

ELEVENTH DAY

NOON SESSION

Senate Chamber, Olympia, Thursday, January 23, 2014

The Senate was called to order at 12:00 noon by President Owen. 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.

MOTION

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

REPORTS OF STANDING COMMITTEES

January 22, 2014

SB 5970 Prime Sponsor, Senator O'Ban: Evaluating military training and experience toward meeting licensing requirements. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; King and Kohl-Welles.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 5981 Prime Sponsor, Senator Sheldon: Increasing the number of superior court judges in Mason county. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Darneille; Kline, Ranking Member; Pearson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 5996 Prime Sponsor, Senator Angel: Requiring the department of licensing to adopt rules regarding online learning for training in cosmetology, manicuring, barbering, esthetics, and instruction. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5996 be substituted therefor, and the substitute bill do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa; King and Kohl-Welles.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 5998 Prime Sponsor, Senator Angel: Establishing the position and authority of warrant officers in first-class cities to enforce court orders and outstanding warrants. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Darneille; Kline, Ranking Member; Pearson; Pedersen and Roach.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 6009 Prime Sponsor, Senator Padden: Establishing a special allegation for habitual property offenders. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Darneille; Kline, Ranking Member.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 6011 Prime Sponsor, Senator Padden: Increasing penalties for random assaults. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Darneille; Pearson and Roach.

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

Passed to Committee on Rules for second reading.

January 22, 2014

SB 6024 Prime Sponsor, Senator O'Ban: Modifying organized retail theft provisions. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; O'Ban, Vice Chair; Pearson and Roach.

MINORITY recommendation: Do not pass. Signed by Senators Darneille; Kline, Ranking Member.

Passed to Committee on Rules for second reading.

January 21, 2014

SB 6034 Prime Sponsor, Senator Pearson: Concerning state parks partnership opportunities. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel; Hargrove; Hewitt; Kline and Parlette.

Passed to Committee on Rules for second reading.

January 21, 2014

SB 6035 Prime Sponsor, Senator Kline: Regarding the safety of ski area conveyances. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel; Hargrove; Hewitt; Kline and Parlette.

Passed to Committee on Rules for second reading.

January 21, 2014

SB 6036 Prime Sponsor, Senator Schoesler: Concerning the Milwaukee Road corridor. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Dansel; Hargrove; Hewitt; Kline and Parlette.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 6046 Prime Sponsor, Senator Keiser: Implementing procedures concerning certain whistleblowers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 6046 be substituted therefor, and the substitute bill do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa; King and Kohl-Welles.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 6065 Prime Sponsor, Senator King: Protecting children under the age of eighteen from the harmful effects of exposure to ultraviolet radiation associated with tanning devices. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Braun, Vice Chair; Conway, Ranking Member; Hasegawa; King and Kohl-Welles.

MINORITY recommendation: Do not pass. Signed by Senator Holmquist Newbry, Chair.

Passed to Committee on Rules for second reading.

January 22, 2014

SB 6103 Prime Sponsor, Senator McAuliffe: Concerning misrepresentation of a floral product business's geographic location. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa; King and Kohl-Welles.

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 third order of business.

MESSAGE FROM SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE NO. 594

Pursuant to Article II, Section 1 of the Washington State Constitution, RCW 29A.72.230, and WAC 434-379-010, the Office of the Secretary of State has caused the signatures submitted in support of Initiative to the Legislature No. 594 to be examined in the following manner:

1. It was determined that 346,834 signatures were submitted by the sponsors of the initiative. A random sample of 10,588 signatures were taken from those submitted.
2. Each sampled signature was examined to determine if the signer was a registered voter of the state, if the signature was reasonably similar to the one appearing on the record of that voter, and if the same signature appeared more than once in the sample. We found 9,486 valid signatures, 1,100 signatures that were invalid and 2 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (50) by multiplying the square root of the number of invalid signatures by 1.5;
4. We estimated the upper limit of the number of signatures on the initiative petition which were invalid (37,663) by dividing the sum of the number of invalid signatures in the sample and allowance for the chance of error of sampling by the sampling ratio;
5. We determined the maximum allowable number of pairs of signatures on the petition (62, 799) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (246,372) and the estimate of the upper limit of the number of invalid signatures on the petition from the number of signatures submitted;
6. We determined the expected number of pairs of signatures in the sample (59) by multiplying the square of the sampling ratio by the maximum allowable number of pairs of signatures on the initiative petition;
7. We determined the acceptable number of pairs of signatures in the sample (46) by subtracting 1.65 times the square root of the expected number of pairs of signatures in the sample from the expected number of pairs of signatures in the sample; and
8. The number of pairs of signatures in the sample is less than the acceptable number of pairs of signatures in the sample.

Therefore, I hereby declare initiative to the Legislature No. 594 to contain sufficient signatures.

ELEVENTH DAY, JANUARY 23, 2014

2014 REGULAR SESSION

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 22nd day of January, 2014.

KIM WYMAN,
Secretary of State

Seal

MOTION

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

MESSAGE FROM THE HOUSE

January 22, 2014

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1038,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

January 22, 2014

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1090,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1294,
SUBSTITUTE HOUSE BILL NO. 1536,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1950,
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 6377 by Senator Ranker

AN ACT Relating to the reduction of greenhouse gas and particulate emissions by state ferry vessels; adding a new section to chapter 47.60 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 6378 by Senator Ranker

AN ACT Relating to penalties associated with a recreational pass or permit; amending RCW 79A.80.080; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

SB 6379 by Senator Hill

AN ACT Relating to the period of time the department of revenue must grant or deny a refund request; and amending RCW 82.32.060.

Referred to Committee on Ways & Means.

SB 6380 by Senator O'Ban

AN ACT Relating to deficit reimbursement agreements with counties owning and operating ferry systems; and amending RCW 47.56.725.

Referred to Committee on Transportation.

SB 6381 by Senators Ranker and Rolfe

AN ACT Relating to watershed councils in the Puget Sound basin; and creating new sections.

Referred to Committee on Energy, Environment & Telecommunications.

SB 6382 by Senators Angel and Sheldon

AN ACT Relating to approval of short plats; and amending RCW 58.17.140.

Referred to Committee on Governmental Operations.

SB 6383 by Senators Becker, Pedersen and Kohl-Welles

AN ACT Relating to coordinating and expanding efforts with private and public partnerships to help ensure Washington's healthiest next generation; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care.

SB 6384 by Senators Padden and Schoesler

AN ACT Relating to venue of actions by or against counties; and amending RCW 36.01.050.

Referred to Committee on Law & Justice.

SB 6385 by Senators Keiser and Frockt

AN ACT Relating to designating the disciplining authority for dental hygienists; amending RCW 18.29.005, 18.29.021, 18.29.045, 18.29.056, 18.29.100, 18.29.110, 18.29.120, 18.29.130, 18.29.140, 18.29.150, 18.29.160, 18.29.170, 18.29.180, 18.29.190, 18.29.210, 18.29.220, 18.32.0357, and 43.70.650; reenacting and amending RCW 18.130.040 and 18.130.040; providing effective dates; and providing an expiration date.

Referred to Committee on Health Care.

SB 6386 by Senators Holmquist Newbry, Kohl-Welles, Hewitt and Brown

AN ACT Relating to alcohol tasting by students under twenty-one years of age; and amending RCW 66.20.010 and 66.44.270.

Referred to Committee on Commerce & Labor.

SB 6387 by Senators Hill, Hargrove, Ranker, Fain, Braun, Tom, Dammeier, Parlette, Becker, Schoesler, Hewitt, Bailey, King, Angel, Roach, Keiser, Litzow, Kohl-Welles, O'Ban and Conway

AN ACT Relating to reducing the number of individuals with developmental disabilities who have requested a service but the provision of a specific service would exceed program capacity; amending RCW 71A.10.020 and 71A.16.050; creating a new section; and making appropriations.

Referred to Committee on Health Care.

SB 6388 by Senator Padden

AN ACT Relating to pass-through wholesale food distributors; amending RCW 43.20.145; adding a new section to chapter 43.24 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 6389 by Senators Darneille and Chase

AN ACT Relating to mandatory multiple consecutive enhancements; and amending RCW 9.94A.535.

Referred to Committee on Law & Justice.

SB 6390 by Senators Darneille and Chase

AN ACT Relating to forming the juvenile sentencing task force to review and make recommendations regarding juvenile sentencing matters; creating new sections; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 6391 by Senators Fain and Mullet

AN ACT Relating to the financial solvency of insurance companies; amending RCW 42.56.400, 48.02.065, 48.13.061, 48.18.545, 48.18.547, 48.19.035, 48.38.010, 48.97.005, 48.125.140, 48.155.010, 48.155.015, 42.56.400, and 42.56.400; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.31B RCW; adding a new chapter to Title 48 RCW; creating new sections; repealing RCW 48.31B.005, 48.31B.010, 48.31B.015, 48.31B.020, 48.31B.025, 48.31B.030, 48.31B.035, 48.31B.040, 48.31B.045, 48.31B.050, 48.31B.055, 48.31B.060, 48.31B.065, 48.31B.070, 48.31B.900, 48.31B.901, 48.31B.902, 48.31C.010, 48.31C.020, 48.31C.030, 48.31C.040, 48.31C.050, 48.31C.060, 48.31C.070, 48.31C.080, 48.31C.090, 48.31C.100, 48.31C.110, 48.31C.120, 48.31C.130, 48.31C.140, 48.31C.150, 48.31C.160, 48.31C.900, and 48.31C.901; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 6392 by Senator Baumgartner

AN ACT Relating to unemployment benefits; amending RCW 50.20.010; adding a new section to chapter 50.20 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 6393 by Senator Baumgartner

AN ACT Relating to distributing marijuana tax revenues for local law enforcement officers; amending RCW 69.50.540; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6394 by Senator Darneille

AN ACT Relating to income eligibility for temporary assistance for needy families benefits for a child; and amending RCW 74.12.037.

Referred to Committee on Human Services & Corrections.

SB 6395 by Senator Darneille

AN ACT Relating to placement of a defendant determined to be incompetent; amending RCW 10.77.086, 10.77.088, and 10.77.220; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 6396 by Senators Darneille, Cleveland, Kohl-Welles, Chase and McAuliffe

AN ACT Relating to allowing youthful offenders who complete their sentences prior to age twenty-one equal access to a full continuum of rehabilitative and reentry services; and amending RCW 9.94A.728, 13.40.020, 13.40.110, 72.01.410, and 72.05.020.

Referred to Committee on Human Services & Corrections.

SB 6397 by Senators Liias, Honeyford and Conway

AN ACT Relating to retired law enforcement officers and firefighters employed in certain public positions; amending RCW 41.26.500; and creating a new section.

Referred to Committee on Ways & Means.

SB 6398 by Senators Darneille and Chase

AN ACT Relating to child support; amending RCW 26.23.035; adding new sections to chapter 26.23 RCW; adding a new section to chapter 9.46 RCW; adding a new section to chapter 67.16 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 6399 by Senators Darneille, O'Ban, Cleveland, Kohl-Welles, McAuliffe and Conway

AN ACT Relating to creating an office of corrections ombuds; and adding a new chapter to Title 43 RCW.

Referred to Committee on Human Services & Corrections.

SB 6400 by Senators Hobbs, O'Ban, Tom and Conway

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AN ACT Relating to insurance for enlisted members of the Washington national guard; and adding a new section to chapter 38.24 RCW.

Amending the state Constitution so that only persons who are qualified voters in a county are elected or appointed to the office of judge of the superior court for that county.

Referred to Committee on Health Care.

Referred to Committee on Law & Justice.

SB 6401 by Senators Liias, Hobbs, McCoy and McAuliffe

INTRODUCTION AND FIRST READING OF HOUSE BILLS

AN ACT Relating to electronic salary and wage payments by counties; and amending RCW 41.04.240.

ESHB 1038 by House Committee on Business & Financial Services (originally sponsored by Representatives Ryu, Kagi, Bergquist, Reykdal and Jinkins)

Referred to Committee on Governmental Operations.

AN ACT Relating to requiring the department of licensing to adopt rules to allow online learning for training in the areas of cosmetology, manicuring, barbering, esthetics, and instructor-training; amending RCW 18.16.020; adding a new section to chapter 18.16 RCW; and creating a new section.

SB 6402 by Senators Honeyford, Hatfield, Brown, Dansel, Parlette and Bailey

AN ACT Relating to defining honey bee products and services as an agricultural product; and reenacting and amending RCW 82.04.213.

Referred to Committee on Commerce & Labor.

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

ESHB 1090 by House Committee on Local Government (originally sponsored by Representatives Shea, Reykdal, Crouse, Holy, Springer and Dahlquist)

SB 6403 by Senators Sheldon and Roach

AN ACT Relating to juvenile offender court records; and amending RCW 13.50.050 and 10.97.050.

AN ACT Relating to increasing the dollar amount for construction of a dock that does not qualify as a substantial development under the shoreline management act; and reenacting and amending RCW 90.58.030.

Referred to Committee on Human Services & Corrections.

Referred to Committee on Natural Resources & Parks.

SB 6404 by Senator Benton

AN ACT Relating to annexations by code cities in counties with four hundred thousand or more residents; and amending RCW 35A.14.297, 35A.14.299, 35A.14.460, 35A.14.470, and 35A.14.480.

ESHB 1294 by House Committee on Environment (originally sponsored by Representatives Van De Wege, Hudgins, Pollet, Maxwell, S. Hunt, Upthegrove, Tharinger, Fey, Farrell, Moscoso, Hunter, Stanford, Reykdal, Fitzgibbon, Bergquist, Tarleton, Goodman, Kagi, Hansen, Jinkins, Habib, Pedersen, Ryu, Liias, Riccelli, Roberts, Morrell, Clibborn and Ormsby)

Referred to Committee on Governmental Operations.

AN ACT Relating to flame retardants; amending RCW 70.240.020 and 70.240.010; and adding a new section to chapter 70.240 RCW.

SB 6405 by Senators Baumgartner, Padden, Hargrove and Cleveland

AN ACT Relating to providing greater consistency in how nonprofit tax-exempt property may be used without jeopardizing the property's tax-exempt status; amending RCW 84.36.020, 84.36.020, 84.36.030, 84.36.032, 84.36.035, 84.36.037, 84.36.037, 84.36.050, 84.36.060, 84.36.260, 84.36.264, and 84.36.805; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Energy, Environment & Telecommunications.

Referred to Committee on Ways & Means.

SHB 1536 by House Committee on Higher Education (originally sponsored by Representatives Seaquist, Appleton, Haler, Springer, Stanford, McCoy, Upthegrove, Ormsby, Moscoso, S. Hunt, Ryu, Fitzgibbon, Lytton, Sawyer, Liias, Dunshee, Orwall, Cody, Stonier, Kagi, Moeller, Sells, Reykdal, Fey and Pollet)

SJM 8013 by Senators Hobbs, King, Eide, Chase, McAuliffe and Conway

Requesting that a portion of state route number 395 be named the Thomas Stephen "Tom" Foley Memorial Highway.

AN ACT Relating to membership on community and technical college boards of trustees; and reenacting and amending RCW 28B.50.100.

Referred to Committee on Transportation.

Referred to Committee on Higher Education.

SJR 8215 by Senators Padden, O'Ban and Roach

ESHB 1950 by House Committee on Environment (originally sponsored by Representative Haler)

AN ACT Relating to designating certain hydroelectric generation from a generation facility located in irrigation pipes, irrigation canals, and wastewater pipes as an eligible

renewable resource under chapter 19.285 RCW; and reenacting and amending RCW 19.285.030.

Referred to Committee on Energy, Environment & Telecommunications.

MOTION

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

MOTION

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

MOTION

Senator Brown moved adoption of the following resolution:

SENATE RESOLUTION
8671

By Senators Brown, Angel, Padden, Braun, Baumgartner, Roach, and Dammeier

WHEREAS, Washington State is committed to the promotion of safety programs, policies, and actions; and

WHEREAS, Thousands of motorcyclists travel the roads, streets, highways, and interstate systems of Washington State every day; and

WHEREAS, Motorcycles are fuel-efficient vehicles that have access to Washington State High Occupancy Vehicle lanes, promoting a less congested travel way; and

WHEREAS, Motorcyclists help to provide funds for the transportation infrastructure of Washington State that they and others use; and

WHEREAS, The majority of the motorcycling community is committed to motorcycle safety and awareness and promotes policies and procedures for themselves and other motorists in order to create a safe roadway for all; and

WHEREAS, The motorcycling community is filled with people dedicated to charitable organizations and activities; and

WHEREAS, Hundreds of motorcyclists, like those of Bikers Against Child Abuse (BACA), band together to support kids and other vulnerable communities all around the state; and

WHEREAS, The Month of May is recognized nationally and throughout the state as Motorcyclist Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate celebrate the Month of May as Motorcycle Safety and Awareness Month; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the AAA Washington office, the ABATE of Washington office, the Washington Road Riders Association office, Bikers Against Child Abuse (BACA), and the headquarters of the Washington State Patrol and the Washington State Department of Transportation.

Senator Brown spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8671.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed motorcyclists and members of the Bikers Against Child Abuse; the American Automobile Association and ABATE organizations who were seated in the gallery.

MOTION

At 12:07 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 a.m. Friday, January 24, 2014.

BRAD OWEN, President of the Senate

HUNTER G. GOODMAN, Secretary of the Senate

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