
SIXTY FIFTH DAY

House Chamber, Olympia, Tuesday, March 19, 2013

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

There being no objection, the House advanced to the fourth order of business.

INTRODUCTIONS AND FIRST READING

HB 2003 by Representative Hunter

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2004 by Representative Hunter

AN ACT Relating to fiscal matters.

Referred to Committee on Appropriations.

HB 2005 by Representative Hunter

AN ACT Relating to state government.

Referred to Committee on Appropriations.

HB 2006 by Representative Hunter

AN ACT Relating to state government.

Referred to Committee on Appropriations.

HB 2007 by Representative Hunter

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2008 by Representative Hunter

AN ACT Relating to human services.

Referred to Committee on Appropriations.

HB 2009 by Representative Hunter

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2010 by Representative Hunter

AN ACT Relating to health care.

Referred to Committee on Appropriations.

HB 2011 by Representative Hunter

AN ACT Relating to natural resources.

Referred to Committee on Appropriations.

HB 2012 by Representative Hunter

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2013 by Representative Hunter

AN ACT Relating to education.

Referred to Committee on Appropriations.

HB 2014 by Representative Hunter

AN ACT Relating to revenue.

Referred to Committee on Finance.

HB 2015 by Representative Hunter

AN ACT Relating to revenue.

Referred to Committee on Finance.

HB 2016 by Representatives Jinkins, Hunter and Alexander

AN ACT Relating to a hospital safety net assessment; amending RCW 74.60.005, 74.60.010, 74.60.020, 74.60.030, 74.60.050, 74.60.070, 74.60.080, 74.60.090, 74.60.100, 74.60.110, 74.60.120, 74.60.130, 74.60.140, 74.60.150, 74.60.900, and 74.60.901; adding a new section to chapter 74.09 RCW; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

SB 5302

March 14, 2013
Prime Sponsor, Senator Benton: Addressing credit unions' corporate governance and investments. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Parker, Ranking Minority Member; Vick, Assistant Ranking Minority Member; Blake; Chandler; Habib; Hawkins; Hudgins; Hurst; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

March 14, 2013

SB 5343 Prime Sponsor, Senator Bailey: Concerning the rights of higher education students involved in military service. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Halder, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Passed to Committee on Rules for second reading.

March 14, 2013

SB 5472 Prime Sponsor, Senator Bailey: Authorizing applied doctorate level degrees in audiology at Western Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**NEW SECTION. Sec. 1.** A new section is added to chapter 28B.35 RCW to read as follows:

The board of trustees of Western Washington University may offer applied, but not research, doctorate level degrees in audiology." Correct the title.

Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Halder, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Scott; Sells; Smith; Tarleton; Walsh and Wylie.

Referred to Committee on Appropriations Subcommittee on Education.

March 14, 2013

SB 5787 Prime Sponsor, Senator Bailey: Adding the chair of the student achievement council to the Washington higher education facilities authority. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Halder, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Sells; Smith; Tarleton; Walsh and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Scott.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

RESOLUTIONS

HOUSE RESOLUTION NO. 2013-4637, by Representatives Angel, Fagan, Kochmar, Warnick, Scott, Halder, Hargrove, Orcutt, Magendanz, Holy, Smith, Nealey, Manweller, Hayes, Schmick, Klippert, Pike, Wilcox, Short, Harris, Walsh, MacEwen, Condotta, Alexander, Chandler, and Vick

WHEREAS, Traumatic brain injury is a serious national public health epidemic that, according to the Centers for Disease Control and Prevention, strikes an estimated 1.7 million; and

WHEREAS, Annually, traumatic brain injury claims more than 50,000 lives and leaves more than 80,000 individuals with lifelong disabilities; and

WHEREAS, Traumatic brain injury ranks as the leading cause of death and disability in children and young adults; and

WHEREAS, The Defense and Veterans Brain Injury Center reports that traumatic brain injury is the "signature injury" for troops serving in Iraq and Afghanistan, with more than two-thirds of blast-injured veterans identified as having a brain injury; and

WHEREAS, Prevention is the only known cure; and

WHEREAS, In partnership with the Centers for Disease Control and Prevention, the Health Resources and Services Administration and the Defense Brain and Spinal Cord Association of Washington strive to increase brain injury awareness, thus making prevention and safety measures part of the American culture in an effort to decrease the number of brain injuries;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the efforts of the Defense and Veterans Brain Injury Center, Centers for Disease Control and Prevention, Health Resources and Services Administration, Defense Brain and Spinal Cord Association of Washington, The Brain Injury Association of Washington, Brain Energy Support Team (BEST), The Brain Injury Task Force, and all organizations and individuals to increase brain injury awareness, decrease the number of brain injuries, assist in various ways those who suffer brain injuries, and urge all citizens to educate themselves and take the necessary precautions to ensure their own safety and that of their loved ones.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4637.

HOUSE RESOLUTION NO. 4637 was adopted.

HOUSE RESOLUTION NO. 2013-4638, by Representative Appleton

WHEREAS, In 1961 an obscure, penniless drifter was criminally charged with breaking into the Bay Harbor Poolroom in Panama City, Florida, and stealing approximately \$65 in change, 12 beers, 12 Coca-Colas, and four fifths of wine; and

WHEREAS, The trial court denied the indigent man's request for a lawyer to help him defend against the felony charges and convicted and sentenced Clarence Earl Gideon to five years in state prison, and the Florida Supreme Court declined his appeal; and

WHEREAS, From prison, again without a lawyer, Mr. Gideon mailed the United States Supreme Court a humble, hand-printed petition asking the High Court to find that he was deprived of a fair trial because he was denied assistance of legal counsel; and

WHEREAS, Washington State, whose State Constitution guarantees the right to counsel in Article 1, Section 22, was among 22 states that submitted amicus curiae briefs supporting Mr. Gideon's right to a court-appointed lawyer; and

WHEREAS, 50 years ago, in March 1963, the United States Supreme Court announced a unanimous decision in *Gideon v. Wainwright*, establishing as the law of the land that the United States Constitution's Sixth Amendment guarantee of legal counsel is a fundamental right of all persons, essential to a fair trial, and is applied to the states through the due process requirements of the Fourteenth Amendment; and

WHEREAS, As Justice Hugo Black wrote for the court, "The right of one charged with crime to counsel may not be deemed fundamental and essential to fair trials in some countries, but it is in ours"; and

WHEREAS, As a result of the ruling, the state of Florida granted Mr. Gideon a new trial in August 1963, where a court-appointed lawyer was able to present crucial evidence and the jury found Mr. Gideon not guilty; and

WHEREAS, Subsequent United States and Washington Supreme Court rulings have maintained the right to counsel, and have held that the right to counsel means the right to competent, effective counsel;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commemorate the March 18 anniversary of *Gideon v. Wainwright*, marking a significant step toward ensuring that in America, regardless of material wealth or personal privilege, all persons facing the deprivation of liberty at the hands of the government are guaranteed due process and the right to effective assistance of counsel to defend themselves.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4638.

HOUSE RESOLUTION NO. 4638 was adopted.

HOUSE RESOLUTION NO. 2013-4639, by Representative Liias

WHEREAS, The Washington State House of Representatives recognize the importance of education in our state; and

WHEREAS, Mariner High School's longest standing principal, serving since 2003, Brent Kline, has shown dedication to improving students' educational experiences; and

WHEREAS, During the past 10 years, Mariner has improved the overall level of students meeting the language arts state standards from 52% to 79.5%, the writing state standards from 55% to 89%, and the math state standards from 28% to 75%; and

WHEREAS, This achievement was met through hiring reading teachers to help with struggling students, implementing professional development for staff that emphasizes the importance of reading across the curriculum, establishing 20 minutes of silent reading time each day across the school, developing cross-content learning, providing required after-school intervention programs for students not meeting state standards in mathematics, and founding a community of learning through the daily collaboration of the school's teachers; and

WHEREAS, These improvements played a huge factor in Mariner High School receiving multiple awards in the past few years, including the School of Distinction award and the Washington Achievement Award for language arts in 2011. Mariner also was the recipient of the Washington Achievement Award in 2009 for the school's improved graduation rate; and

WHEREAS, For his efforts, Kline won the WESCO 3A/4A Conference principal of the year honors for 2012 from the Washington Interscholastic Activities Association; and

WHEREAS, Mariner High School and its principal, Brent Kline, have achieved significant and noteworthy improvements in language arts, writing, reading, mathematics, and graduation attendance;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize Mariner High School principal Brent Kline for his most recent achievement of being selected as the 2013 High School Principal of the Year by the Association of Washington School Principals.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4639.

HOUSE RESOLUTION NO. 4639 was adopted.

HOUSE RESOLUTION NO. 2013-4640, by Representative Maxwell

WHEREAS, One hundred thousand Washington State children and youth are gifted and talented; and

WHEREAS, Without appropriate support, these children have high dropout rates, between 15 and 30%, and a number of other risk factors; and

WHEREAS, K-12 Highly Capable students are present in all cultural and linguistic groups, across all socioeconomic strata, co-exist with all manner of disabling conditions both visible and invisible, and manifest across all areas of human endeavor; and

WHEREAS, Highly Capable students perform, or show potential for performing, at significantly advanced levels when compared with others of their age, experience, or environments. Outstanding capabilities are seen within students' general intellectual aptitudes, specific academic abilities, creative productivities within a specific domain, and leadership skills; and

WHEREAS, Education for all students must include opportunities to nurture and support learning at the highest levels, laying the foundation for positive outcomes for all students; and

WHEREAS, Research-based teaching practices drawn from gifted education can be used to enhance learning for students in their strength areas, and will have a positive impact on all students; and

WHEREAS, High-end learning with a focus on expanding excellence will lead to a more highly qualified workforce ready to address the challenges we currently face and the ones we will certainly face in the future; and

WHEREAS, Maximum development of each individual's intellectual and creative powers ensures the challenges of the future will more likely be met; and

WHEREAS, Washington has tens of thousands of gifted and talented children, whose full potential can be tapped only through the farsighted cooperation of education, community, and government; and

WHEREAS, Governor Inslee proclaimed March 19, 2013, as Gifted Education Day in Washington State;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives celebrate Gifted Education Day; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Office of the Superintendent of Public Instruction.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4640.

HOUSE RESOLUTION NO. 4640 was adopted.

There being no objection, the House advanced to the eleventh order of business.

BARBARA BAKER, Chief Clerk

There being no objection, the House adjourned until 10:00 a.m., March 20, 2013, the 66th Day of the Regular Session.

FRANK CHOPP, Speaker

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