad whistle on the Senate floor when he thought he was being railroaded by legislation; and

WHEREAS, Senator Morton was a careful reader of bills, once raising a question on the floor whether a bill provision was more appropriately labeled as an "exemption" or an "exception"; and

WHEREAS, Senator Morton's policy ideas generated his name in a clue on the game show Jeopardy and most recently in Time Magazine; and

WHEREAS, Senator Morton has been a mentor and friend to many staff in the legislature, including one of his former legislative assistants, Cathy McMorris Rodgers, who is now the United States Representative for the 5th congressional district and the highest ranking Republican woman in Congress serving as the Chair of the House Republican Conference; and

WHEREAS, Senator Morton dedicated his service in the legislature to natural resource issues serving as Chair of the Natural Resources, Energy & Water Committee and Chair of the Agriculture & Environment Committee; and

WHEREAS, Senator Morton spearheaded efforts to protect water rights for agricultural use, to develop a statewide plan to preserve the health of our forests, and to defend livestock from wild animal predation; and

WHEREAS, In 2006, Senator Morton was instrumental in the passage of historical water legislation seeking out new water supplies through the construction of new storage facilities and conservation measures; and

WHEREAS, Senator Morton was known for carrying around a seven foot tall pole that depicted the flow of the Columbia River which he presented to Governor Gregoire as a gift at the bill signing ceremony for the 2006 water legislation; and

WHEREAS, Senator Morton was known for compiling and distributing an annual salmon report with the goal of achieving a balance between the delicate environmental needs of salmon and the important economic needs and recreational activities of humans; and

WHEREAS, Senator Morton has made the decision to retire, leaving an indelible mark on Olympia and this great institution. He will be greatly missed by all of us who know and love him;

NOW, THEREFORE, BE IT RESOLVED, That the members and staff of the Washington State Senate offer their best wishes for a happy and fulfilling retirement and our deepest gratitude to Senator Bob Morton; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Senator Bob Morton.

Senators Honeyford, Fraser, Schoesler and Hargrove spoke in favor of adoption of the resolution.

#### PERSONAL PRIVILEGE

Senator Hewitt: "Thank you Mr. President. Well, when I first came here thirteen years ago, I kind of looked around for a mentor and decided, because Senator Morton was such a held in high esteem, we shared a cubicle next to each other over in the INB Building, that he would be my mentor. I thought, 'You know anything that he does I would be very safe and I can follow his lead.' Well, I signed a letter that had something to do with a French chef because Bob had signed the letter and I thought, 'This is going to be safe.' This will be

SEVENTEENTH DAY, JANUARY 30, 2013

2013 REGULAR SESSION

ok. It's nice that we have a French chef downstairs and if Bob likes it I'm going to like it to. Probably the largest mistake I've made in the thirteen years that I've been here because remember that went United States-wide, Fox news covered it, and we were in trouble and I thought, 'My God I'll never get elected again because I'm supporting this French chef downstairs.' Anyway Bob, my highlight with you I think was that trip to Alaska where we got in that jet sled of yours, that eighteen foot jet sled and drove for eleven hours solid. Left at eleven in the morning and got there at ten-thirty, eleven o'clock at night. Thank god they had long days because it was quite an experience. All the way Bob was keeping track of how much gas we were using because gas stations are not prevalent when you get back in the tundra, right. I mean we drove one hundred eighty miles back in this river and Bob was always calculating the gasoline that we burned and how much we have left and how many gallons he's going to have to get back to get more gas. It was phenomenal for me to watch that as a younger person then. What a wonderful experience that was to get to see all that wildlife and seriously was one of the, by the way it was my first trip to Alaska ever too, so it was marvelous to do that but to drive in little boat with Linda, his wife, and the three of us and listen to that roar for eleven hours it was absolutely wonderful. I'm going to miss you not only as a colleague but I'm going to miss you as a person. You are a very outstanding person. I think all of us really hold you in high esteem. I'm happy for you because I kind of feel the new life you have. There is life after. I think you're going to enjoy that. You're going to enjoy your first trip to Mexico in the winter time for many, many years. So Bob, we all love you and God Bless you."

Senators Ranker, Shin and Sheldon spoke in favor of adoption of the resolution.

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

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

#### REPLY BY THE PRESIDENT

President Owen: "President Owen: "Senator I would be remiss if I didn't offer you the opportunity to respond to these comments and share some thoughts with us. The microphone is yours."

#### REMARKS BY SENATOR MORTON

Senator Morton: "Thank you Mr. President. How much time do you give me?"

#### REPLY BY THE PRESIDENT

President Owen: "They have not instituted the three minute rule yet so ..."

#### REMARKS BY SENATOR MORTON

Senator Morton: "Oh my, that's a lot of ground to cover ..."

#### REMARKS BY SENATOR MORTON

Senator Morton: "In the experiences that we have shared together. We have been richly blessed. It would not have been possible, however, without my wife Linda. And also because of

you. Many of you are still here, We have survived quite a bit in the last twenty years. Surprising how fast it has gone for me. Now I'd also like to have you thank those who have put up with my shenanigans and yours during the last few years and that's my family. I won't name them all off Mr. President, it would take too long but they're up there to my left, left hand corner waving their hands at you to say thank you to all of you. Thank you very much. Without their patience and their support many of the things that we accomplished would not have been accomplishable. Mr. President, there is a lot of information that I'd love to share with you. As elected officials, we're very challenging times that we are in and as I look at those whom I know, here in front of me, I am confident of the direction that you're moving in will be a good one. I talked yesterday with both of your leaders and I was encouraged. Now, they've got to have your backing as you know but I also look at the rest of you, who are new to me, I am encourage so don't let me down. We are blessed with challenges in a wonderful age and we have a God to guide us and being able to fulfill not what we think is best but which the Creator has sent us to determine. So, I wish you well and I thank you from the bottom of my heart. And from my family, who are probably much like yours, and the sprouting of young people who are going to live the results of what we leave them with it new laws, codes and recommendations. We still are America and we still are in the pursuit of the happiness for our people and we still have the opportunities to fulfill what God anticipates for us to accomplish. God Bless."

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Kang Min Ho, Gwon Jiyeoung, Kim Seo Yeoung, Kim Yeoung, Kin Joo-Hyun, Lee Yewon, Jeong Sungjin and Kim Yeeun, students from a variety of universities in the Republic of South Korea shadowing members of the House and Senate and touring the capitol to learn about American democracy and the political process, guests of Senator Shin, who were present in the gallery and recognized by the Senate.

The President welcomed members and representatives of the Washington State Grange, led by President Duane Hamp, who were present in the gallery and recognized by the Senate.

The President welcomed and offered the Senate's appreciation to the family of retiring Senator Bob Morton who were present in the gallery and again recognized by the Senate.

The President welcomed representatives of Wenatchee Valley Community College, guests of Senators Parlette and Smith, who were present in the gallery and recognized by the Senate.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Washington State Grange who were seated in the gallery.

#### MOTION

At 10:59 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:23 a.m. by President Owen.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Stevens County Commissioner Wes McCart, Pend Oreille County Commissioner Mike Manus and Okanogan County Commissioner Sheila Kennedy, guests of Senator Smith, who were present in the gallery and recognized by the Senate.

#### MOTION

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

#### SECOND READING

SENATE BILL NO. 5021, by Senate Committee on Law & Justice (originally sponsored by Senators Padden and Carrell)

Changing the crime of riot to the crime of criminal mischief.

#### MOTIONS

On motion of Senator Padden, 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 Padden, the rules were suspended, 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 Padden and Kline spoke in favor of passage of the bill.

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

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5021 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Carrell, Cleveland, Conway, Dammeier, Darneille, Delvin, Eide, Ericksen, Fain, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senators Chase, Fraser, Keiser and Murray

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.

#### SECOND READING

SENATE BILL NO. 5147, by Senators Hargrove, Carrell, Hewitt, Darneille and Shin

Concerning juveniles and runaway children.

The measure was read the second time.

#### MOTION

On motion of Senator Hargrove, the rules were suspended, Senate Bill No. 5147 was advanced to third reading, the second

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

Senators Hargrove and Carrell spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5147.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5147 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SENATE BILL NO. 5147, 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. 5052, by Senators Ericksen, Ranker, Shin, Padden and Kohl-Welles

Increasing the number of superior court judges in Whatcom county.

The measure was read the second time.

#### MOTION

On motion of Senator Ericksen, the rules were suspended, Senate Bill No. 5052 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ericksen and Ranker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5052.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5052 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Becker, Benton, Billig, Braun, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Voting nay: Senator Baumgartner

SENATE BILL NO. 5052, 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



SEVENTEENTH DAY, JANUARY 30, 2013

2013 REGULAR SESSION

SENATE BILL NO. 5046, by Senators Padden, Kline, Keiser, Harper, Shin and Kohl-Welles

Modifying the mandatory retirement provision for district judges.

The measure was read the second time.

## MOTION

On motion of Senator Padden, the rules were suspended, Senate Bill No. 5046 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5046.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5046 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Delvin, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Absent: Senator Eide

SENATE BILL NO. 5046, 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. 5022, by Senators Padden, Sheldon and Carrell

Changing retail theft with extenuating circumstances to retail theft with special circumstances.

## MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 5022 was substituted for Senate Bill No. 5022 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 5022 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Padden spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5022.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5022 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SUBSTITUTE SENATE BILL NO. 5022, 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

At 11:52 a.m., on motion of Senator Fain, the Senate adjourned until 12:00 noon, Thursday, January 31, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate



5013  
Committee Report ..... 1

5019  
Committee Report ..... 1

5021-S  
Second Reading ..... 8  
Third Reading Final Passage ..... 8

5022  
Second Reading ..... 9

5022-S  
Second Reading ..... 9  
Third Reading Final Passage ..... 9

5027  
Committee Report ..... 1

5046  
Second Reading ..... 9  
Third Reading Final Passage ..... 9

5052  
Second Reading ..... 8  
Third Reading Final Passage ..... 8

5061  
Committee Report ..... 1

5068  
Committee Report ..... 1

5078  
Committee Report ..... 1

5088  
Committee Report ..... 1  
Other Action ..... 2

5099  
Committee Report ..... 1

5139  
Committee Report ..... 2

5145  
Committee Report ..... 2

5147  
Second Reading ..... 8  
Third Reading Final Passage ..... 8

5422  
Introduction & 1<sup>st</sup> Reading ..... 2

5423  
Introduction & 1<sup>st</sup> Reading ..... 2

5424  
Introduction & 1<sup>st</sup> Reading ..... 2

5425  
Introduction & 1<sup>st</sup> Reading ..... 2

5426  
Introduction & 1<sup>st</sup> Reading ..... 2  
Other Action ..... 4

5427  
Introduction & 1<sup>st</sup> Reading ..... 2

5428  
Introduction & 1<sup>st</sup> Reading ..... 2

5429  
Introduction & 1<sup>st</sup> Reading ..... 2

5430  
Introduction & 1<sup>st</sup> Reading ..... 3

5431  
Introduction & 1<sup>st</sup> Reading ..... 3

5432  
Introduction & 1<sup>st</sup> Reading ..... 3

5433  
Introduction & 1<sup>st</sup> Reading ..... 3

5434  
Introduction & 1<sup>st</sup> Reading ..... 3

5435  
Introduction & 1<sup>st</sup> Reading ..... 3

5436  
Introduction & 1<sup>st</sup> Reading ..... 3

5437  
Introduction & 1<sup>st</sup> Reading ..... 3

5438  
Introduction & 1<sup>st</sup> Reading ..... 3

5439  
Introduction & 1<sup>st</sup> Reading ..... 3

5440  
Introduction & 1<sup>st</sup> Reading ..... 3

5441  
Introduction & 1<sup>st</sup> Reading ..... 3

5442  
Introduction & 1<sup>st</sup> Reading ..... 3

5443  
Introduction & 1<sup>st</sup> Reading ..... 4

5444  
Introduction & 1<sup>st</sup> Reading ..... 4

5445  
Introduction & 1<sup>st</sup> Reading ..... 4

5446  
Introduction & 1<sup>st</sup> Reading ..... 4

5447  
Introduction & 1<sup>st</sup> Reading ..... 4

5448  
Introduction & 1<sup>st</sup> Reading ..... 4

5449  
Introduction & 1<sup>st</sup> Reading ..... 4

5450  
Introduction & 1<sup>st</sup> Reading ..... 4

5451  
Introduction & 1<sup>st</sup> Reading ..... 4

8003  
Introduction & 1<sup>st</sup> Reading ..... 4

8206  
Committee Report ..... 2

8610  
Adopted ..... 7  
Introduced ..... 6

8611  
Adopted ..... 6  
Introduced ..... 5

**PRESIDENT OF THE SENATE**  
Intro. Dairy Ambassador, Abby Lohman ..... 4  
Intro. Special Guests, County Commissioners ..... 7  
Intro. Special Guests, Director General & Director of Taipei  
Economic & Cultural Office in Seattle ..... 6  
Intro. Special Guests, University Students from South Korea  
..... 7  
Intro. Special Guests, Washington State Alternate Dairy  
Ambassadors ..... 5  
Intro. Special Guests, Washington State Grange ..... 7  
Remarks by the President ..... 5  
Reply by the President ..... 7

**WASHINGTON STATE SENATE**  
Personal Privilege, Senator Becker ..... 5  
Personal Privilege, Senator Hewitt ..... 6  
Personal Privilege, Senator Honeyford ..... 5  
Remarks by Senator Morton ..... 7

