

THIRTY SIXTH DAY

NOON SESSION

Senate Chamber, Olympia, Monday, February 18, 2013

The Senate was called to order at 12:00 p.m. by President Owen. No roll 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

February 14, 2013

SB 5084 Prime Sponsor, Senator Benton: Concerning discounted discovery passes for disabled veterans. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5084 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Parlette; Rolfes, Ranking Member.

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

Passed to Committee on Ways & Means.

February 15, 2013

SB 5123 Prime Sponsor, Senator Ranker: Establishing a farm internship program. Reported by Committee on Commerce & Labor

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

Passed to Committee on Ways & Means.

February 15, 2013

SB 5146 Prime Sponsor, Senator Frock: Creating a competitive grant program for informal science, technology, engineering, and mathematics education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5146 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; McAuliffe, Ranking Member; Mullet; Rivers; Rolfes, Assistant Ranking Member.

Passed to Committee on Ways & Means.

February 15, 2013

SB 5158 Prime Sponsor, Senator Braun: Creating a good faith defense for certain minimum wage and overtime

compensation complaints. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Hewitt and King.

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

Passed to Committee on Rules for second reading.

February 15, 2013

SB 5160 Prime Sponsor, Senator Holmquist Newbry: Creating a process for administrative reassignment of public employees. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5160 be substituted therefor, and the substitute bill do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa; Hewitt; Keiser and King.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5180 Prime Sponsor, Senator Shin: Improving access to higher education for students with disabilities. Reported by Committee on Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 5180 be substituted therefor, and the substitute bill do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frock; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5187 Prime Sponsor, Senator Smith: Protecting livestock against predator attacks. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5187 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Parlette; Rolfes, Ranking Member.

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

Passed to Committee on Rules for second reading.

February 15, 2013

SB 5189 Prime Sponsor, Senator Smith: Concerning photovoltaic electrical systems. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Hewitt and King.

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

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5193 Prime Sponsor, Senator Smith: Concerning large wild carnivore conflict management. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5193 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Parlette; Rolfes, Ranking Member.

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

Passed to Committee on Ways & Means.

February 15, 2013

SB 5227 Prime Sponsor, Senator Schoesler: Changing the corporate officer provisions of the employment security act. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5227 be substituted therefor, and the substitute bill do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Hewitt and King.

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

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

Passed to Committee on Rules for second reading.

February 15, 2013

SB 5242 Prime Sponsor, Senator Litzow: Requiring policies regarding assignment of certificated instructional staff. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5242 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Brown; Fain; Hill and Rivers.

MINORITY recommendation: Do not pass. Signed by Senators Billig; Cleveland; McAuliffe, Ranking Member; Mullet; Rolfes, Assistant Ranking Member.

Passed to Committee on Rules for second reading.

February 15, 2013

SB 5273 Prime Sponsor, Senator Conway: Concerning the veterans innovation program and the use of moneys in the state lottery account. Reported by Committee on Commerce & Labor

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

Passed to Committee on Ways & Means.

February 14, 2013

SB 5289 Prime Sponsor, Senator Hargrove: Concerning the discover pass. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5289 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Kline; Parlette; Rolfes, Ranking Member.

Passed to Committee on Rules for second reading.

February 15, 2013

SB 5352 Prime Sponsor, Senator Holmquist Newbry: Clarifying the terminology and duties of the real estate agency relationship law to be consistent with other existing laws. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5352 be substituted therefor, and the substitute bill do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa; Hewitt; Keiser and King.

Passed to Committee on Rules for second reading.

February 15, 2013

SB 5353 Prime Sponsor, Senator Roach: Providing information to assist in unemployment insurance overpayment recovery. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

February 15, 2013

SB 5362 Prime Sponsor, Senator Conway: Addressing the recommendations of the vocational rehabilitation subcommittee for workers' compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5362 be substituted therefor, and the substitute bill do pass. Signed by Senators Holmquist Newbry, Chair; Braun, Vice Chair; Conway, Ranking Member; Hasegawa; Hewitt; Keiser and King.

Passed to Committee on Rules for second reading.

February 14, 2013

SB 5391 Prime Sponsor, Senator Bailey: Concerning an exemption from discover pass requirements for off-road vehicles. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5391 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Parlette; Rolfes, Ranking Member.

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

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Passed to Committee on Ways & Means.

AN ACT Relating to repealing an obsolete provision for a credit against property taxes paid on timber on public land; creating a new section; and repealing RCW 84.33.077.

February 14, 2013

SB 5634 Prime Sponsor, Senator Rolfes: Clarifying the department of natural resources' authority to enter into cooperative agreements. Reported by Committee on Natural Resources & Parks

Referred to Committee on Finance.

MAJORITY recommendation: That Substitute Senate Bill No. 5634 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Kline; Parlette; Rolfes, Ranking Member.

SB 5807 by Senators Litzow, Billig and Kline

AN ACT Relating to encouraging qualifying utilities to invest in and own distributed solar energy systems; amending RCW 19.285.040, 82.16.110, 82.16.120, and 82.16.130; reenacting and amending RCW 19.285.030; adding a new section to chapter 80.28 RCW; creating a new section; and providing an expiration date.

Passed to Committee on Rules for second reading.

Referred to Committee on Energy, Environment & Telecommunications.

MOTION

On motion of Senator Fain, all measures listed on the Standing Committee report were referred to the committees as designated.

SB 5808 by Senators Schoesler, Tom, Honeyford, Hobbs, Baumgartner, Brown and Shin

AN ACT Relating to affirming centralized payroll services as nontaxable between affiliated companies; and adding a new section to chapter 82.04 RCW.

MOTION

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

Referred to Committee on Ways & Means.

MESSAGE FROM THE HOUSE

February 15, 2013

MR. PRESIDENT:
The House has passed:
SENATE BILL NO. 5147.
and the same is herewith transmitted.

SB 5809 by Senator Litzow

AN ACT Relating to the home visiting services account; and amending RCW 43.215.130.

Referred to Committee on Appropriations Subcommittee on Education.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 15, 2013

MR. PRESIDENT:
The House has passed:
HOUSE BILL NO. 1043.
and the same is herewith transmitted.

SB 5810 by Senators Darneille, Carrell and Shin

AN ACT Relating to exemption of information contained in the department of corrections' security threat group database; and adding a new section to chapter 72.09 RCW.

Referred to Committee on Government Operations & Elections.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

Pursuant to Article 2, Section 32 of the State Constitution and Senate Rule 1(5), the President announced the signing of and thereupon did sign in open session:
SENATE BILL NO. 5147.

SB 5811 by Senators Tom, Fain, Hill, Rivers, Baumgartner and Shin

AN ACT Relating to employee wellness programs; reenacting and amending RCW 41.80.020; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Ways & Means.

MOTION

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

SB 5812 by Senators Hill, Hobbs, Hargrove and Shin

AN ACT Relating to providing a business and occupation tax credit for businesses that hire veterans; adding a new section to chapter 82.04 RCW; creating new sections; and providing an effective date.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING

SB 5806 by Senators Smith, Rolfes, Pearson and Hargrove

SB 5813 by Senators Hewitt, Holmquist Newbry, Honeyford, Becker, Rivers, Schoesler, Hatfield, Ericksen,

Hobbs, Sheldon, Hargrove, Eide, Dammeier, King, Brown and Shin

AN ACT Relating to supporting youth programs through agricultural fairs; and amending RCW 15.76.100, 67.70.240, and 15.76.115.

Referred to Committee on Ways & Means.

SB 5814 by Senators Chase, Hasegawa, Rolfes and Kline

AN ACT Relating to for hire vehicles, limousines, and taxicabs; amending RCW 51.12.183; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 5815 by Senators Keiser, Holmquist Newbry, Hobbs, Hatfield, Becker, Tom, Brown and Shin

AN ACT Relating to prohibiting a person from selling or giving a vapor product designed solely for smoking or ingesting tobacco or shisha to a minor; and amending RCW 26.28.080.

Referred to Committee on Law & Justice.

HB 1043 by Representatives Seaquist, Haler, Zeiger, Fagan, Fitzgibbon, Pedersen, Pollet, Magendanz and Stanford

AN ACT Relating to limiting differential tuition; and reenacting and amending RCW 28B.15.067.

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.

MOTION

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

MOTION

Senator Chase moved adoption of the following resolution:

SENATE RESOLUTION
8619

By Senators Chase, McAuliffe, Keiser, Fraser, Kohl-Welles, Hobbs, and Mullet

WHEREAS, Civic education is the foundation for an educated citizenry and a representative democracy; and

WHEREAS, In order to adequately prepare our state's youth for meaningful participation in our democratic institutions and processes, it is important to have strong educational resources aimed at teaching students and the public about the fragile nature of our Constitution; and

WHEREAS, Civic education is part of the fabric of our country and is important for students in our public schools; and

WHEREAS, Civic education is a vital tool to promote greater understanding of the legislative process and the role of legislators in a representative democracy; and

WHEREAS, By gathering educators in the state capitol, we recognize the value of civic education in Washington State and establish a forum for civic educators across the state to collaborate with legislators and other supporters; and

WHEREAS, Many organizations such as the Legislative Youth Advisory Council, We the People Foundation, Washington Media Association, Washington State Council of Social Studies, 4-H Know Your Government, YMCA Youth & Government, Office of the Superintendent of Public Instruction, Office of the Secretary of State, Washington State Historical Society, Legislative Scholars Program, and Service Learning of Washington are dedicated to making civic education a priority for Washington State and its citizens; and

WHEREAS, The contributions of committed teachers, principals, community leaders, parents, state employees, and volunteers help accomplish the goal of these laudable organizations to create an engaged citizenry; and

WHEREAS, The Washington State Senate recognize Donetta Elsasser of Touche, Washington; Brandon Bouge of Spokane, Washington; Kelly Clark of Seattle, Washington; Karin Ashbraner of Gig Harbor, Washington; Lisa Browitt of Cle Elum, Washington; Stephen Cowdrey of Asotin, Washington; Scott Darby of Graham, Washington; Steven Cross of Marysville, Washington as nominees for Washington State Legislature's 2013 Civic Educator of the Year Award; and

WHEREAS, The Washington State Senate recognize Web Hutchins of Seattle, Washington; and Tuck Gionet of Snohomish, Washington as Winners of the 2013 Civic Educator of the Year Award;

NOW, THEREFORE, BE IT RESOLVED, That on February 18, 2013, the Washington State Senate honor civic education and recognize the responsibility of civic educators across the state to serve and inform all Washingtonians; and

BE IT FURTHER RESOLVED, That the Washington State Senate honor, thank, and celebrate the civic educators of the state.

Senator Chase spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8619.

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

MOTION

Senator Schoesler moved adoption of the following resolution:

SENATE RESOLUTION
8605

By Senators Hatfield and Schoesler

WHEREAS, The 4-H Youth Development Program of Washington State University Extension has helped the young people in Washington develop essential life skills since it was established in 1902; and

WHEREAS, The program centers on teaching young people to become productive members of society by fostering citizenship, science, math and technology literacy, health and wellness, communication, and decision-making skills; and

WHEREAS, Over ninety thousand young people and eight thousand adult volunteers throughout Washington participated in 4-H Youth Development Programs in 2012; and

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WHEREAS, These programs helped participants learn about a wide variety of subjects including science, family living, applied arts, and government activism; and

WHEREAS, These programs work with traditional community clubs and reach youth through urban groups, special interest groups, nutrition programs, after school programs, camping, and interagency learning experiences; and

WHEREAS, More than three hundred 4-H members from around the state are currently visiting the State Capitol as part of an annual statewide educational program titled "4-H Know Your Government"; and

WHEREAS, The 4-H Know Your Government Program focused this year on the United States judicial system and how it works interactively with the executive and legislative branches of government; and

WHEREAS, 4-H will continue its dedication to empower young people to become active global citizens and realize the value, significance, and responsibility of taking part in local, regional, state, national, and international community issues;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the 4-H Youth Development Program for its many contributions to the youth of Washington and the betterment of our communities; and

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BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Pat BoyEs, the State 4-H Director for the Washington State University Extension 4-H Youth Development Program.

Senators Schoesler and Becker spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8605.

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

MOTION

At 12:12 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 noon, Tuesday, February 19, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate

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