

**FIFTEENTH DAY**

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NOON SESSION

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Senate Chamber, Olympia, Monday, January 27, 2014

The Senate was called to order at 12:00 p.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 Karlie Chilcott and Natalie Childress, presented the Colors. Senator Pearson 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 23, 2014

SB 5979 Prime Sponsor, Senator Sheldon: Modifying provisions governing commercial motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Eide, Co-Chair; Hobbs, Vice Co-Chair; King, Co-Chair; Angel; Brown; Cleveland; Fain, Budget Leadership Cabinet; Liias; Mullet and Rolfes.

Passed to Committee on Rules for second reading.

January 24, 2014

SB 6061 Prime Sponsor, Senator Litzow: Requiring adoption of high school academic acceleration policies. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Brown; Cleveland; Fain; Hill; Mullet and Rivers.

MINORITY recommendation: Do not pass. Signed by Senator McAuliffe, Ranking Member.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Billig; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

January 24, 2014

SB 6062 Prime Sponsor, Senator Hill: Requiring internet access to public school data and expenditure information. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6062 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice

Chair; Billig; Brown; Cleveland; Fain; Hill; Mullet; Rivers; Rolfes, Assistant Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senator McAuliffe, Ranking Member.

Passed to Committee on Ways & Means.

January 24, 2014

SB 6064 Prime Sponsor, Senator Litzow: Requiring an analysis of how school districts use school days. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6064 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

January 24, 2014

SB 6104 Prime Sponsor, Senator McAuliffe: Establishing the interactive gaming in schools public-private partnership. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6104 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

January 24, 2014

SB 6105 Prime Sponsor, Senator McAuliffe: Concerning school library information and technology programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6105 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

January 24, 2014

SB 6129 Prime Sponsor, Senator Hill: Concerning paraeducator development. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6129 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Ways & Means.

January 23, 2014

SB 6178 Prime Sponsor, Senator Kohl-Welles: Aligning the medical marijuana system with the recreational marijuana system. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Bill No. 6178 be substituted therefor, and the substitute bill do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Angel; Bailey; Cleveland; Keiser; Pedersen, Ranking Member.

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

Passed to Committee on Commerce & Labor.

#### REPORTS OF STANDING COMMITTEES GUBERNATORIAL APPOINTMENTS

January 24, 2014

SGA 9120 TAKIYAH JACKSON, appointed on October 11, 2012, for the term ending June 30, 2014, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

January 24, 2014

SGA 9187 JODI N THEW, appointed on July 7, 2011, for the term ending June 30, 2014, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

January 24, 2014

SGA 9201 NOAH ZEICHNER, appointed on July 7, 2011, for the term ending June 30, 2015, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

January 23, 2014

SGA 9228 PAT KOHLER, appointed on June 1, 2013, for the term ending at the governor's pleasure, as Director of the Department of Licensing. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Eide, Co-Chair; Hobbs, Vice Co-Chair; King, Co-Chair; Angel; Brown; Cleveland; Fain, Budget Leadership Cabinet; Liias; Mullet and Rolfes.

Passed to Committee on Rules for second reading.

January 24, 2014

SGA 9305 DAMIEN J PATTENAUDE, appointed on July 8, 2013, for the term ending June 30, 2014, as Member of the Professional Educator Standards Board. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

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 fourth order of business.

#### MESSAGE FROM THE HOUSE

January 24, 2014

MR. PRESIDENT:

The House has passed:  
HOUSE BILL NO. 1251,  
SUBSTITUTE HOUSE BILL NO. 1254,  
HOUSE BILL NO. 1348,  
SUBSTITUTE HOUSE BILL NO. 1669,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1769,  
SUBSTITUTE HOUSE BILL NO. 1843,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

#### MOTION

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

#### INTRODUCTION AND FIRST READING

SB 6445 by Senators Roach and Kline

AN ACT Relating to the definition of uniformed personnel for the purposes of public employees' collective bargaining; and amending RCW 41.56.030.

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Referred to Committee on Commerce & Labor.

SB 6446 by Senators Schoesler, Hewitt and Ranker

AN ACT Relating to payments in lieu of taxes on county game lands; amending RCW 77.12.203; and providing an effective date.

Referred to Committee on Natural Resources & Parks.

SB 6447 by Senator Rivers

AN ACT Relating to guardians ad litem; amending RCW 26.12.175, 26.12.177, and 26.12.183; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 6448 by Senators Padden, Hatfield and Roach

AN ACT Relating to authorizing establishment of ethics defense trust funds; amending RCW 42.52.150; and adding new sections to chapter 42.52 RCW.

Referred to Committee on Law & Justice.

SB 6449 by Senators Pedersen, Litzow, Keiser, Kohl-Welles, Cleveland, Ranker, Frockt, Hobbs, Hasegawa, Rolfes, Billig, Darneille, Chase, Kline, Hatfield, Nelson, Eide, McCoy, Conway, McAuliffe, Liias, Mullet, Fraser and Tom

AN ACT Relating to restricting the practice of sexual orientation change efforts; amending RCW 18.130.020 and 18.130.180; and creating a new section.

Referred to Committee on Health Care.

SB 6450 by Senators Pedersen, Kohl-Welles, Pearson, Liias, Ericksen and Kline

AN ACT Relating to on-water dwellings; amending RCW 90.58.270; and creating a new section.

Referred to Committee on Natural Resources & Parks.

SB 6451 by Senators Pedersen, Frockt, Kohl-Welles, Chase, Litzow, Hasegawa, Nelson, McCoy, Hobbs and McAuliffe

AN ACT Relating to the school construction assistance program; amending RCW 28A.525.162 and 28A.525.166; and providing an effective date.

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

SB 6452 by Senators Eide and Baumgartner

AN ACT Relating to providing a sales and use tax exemption for certain new building construction by maintenance repair operators for commercial airplanes; amending RCW 82.08.980, 82.08.980, 82.12.980, and 82.12.980; providing a contingent effective date; and providing contingent expiration dates.

Referred to Committee on Ways & Means.

SB 6453 by Senators Dammeier and Keiser

AN ACT Relating to agency on aging case management oversight; and amending RCW 74.39A.095.

Referred to Committee on Health Care.

SB 6454 by Senator Keiser

AN ACT Relating to exempting from public inspection certain public works proposals and documents; and amending RCW 39.10.470.

Referred to Committee on Governmental Operations.

SB 6455 by Senator Keiser

AN ACT Relating to alternative contracting performance goals; amending RCW 39.10.330; and reenacting and amending RCW 43.131.408.

Referred to Committee on Governmental Operations.

SB 6456 by Senators King and Liias

AN ACT Relating to requirements before issuance of an initial vehicle registration; and amending RCW 46.16A.050.

Referred to Committee on Transportation.

SB 6457 by Senators King and Liias

AN ACT Relating to the processing of quick titles by subagents; and amending RCW 46.12.555.

Referred to Committee on Transportation.

SB 6458 by Senators Becker, Angel, Dammeier, Brown, Tom, Schoesler, Bailey, Braun, Hill, Baumgartner, Litzow, Parlette and Honeyford

AN ACT Relating to repealing provisions that establish the office of the insurance commissioner and replacing that office with a Washington state insurance board; amending RCW 48.02.060; adding new sections to chapter 48.02 RCW; creating a new section; repealing RCW 48.02.010, 48.02.020, 48.02.030, and 48.02.050; and providing an effective date.

Referred to Committee on Health Care.

SB 6459 by Senator Tom

AN ACT Relating to defining the compensation used for calculating retirement benefits for elected service; and amending RCW 41.40.010.

Referred to Committee on Ways & Means.

SB 6460 by Senators Tom, Ranker, Fain, Bailey and Frockt

AN ACT Relating to exempting the names and e-mail addresses of persons on public agency e-mail distribution

lists from disclosure; and reenacting and amending RCW 42.56.230.

Referred to Committee on Governmental Operations.

SB 6461 by Senators Dansel, Hobbs, Ericksen and Hatfield

AN ACT Relating to establishing a process for the payment of impact fees through provisions stipulated in recorded covenants; amending RCW 82.02.050 and 36.70A.070; and providing an effective date.

Referred to Committee on Governmental Operations.

SB 6462 by Senators Keiser and Kohl-Welles

AN ACT Relating to volunteer health care professionals licensed in a foreign jurisdiction; and adding a new section to chapter 43.70 RCW.

Referred to Committee on Health Care.

SB 6463 by Senators Angel and Dansel

AN ACT Relating to including the facilities of certain public water systems in the utilities element of a comprehensive plan; and amending RCW 36.70A.070.

Referred to Committee on Governmental Operations.

SB 6464 by Senators O'Ban, Parlette and Becker

AN ACT Relating to broadening health insurance coverage options for the citizens of Washington; amending RCW 48.43.700, 48.43.705, and 48.43.715; adding new sections to chapter 48.43 RCW; and creating a new section.

Referred to Committee on Health Care.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1251 by Representatives Stonier, Carlyle, Seaquist, Harris, Maxwell, Takko, Kochmar, Vick, MacEwen, Fitzgibbon, Morrell, Tarleton, Haler, Riccelli and Bergquist

AN ACT Relating to membership on the opportunity scholarship board; and amending RCW 28B.145.020.

Referred to Committee on Higher Education.

SHB 1254 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Manweller and Condotta)

AN ACT Relating to prevailing wage filings; and amending RCW 39.12.070.

Referred to Committee on Commerce & Labor.

HB 1348 by Representatives Reykdal, Hope, Stanford, Pollet, S. Hunt, Ryu, Seaquist, Goodman, Haigh, Wylie, Fitzgibbon, Santos, Pettigrew, Lytton, Blake, Moscoso, Sells, Orwall, Liias, Roberts, Carlyle, Sullivan, Upthegrove, Dunshee, Maxwell, Green, Riccelli, Ormsby, Springer, Appleton, McCoy, Van De Wege, Bergquist, Tarleton, Fey and Hudgins

AN ACT Relating to modifying collective bargaining law related to providing additional compensation for academic employees at community and technical colleges; amending RCW 28B.52.035 and 28B.50.140; and creating a new section.

Referred to Committee on Commerce & Labor.

SHB 1669 by House Committee on Higher Education (originally sponsored by Representatives Pollet, Haler, Cody, Tarleton, Johnson, Seaquist, Farrell, Magendanz, Riccelli and Ryu)

AN ACT Relating to self-supporting, fee-based programs at four-year institutions of higher education; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education.

ESHB 1769 by House Committee on Capital Budget (originally sponsored by Representatives Stonier, Zeiger, Stanford, Warnick, Seaquist, Haler, Ryu, Springer, Morrell, Fey, Pollet, Riccelli and Fagan)

AN ACT Relating to creating efficiencies for institutions of higher education; and amending RCW 43.88.110.

Referred to Committee on Ways & Means.

SHB 1843 by House Committee on Higher Education (originally sponsored by Representatives Pollet, Seaquist, Tarleton, Ryu and Tharinger)

AN ACT Relating to evaluating compliance and performance for participation in financial aid programs; and amending RCW 28B.92.050.

Referred to Committee on Higher Education.

#### 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. 6448 which was referred to the Committee on Law & Justice.

#### MOTION

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

#### MOTION

Senator Fain moved adoption of the following resolution:

#### SENATE RESOLUTION 8670

By Senator Fain

WHEREAS, The Senate adopted permanent rules for the 2013-2015 biennium under Senate Resolution 8601; and  
WHEREAS, The notice requirements set forth in Senate Rule 35 have been satisfied; and

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WHEREAS, The Senate desires to change the total membership on the Financial Institutions, Housing & Insurance committee from seven members to eight members;

NOW, THEREFORE, BE IT RESOLVED, That Rule 41 is amended as follows:

**"Rule 41.** The president shall appoint all conference, special, joint and standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

Standing Committee	Total Membership	
1. Agriculture, Water & Rural Economic Development	6	
2. Commerce & Labor	7	
3. Early Learning & K-12 Education	11	
4. Energy, Environment & Telecommunications	9	
5. Financial Institutions, Housing & Insurance	<del>(7)</del> 8	
6. Governmental Operations	7	
7. Health Care	9	
8. Higher Education	7	
9. Human Services & Corrections	5	
10. Law & Justice	7	
11. Natural Resources & Parks	7	
12. Rules	21 (plus the Lieutenant Governor)	
13. Trade & Economic Development	7	
14. Transportation	15	
15. Ways & Means	23	

MOTION

Senator Becker moved that the following amendment by Senators Becker and Pedersen be adopted:

On page 2, line 6 of the floor resolution, strike "9" and insert "~~(9)~~ 8"

Senators Becker and Rolfes spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Becker and Pedersen on page 2, line 6 to Engrossed Senate Resolution No. 8670.

The motion by Senator Becker carried and the amendment was adopted by voice vote.

The President declared the question before the Senate to be the adoption of Engrossed Senate Resolution No. 8670.

Senator Hobbs spoke in favor of adoption of the resolution.

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

STANDING COMMITTEE APPOINTMENTS

The President announced the following Standing Committee Assignments.

Financial Institutions Housing & Insurance

Senator Angel is appointed to the committee

Natural Resources & Parks

Senator Liias is appointed to the committee as Ranking member

Trade & Economic Development

Senator Liias is appointed to the committee

Senator Angel is designated as Vice Chair

Transportation

Senator Liias is appointed to the committee

Co-Chair and Vice Co-Chair Designations for Financial Institutions Housing and Insurance Committee

Senator Angel and Senator Hobbs are designated as Co-Chairs

Senator Benton and Senator Mullet are designated as Vice Co-Chairs

Health Care

Senator Erickson is removed from the committee

POINT OF INQUIRY

Senator Hatfield: "Thank you Mr. President. Would the good gentleman from the Forty-Seventh District yield to a question? He will not. Will the gentleman from the Forty-Eighth perhaps? Okay. How about our Floor Leader from the District Twenty-Three it is? Would the good lady from the Twenty-Third District yield to a question?"

President Owen: "Senator Rolfes? Senator Hatfield, please continue."

Senator Hatfield: "Senator Rolfes then. I just want to make clear and I think Senator Hobbs alluded to it that what we are voting on is a change from the opening day of session. This is in fact the vote that would remove Senator Hobbs' sole chairmanship of the Financial Institutions Committee, correct?"

Senator Rolfes: "Mr. President, may I respond to that question?"

President Owen: "Senator Rolfes."

Senator Rolfes: "This, for the information of the members and the good Senator from Grays Harbor area, is the motion that would remove Senator Hobbs from his responsibility as Chair and make it a Co-Chair arrangement in the FIHI Committee as well as designating Vice Co-Chairs. So the Committee would have four leaders and Senator Hobbs would no longer be the Chair."

MOTION

Senator Rolfes: "Thank you Mr. President. I would request a division of motion to confirm. I would request that we first vote to confirm the top half of the paper before us. Do we need a motion from the floor first before I move that?"

MOTION

Senator Fain moved that the appointments be confirmed.

The President declared the question before the Senate to be the confirmation of appointments to the Standing Committees and relieving Senator Erickson from his position on the Health Care Committee as designated with the exception of the appointments of Co-Chairs of the Committee on Financial Institutions, Housing & Insurance.

The appointments were confirmed by voice vote.

#### PARLIAMENTARY INQUIRY

Senator Hatfield: "Now that we have the second half of the first this sheet before us, is that correct?"

#### REPLY BY THE PRESIDENT

President Owen: "That is correct."

#### MOTION

Senator Hatfield moved that further consideration of the confirmation of the appointments of Co-Chairs of the Committee on Financial Institutions, Housing & Insurance Committee be post pone until February 8<sup>th</sup>. For the body's information, that is the day after cut off for moving bills out of committee.

The President declared the question before the Senate to be the motion by Senator Hatfield that further consideration of the confirmation of the appointments of Co-Chairs of the Committee on Financial Institutions, Housing & Insurance be deferred until February 8<sup>th</sup>.

Senator Fain spoke against the motion  
Senator Hatfield spoke in favor of the motion.

The President declared the question before the Senate is the motion by Senator Hatfield to post pone consideration of confirmation of Co-Chairs for the Financial Institutions, Housing & Insurance Committee until February 8<sup>th</sup>.

The motion by Senator Hatfield that further consideration of the appointments be deferred failed by a rising vote.

Senator Fain spoke in favor of the motion to adopt Co-Chairs

Senator Rolfes demanded a roll call.

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

Senator Hobbs spoke against the motion to confirm.  
Senator Parlette spoke against the motion to confirm.

The President declared the question before the Senate to be the confirmation of appointments of Co-Chairs of the Committee on Financial Institutions Housing & Insurance.

#### ROLL CALL

The Secretary called the roll on the confirmation of the appointments of Co-Chairs of the Committee on Financial Institutions, Housing & Insurance and the appointments were confirmed by the following vote: Yeas, 26; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Senators Angel, Bailey, Baumgartner, Becker, Benton, Braun, Brown, Dammeier, Dansel, Ericksen, Fain, Hewitt, Hill, Holmquist Newbry, Honeyford, King, Litzow, O'Ban, Padden, Parlette, Pearson, Rivers, Roach, Schoesler, Sheldon and Tom

Voting nay: Senators Billig, Chase, Cleveland, Conway, Darneille, Eide, Fraser, Frockt, Hargrove, Hasegawa, Hatfield, Hobbs, Keiser, Kline, Kohl-Welles, Lias, McAuliffe, McCoy, Mullet, Nelson, Pedersen, Ranker and Rolfes

#### MOTION

At 12:28 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 noon, Tuesday, January 28, 2014.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate



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