

EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia, Monday, January 21, 2013

The Senate was called to order at 12:00 noon by the President Pro Tempore. No roll call was taken.

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

To the Honorable Brad Owen
President of the Senate

I, Kim Wyman, Secretary of the State of Washington and custodian of the State Seal, do hereby certify that the attached is a true and correct copy of the papers now on file with the Secretary of State relating to the resignation of Derek Kilmer from the office of State Senator for the 26th District of the State of Washington, and the appointment of Nathan Schlicher to fill the vacancy created thereby.

I further certify that Nathan Schlicher has been duly appointed by action of the County Council of Pierce County and the County Commission of Kitsap County, meeting jointly, to the office of State Senator from the 26th Legislative District.

In testimony Whereof, I have hereunto set my hand and affixed the Seal of the State of Washington on this 18th Day of January 2013, at Olympia, the State Capitol.

Seal

Kim Wyman, Secretary of State

JOINT RESOLUTION NO JR2013-1

A Joint Resolution of the Pierce County Council and Kitsap County Board of Commissioners Appointing Nathan Schlicher to Represent Legislative District No. 26 in the Washington State Senate.

WHEREAS, a vacancy has been created in the 26th Legislative District, Washington State Senate, due to the resignation of Senator Derek Kilmer; and
WHEREAS, Legislative District No. 26 is a multi-jurisdictional District located partly in Pierce County and partly in Kitsap Count, and the Washington State Constitution, Article II, Section 15, provides that in the event of a multi-jurisdictional vacancy, that the vacancy shall be filled by joint action of the boards of county legislative authorities of the counties composing the joint district, and
WHEREAS, the Washington State Democratic Central Committee has submitted the names of three nominees for the vacancy in the Washington State Senate for consideration by the Pierce County Council and Kitsap County Board of Commissioners, and both the Councilmembers and Commissioners have met in a joint Special Meeting and have interviewed the nominees; Now, Therefore,
BE IT RESOLVED by the Pierce County Council and Kitsap County Board of Commissioners:

Section 1. Nathan Schlicher is one of three nominees recommended by the Washington State Democratic Central Committee, and is qualified to fill the vacancy in the Washington State Senate.

Section 2. Nathan Schlicher is hereby appointed to the Washington State Senate, Legislative District No. 26, to fill the vacancy left by the resignation of Senator Derek Kilmer.

Section 3. The Clerks of the Council and Board of Commissioners are hereby directed to provide a copy of this Joint Resolution to the individual appointed, the Governor the State of Washington, and the Chair of the Washington State Democratic Central Committee.

JOINTLY ADOPTED this 17th day of January, 2013.

PIERCE COUNTY COUNCIL, Pierce County, Washington

KITSAP COUNTY BOARD OF COMMISSIONERS, Kitsap County, Washington

Joyce, McDonald,
Chair of the Council
Josh Brown, Chair of the Board

MOTION

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

MESSAGE FROM THE HOUSE

January 18, 2013

MR. PRESIDENT:

The House has adopted:

SENATE CONCURRENT RESOLUTION NO. 8400,
and the same is 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 5129 by Senators Hobbs, Shin, Padden, Bailey, Hatfield, Ranker, Delvin, Eide, Braun, Billig, Pearson, Tom, Sheldon, Conway, Rolfes, Kohl-Welles, Schlicher and Roach

AN ACT Relating to authorizing the establishment and use of veterans' treatment courts; amending RCW 2.28.190; adding a new section to chapter 2.28 RCW; and declaring an emergency.

Referred to Committee on Law & Justice.

SB 5130 by Senators Frockt, Conway, Keiser, Tom, Kohl-Welles and Schlicher

AN ACT Relating to eosinophilia gastrointestinal associated disorders; and amending RCW 48.20.520, 48.21.300, 48.44.440, and 48.46.510.

Referred to Committee on Health Care.

SB 5131 by Senators Honeyford, Benton, Dammeier, Shin, Hobbs, Becker, Bailey, Tom, Holmquist Newbry, Rivers, Carrell, Braun, Padden, Parlette and Roach

AN ACT Relating to providing tax incentives for donations of modern laboratory equipment to higher education institutions and vocational skills centers; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Higher Education.

SB 5132 by Senators Honeyford, Dammeier and Padden

AN ACT Relating to disclosure of estimated state debt service costs; amending RCW 43.88.031; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5133 by Senator Honeyford

AN ACT Relating to ensuring growth management hearings board members meet qualifications relating to land use experience; and amending RCW 36.70A.250.

Referred to Committee on Governmental Operations.

SB 5134 by Senators Honeyford, King, Benton, Becker, Holmquist Newbry and Sheldon

AN ACT Relating to reserve studies for certain homeowners' associations; and amending RCW 64.34.380.

Referred to Committee on Financial Institutions & Insurance.

SB 5135 by Senators Pearson, Kline and Padden

AN ACT Relating to judicial proceedings and forms; and amending RCW 2.36.095, 11.96A.090, and 26.26.610.

Referred to Committee on Law & Justice.

SB 5136 by Senators Padden and Kline

AN ACT Relating to electronic presentment of claims against the state arising out of tortious conduct; and amending RCW 4.92.100.

Referred to Committee on Law & Justice.

SB 5137 by Senators Hargrove, Carrell, Sheldon, Dammeier, Fraser, Roach, Hatfield, Schoesler, Hewitt, Billig, Smith, Honeyford and Shin

AN ACT Relating to department of fish and wildlife license suspensions; and amending RCW 77.15.670.

Referred to Committee on Natural Resources & Parks.

SB 5138 by Senators Parlette and Hargrove

AN ACT Relating to the creation of a council on state debt; amending RCW 43.88.030 and 43.88.031; reenacting and

amending RCW 39.42.070; adding a new section to chapter 39.42 RCW; adding a new section to chapter 43.08 RCW; adding a new section to chapter 43.88 RCW; creating a new section; repealing RCW 39.42.140; and repealing 2011 1st sp.s. c 46 ss 1 and 2 (uncodified).

Referred to Committee on Ways & Means.

SB 5139 by Senators Hatfield, Schoesler, Hobbs, Honeyford and Shin

AN ACT Relating to milk and milk products; amending RCW 15.36.201, 15.36.451, and 15.36.454; repealing RCW 15.36.457 and 15.36.471; and prescribing penalties.

Referred to Committee on Agriculture, Water & Rural Economic Development.

SB 5140 by Senators Pearson and Carrell

AN ACT Relating to limiting alternatives to confinement for certain offenders who violate terms of community custody; and amending RCW 9.94A.633.

Referred to Committee on Human Services & Corrections.

SB 5141 by Senators King, Eide, Rivers, Sheldon, Hatfield, Delvin, Ericksen, Carrell, Padden, Harper, Keiser, Rolfes, Shin, Holmquist Newbry, Roach and Kline

AN ACT Relating to allowing motorcycles to stop and proceed through traffic control signals under certain conditions; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

SB 5142 by Senators Rolfes, Benton, Hargrove, Sheldon, Hatfield, Delvin, Ericksen, Keiser, Conway, Schlicher and Roach

AN ACT Relating to incorporating motorcycles into certain transportation planning; and amending RCW 70.94.531, 46.61.165, and 47.52.025.

Referred to Committee on Transportation.

SB 5143 by Senators Benton, Hargrove, Carrell, Rivers, Braun, Delvin, Smith, Roach, Sheldon, Hatfield and Holmquist Newbry

AN ACT Relating to the use of motorcycle helmets; and amending RCW 46.37.530.

Referred to Committee on Transportation.

SB 5144 by Senators Keiser and Schlicher

AN ACT Relating to medical assistants; amending RCW 18.360.050; and adding a new section to chapter 18.360 RCW.

Referred to Committee on Health Care.

SB 5145 by Senators Keiser, Conway, Eide, Kohl-Welles, Shin and Schlicher

EIGHTH DAY, JANUARY 21, 2013

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AN ACT Relating to community assistance referral and education services; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Governmental Operations.

SB 5146 by Senators Frockt, Litzow, Mullet, Kohl-Welles, Ranker, Dammeier, Harper, Darneille, Shin, Tom, Rolfes and Kline

AN ACT Relating to a competitive grant program for informal science, technology, engineering, and mathematics education; and adding a new section to chapter 43.330 RCW.

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

SB 5147 by Senators Hargrove, Carrell, Hewitt, Darneille and Shin

AN ACT Relating to juveniles and runaway children; and amending RCW 13.32A.030, 13.32A.082, 13.32A.085, and 43.43.510.

Referred to Committee on Human Services & Corrections.

SB 5148 by Senators Keiser, Becker, Cleveland, Conway, Frockt, Parlette, Rolfes, Kohl-Welles, Schlicher and Kline

AN ACT Relating to medication access for the uninsured; adding a new chapter to Title 69 RCW; and providing an effective date.

Referred to Committee on Health Care.

SB 5149 by Senators Carrell, Conway, Padden, Pearson, Braun, Dammeier and Parlette

AN ACT Relating to crimes against pharmacies; amending RCW 9.94A.533; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Law & Justice.

SB 5150 by Senators Carrell, Darneille, Pearson, Kohl-Welles, Tom, Keiser and Conway

AN ACT Relating to forming a task force for reform of the state mental health system; creating a new section; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 5151 by Senators Carrell, Pearson and Keiser

AN ACT Relating to criminal defendants who are guilty and mentally ill; amending RCW 10.77.040 and 9.94A.501; and adding a new section to chapter 10.77 RCW.

Referred to Committee on Human Services & Corrections.

SB 5152 by Senators Eide, King, Hobbs, Fain, Hatfield, Delvin, Murray, Frockt, Conway, Kohl-Welles and Shin

AN ACT Relating to Seattle Sounders FC and Seattle Seahawks special license plates; amending RCW 46.18.200, 46.17.220, 46.68.420, and 46.18.060; adding new sections to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5153 by Senators Kohl-Welles, Carrell, Darneille, Pearson and Schlicher

AN ACT Relating to strengthening families by allowing transfers between regional support networks to be closer to relatives or other strong personal supports; and adding a new section to chapter 71.24 RCW.

Referred to Committee on Human Services & Corrections.

SB 5154 by Senators Becker, Ranker, Schoesler, Carrell and Conway

AN ACT Relating to exempting from business and occupation tax certain amounts received by cooperative finance organizations; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5155 by Senators McAuliffe, Rolfes, Kohl-Welles, Eide, Shin, Darneille and Kline

AN ACT Relating to long-term suspension and expulsion of students in kindergarten through twelfth grade; and adding a new section to chapter 28A.600 RCW.

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

SB 5156 by Senators Benton, Sheldon, Holmquist Newbry, Padden, Honeyford, Carrell, Hewitt, Delvin, Ericksen, Dammeier, Braun, Rivers, King, Smith, Bailey, Pearson, Shin and Roach

AN ACT Relating to abortion notification; amending RCW 9.02.170; adding new sections to chapter 9.02 RCW; creating new sections; repealing RCW 9.02.100 and 9.02.110; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5157 by Senators Carrell, Pearson, Schoesler, Hill and Fain

AN ACT Relating to child care; amending RCW 74.20.040 and 74.20.330; reenacting and amending RCW 43.215.010 and 43.215.135; and adding a new section to chapter 43.215 RCW.

Referred to Committee on Human Services & Corrections.

SB 5158 by Senators Braun, Holmquist Newbry, Becker, Bailey, Roach, Sheldon, Dammeier, Schoesler and Honeyford

AN ACT Relating to minimum wage and overtime compensation complaints; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Commerce & Labor.

SB 5159 by Senators Braun, Holmquist Newbry, Becker, Bailey, Carrell, Padden, Tom, Sheldon, Schoesler, Honeyford and Parlette

AN ACT Relating to repealing the family and medical leave insurance act; amending RCW 51.44.033; reenacting and amending RCW 43.79A.040; repealing RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 49.86.040, 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.100, 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.150, 49.86.160, 49.86.170, 49.86.180, 49.86.210, 49.86.900, 49.86.901, 49.86.902, and 49.86.903; and providing an effective date.

Referred to Committee on Commerce & Labor.

SB 5160 by Senators Holmquist Newbry, Becker, Braun, Carrell, Sheldon, Schoesler, Honeyford and Roach

AN ACT Relating to administrative reassignment; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Commerce & Labor.

SB 5161 by Senators Braun, Carrell, Padden, Bailey, Becker, Fain, Roach, Sheldon, Dammeier, Honeyford, Schoesler, Conway, Rolfes and Kohl-Welles

AN ACT Relating to gold star license plates; amending RCW 46.18.245; and providing an effective date.

Referred to Committee on Transportation.

SJM 8001 by Senators Sheldon, Bailey, Holmquist Newbry, Becker, Cleveland, Carrell, Frockt, Delvin, Padden, Ericksen, Dammeier, Rivers, Benton, Honeyford, Braun, Hill, Parlette, Roach, Tom, Schoesler, King, Hewitt and Conway

Requesting that Interstate 5 be named the "Purple Heart Trail."

Referred to Committee on Transportation.

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. 5151 which was referred to the Committee on Human Services & Corrections.

MOTION

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

MOTION

Senator Litzow moved adoption of the following resolution:

SENATE RESOLUTION
8604

By Senators Fain, Rolfes, Eide, Billig, Hobbs, Carrell, Shin, Murray, Ranker, King, Benton, Mullet, Litzow, Hasegawa, Cleveland, Conway, Frockt, Keiser, Parlette, Fraser, Dammeier, Darneille, Smith, Kohl-Welles, Ericksen, Harper, Becker, Hargrove, Kline, Nelson, Chase, Hill, Schlicher, and Hatfield

WHEREAS, Today, the third Monday in January, we remember and honor the life and legacy of Dr. Martin Luther King Jr., who would become a beacon of hope for equality in our nation; and

WHEREAS, Dr. King used his gift of oratory to awaken America to the realities of life for many Americans and to make life better for all by encouraging change through nonviolent means; and

WHEREAS, Dr. King's steadfast faith encouraged others, as exemplified in his famous "I Have a Dream" speech, delivered 50 years ago this coming August 28th, in which he said, "With this faith we will be able to hew out of the mountain of despair a stone of hope"; and

WHEREAS, Dr. King's unwavering support for the principles of racial justice and social equality helped change America; and

WHEREAS, In his life, Dr. King called on others to make a personal commitment to serve humanity by helping the less fortunate, uniting as a global family, and acting with kindness and compassion; and

WHEREAS, Service is a powerful way to commemorate the words and deeds of Dr. King and to translate our reverence for his life and teachings into action to make our nation better; and

WHEREAS, Dr. King believed that a person's worth should not be measured by his or her color, culture, or class, but rather by his or her commitment to making life better for all through service rendered to each other;

NOW, THEREFORE, BE IT RESOLVED, That the Senate, on behalf of the people of the state of Washington, and in recognition of the courageous leadership and legacy of hope demonstrated by Dr. Martin Luther King Jr., honors his memory by urging all citizens of our state to continue the legacy of Dr. King by treating all people as equal.

Senators Litzow, Shin, Frockt, Fraser, Tom, Kline, Conway and Hasegawa spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8604.

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

MOTION

At 12:26 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 noon, Tuesday, January 22, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate

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