

ELEVENTH DAY

NOON SESSION

Senate Chamber, Olympia, Thursday, January 24, 2013

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

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

MESSAGE FROM THE SECRETARY OF STATE

CERTIFICATION OF INITIATIVE TO THE LEGISLATURE
NO. 517

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. 517 to be examined in the following manner:

1. It was determined that 346,906 signatures were submitted by the sponsors of the initiative. A random sample of 10,606 signatures was 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 9,122 valid signatures, 1,459 signatures that were invalid and 25 pairs of duplicated signatures in the sample;
3. We calculated an allowance for the chance error of sampling (57) 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 (49,596) 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 (56,157) by subtracting the sum of the number of signatures required by Article II, Section 1 of the Washington State Constitution (241,153) 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 (52) 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 (41) 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. 517 to contain sufficient signatures.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the State of Washington this 23rd day of January, 2013.

MARK NEARY
Deputy Secretary of State

MOTION

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

MESSAGE FROM THE HOUSE

January 23, 2013

MR. PRESIDENT:

The Speaker has signed:

- HOUSE CONCURRENT RESOLUTION NO. 4400,
- HOUSE CONCURRENT RESOLUTION NO. 4401,
- HOUSE CONCURRENT RESOLUTION NO. 4402,

and the same are herewith transmitted.

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:

- HOUSE CONCURRENT RESOLUTION NO. 4400,
- HOUSE CONCURRENT RESOLUTION NO. 4401,
- HOUSE CONCURRENT RESOLUTION NO. 4402,

MOTION

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

INTRODUCTION AND FIRST READING

SB 5231 by Senators Sheldon, Ericksen, Tom, Kline, Fraser, Hatfield, Billig, Delvin, Rolfes, Shin and Conway

AN ACT Relating to ensuring hunter safety; amending RCW 77.32.155; adding a new section to chapter 77.15 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

SB 5232 by Senators McAuliffe, Schlicher and Shin

AN ACT Relating to requiring the establishment of a medical emergency response and automated external defibrillator program for high schools; and adding new sections to chapter 28A.300 RCW.

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

SB 5233 by Senators Hobbs, Carrell, Rolfes and Conway

AN ACT Relating to establishing a training program for managers of manufactured housing communities; adding a new chapter to Title 59 RCW; prescribing penalties; providing an effective date; and providing a contingent effective date.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5234 by Senators Carrell, Darneille, Hargrove, Keiser, Schlicher and Conway

AN ACT Relating to improving behavioral health services provided to adults in Washington state by defining outcomes for adult behavioral health services, increasing use of evidence-based, research-based, and promising practices for the provision of adult behavioral health services, implementing a strategy for the improvement of the adult behavioral health system, reviewing the provision of forensic mental health services, procuring enhanced services facility services, and requiring timely hospital discharge under the involuntary treatment act when a person no longer requires active psychiatric treatment in a hospital; amending RCW 71.24.025; adding a new section to chapter 43.20A RCW; adding a new section to chapter 70.97 RCW; adding a new section to chapter 71.05 RCW; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5235 by Senators Hargrove and Carrell

AN ACT Relating to the purchase of care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; amending RCW 74.13.031; reenacting and amending RCW 74.13.031; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 5236 by Senators Kline and Padden

AN ACT Relating to the uniform correction or clarification of defamation act; and adding a new chapter to Title 7 RCW.

Referred to Committee on Law & Justice.

SB 5237 by Senators Dammeier, Litzow, Rivers, Tom, Fain, Hobbs, Hatfield, Carrell and Shin

AN ACT Relating to establishing accountability for student performance in third grade; adding new sections to chapter 28A.655 RCW; and creating a new section.

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

SB 5238 by Senators Holmquist Newbry and Conway

AN ACT Relating to recommendations for streamlining reporting requirements for taxes and fees on spirits; adding a new section to chapter 66.08 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 5239 by Senators Eide, Benton, King, Hobbs, Mullet and Shin

AN ACT Relating to project selection by the freight mobility strategic investment board; and amending RCW 47.06A.020 and 46.68.300.

Referred to Committee on Transportation.

SB 5240 by Senators Kline, Delvin, Keiser and Kohl-Welles

AN ACT Relating to court security; amending RCW 3.58.050, 3.50.080, and 35.20.120; adding a new section to chapter 3.58 RCW; adding a new section to chapter 3.50 RCW; and adding a new section to chapter 35.20 RCW.

Referred to Committee on Law & Justice.

SB 5241 by Senators Harper, Ericksen, Carrell, Hargrove, Ranker, Bailey, Litzow, Rolfes and Shin

AN ACT Relating to nonresident vessel permits and taxation; amending RCW 88.02.620, 82.08.700, and 82.12.700; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5242 by Senators Litzow, Dammeier, Tom, Hobbs, Hatfield, Delvin, Hewitt, Padden and Schoesler

AN ACT Relating to policies regarding assignment of certificated instructional staff in public schools; adding a new section to chapter 28A.405 RCW; and adding a new section to chapter 41.59 RCW.

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

SB 5243 by Senators Litzow, Dammeier, Tom, Harper, Hobbs, Delvin, Hewitt, Padden, Mullet and Shin

AN ACT Relating to establishing policies to support academic acceleration for high school students; adding new sections to chapter 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

SB 5244 by Senators Litzow, Dammeier, Ranker, Hobbs, Harper, Hatfield, Delvin, Tom, Hewitt, Schoesler, Smith and Mullet

AN ACT Relating to school suspensions and expulsions; and amending RCW 28A.600.015, 28A.600.020, and 28A.600.410.

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

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SB 5245 by Senators Litzow, Dammeier, Hobbs, Harper, Hatfield, Delvin, Tom, Hewitt, Padden, Schoesler, Smith and Mullet

AN ACT Relating to the collection of student suspension and expulsion data; and amending RCW 28A.300.046, 28A.300.042, and 28A.300.507.

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

SB 5246 by Senators Litzow, Tom, Hobbs, Delvin, Padden, Schoesler, Smith and Shin

AN ACT Relating to clarifying the teacher and principal evaluation process; and amending RCW 28A.405.100.

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

SB 5247 by Senators Chase and Shin

AN ACT Relating to the assignment of intellectual property rights at institutions of higher education; and amending RCW 28B.10.630.

Referred to Committee on Higher Education.

SB 5248 by Senators Chase and Kline

AN ACT Relating to creating a tax on plastic shopping bags; adding a new chapter to Title 82 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5249 by Senators Chase, Schlicher and Shin

AN ACT Relating to creating a business and occupation tax credit for hiring certain persons in manufacturing; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Trade & Economic Development.

SB 5250 by Senators Chase and Kline

AN ACT Relating to petroleum-based beverage bottles; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5251 by Senators Chase and Shin

AN ACT Relating to exempting certain manufacturing research and development activities from business and occupation taxation; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

SB 5252 by Senators Chase and Kline

AN ACT Relating to food service products; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5253 by Senators Chase and Kline

AN ACT Relating to retail store carryout bags; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5254 by Senators Chase and Shin

AN ACT Relating to salmon and steelhead spawning beds; adding a new section to chapter 77.95 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

SB 5255 by Senator Chase

AN ACT Relating to protecting environmental quality and human health; amending RCW 43.21C.030; and creating a new section.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5256 by Senators Padden and Baumgartner

AN ACT Relating to reports and records of autopsies and postmortems; amending RCW 68.50.105; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5257 by Senators Roach, Benton, Rivers, Conway and Fraser

AN ACT Relating to modifying time frames applicable to certain public disclosure commission requirements; amending RCW 42.17A.120 and 42.17A.265; reenacting and amending RCW 42.17A.110; and repealing RCW 42.17A.420.

Referred to Committee on Governmental Operations.

SB 5258 by Senators Benton, Roach, Hasegawa, Conway, Billig, Rivers and Fraser

AN ACT Relating to aggregating the cost of related ballot measure advertisements for purposes of top five sponsor identification requirements; and amending RCW 42.17A.320.

Referred to Committee on Governmental Operations.

SB 5259 by Senators Murray, Fain, Litzow, McAuliffe, Harper and Shin

AN ACT Relating to Seattle University special license plates; amending RCW 46.18.200, 46.17.220, 46.68.420, and 46.18.060; adding a new section to chapter 46.04 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5260 by Senators Schlicher, Smith, Rolfes, Keiser, Becker, Billig and Hobbs

AN ACT Relating to authorizing regular meetings of county legislative authorities to be held at alternate locations within the county; and amending RCW 36.32.080.

Referred to Committee on Governmental Operations.

SB 5261 by Senators Conway, Keiser, Hasegawa, Chase, Nelson, Kline, Darneille and Kohl-Welles

AN ACT Relating to liquor self-checkout machines; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

SB 5262 by Senators Fraser, Dammeier, Ranker, King, Eide, Becker, Hasegawa and Shin

AN ACT Relating to the lodging tax; amending RCW 67.28.1816; reenacting and amending RCW 67.28.080; providing an effective date; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

SB 5263 by Senators Benton and King

AN ACT Relating to motorcycles overtaking and passing pedestrians and bicyclists; and amending RCW 46.61.608.

Referred to Committee on Transportation.

SB 5264 by Senators Benton, Mullet, Baumgartner and Sheldon

AN ACT Relating to the transportation and storage of certain explosive devices; and amending RCW 70.74.191.

Referred to Committee on Transportation.

SB 5265 by Senators Mullet, Benton, Rolfes, Nelson, Hatfield, Keiser, Hobbs, Shin and Kline

AN ACT Relating to transparency in patient billing; and amending RCW 70.01.030 and 70.01.040.

Referred to Committee on Health Care.

SB 5266 by Senators Mullet, Nelson and Kohl-Welles

AN ACT Relating to the discover pass; amending RCW 46.16A.090; creating a new section; and providing an effective date.

Referred to Committee on Natural Resources & Parks.

SB 5267 by Senators Becker, Keiser, Conway, Ericksen, Bailey, Dammeier, Frockt and Schlicher

AN ACT Relating to improving patient health care through a more efficient and standardized prior authorization process

for health care services; adding a new section to chapter 48.165 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 5268 by Senators Billig, Hasegawa, Darneille, Nelson, Ranker, Frockt, Murray, Rolfes, Kohl-Welles, Schlicher, Shin, Conway and Kline

AN ACT Relating to extending the time period for voter registration; amending RCW 29A.08.140; and creating a new section.

Referred to Committee on Governmental Operations.

SB 5269 by Senators Benton and Mullet

AN ACT Relating to title insurance rate filings; amending RCW 48.03.010, 48.03.060, and 42.56.400; and adding new sections to chapter 48.29 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5270 by Senators Billig, Darneille, Hasegawa, Nelson, Cleveland, Ranker, Frockt, Rolfes, Kohl-Welles, Mullet and Kline

AN ACT Relating to motor voter preregistration for sixteen and seventeen year olds; amending RCW 46.20.155 and 29A.08.710; reenacting and amending RCW 42.56.250; and creating new sections.

Referred to Committee on Governmental Operations.

SB 5271 by Senators Kline and Delvin

AN ACT Relating to allowing courts to assess additional costs to defendants if they are successful in setting aside a committed finding after failing to respond to an infraction or failing to appear for a hearing; and amending RCW 46.63.151.

Referred to Committee on Law & Justice.

SB 5272 by Senators Padden, Kline and Delvin

AN ACT Relating to modifying provisions in the forms for traffic infraction notices; and amending RCW 46.63.060.

Referred to Committee on Law & Justice.

SB 5273 by Senators Conway, Bailey, Fain, Hobbs, Holmquist Newbry and Shin

AN ACT Relating to the veterans innovation program; amending RCW 67.70.240; adding a new section to chapter 67.70 RCW; and repealing RCW 67.70.500, 43.131.405, and 43.131.406.

Referred to Committee on Commerce & Labor.

SB 5274 by Senators Carrell, Eide, King, Harper, Hill and Shin

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AN ACT Relating to private motorcycle skills education programs; amending RCW 46.81A.020; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5275 by Senators Holmquist Newbry, Braun, Becker, Sheldon, Carrell, Schoesler, Smith and Honeyford

AN ACT Relating to preventing the curtailment of employment opportunities by allowing employers to pay a training wage for a specified period of time; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Commerce & Labor.

SB 5276 by Senators Hobbs, Honeyford, Hatfield, Pearson, Hargrove, Shin, Delvin and Schoesler

AN ACT Relating to the use of designated agricultural lands; amending RCW 36.70A.060; and creating a new section.

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

SB 5277 by Senator Hill

AN ACT Relating to reducing costs and inefficiencies in elections; amending RCW 29A.24.311, 29A.32.070, 29A.32.210, 29A.32.241, 29A.32.280, 29A.52.220, 29A.60.021, 29A.60.120, 29A.72.010, 29A.72.025, 29A.72.070, 29A.72.090, and 43.135.041; repealing RCW 29A.32.080; and declaring an emergency.

Referred to Committee on Governmental Operations.

SB 5278 by Senators Carrell, Baumgartner, Sheldon, Litzow and Dammeier

AN ACT Relating to providing a salary bonus for teachers in high market demand subjects; adding a new section to chapter 28A.405 RCW; making an appropriation; and providing an expiration date.

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

SB 5279 by Senators Carrell, Baumgartner, Smith, Becker, Schoesler, Sheldon, Rivers, Delvin, Tom, Braun, Padden, Bailey and Hill

AN ACT Relating to use of public assistance benefits; and amending RCW 74.08.580.

Referred to Committee on Human Services & Corrections.

SB 5280 by Senators Carrell, King, Holmquist Newbry, Padden, Becker, Sheldon, Rivers, Tom, Bailey, Roach and Honeyford

AN ACT Relating to criminal activities occurring at rental properties; amending RCW 9A.52.070, 59.04.050, and 59.18.075; and creating a new section.

Referred to Committee on Law & Justice.

SB 5281 by Senators Carrell, Darneille, Tom, Fain and Roach

AN ACT Relating to an empirical study of the validity and reliability of the current child welfare safety assessment tool; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5282 by Senators Carrell, Pearson, Keiser, Sheldon, Becker, Tom, Parlette, Rivers, Braun, Bailey, Padden, Roach, Litzow, Honeyford and Shin

AN ACT Relating to creating a statewide database of mental health commitment information; amending RCW 9.41.097, 9.41.047, 9.41.070, 9.41.090, and 9.41.173; creating new sections; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5283 by Senators Hill, Keiser, Hargrove and Kline

AN ACT Relating to a business and occupation tax exemption for the Washington health benefit exchange established under chapter 43.71 RCW; amending RCW 43.71.010; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5284 by Senators Hill, Hargrove and Shin

AN ACT Relating to imposing fees for reseller permits; amending RCW 82.32.780 and 82.32.783; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5285 by Senators Hill, Hargrove and Shin

AN ACT Relating to increasing excise tax revenue with liquor license renewals; amending RCW 82.08.155, 82.32.080, 82.03.190, 66.24.010, 66.08.150, and 34.05.422; adding a new section to chapter 82.32 RCW; creating a new section; recodifying RCW 82.08.155; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5286 by Senator Hargrove

AN ACT Relating to the implementation of a statewide forest fire protection benefit charge; and adding a new section to chapter 76.04 RCW.

Referred to Committee on Ways & Means.

SB 5287 by Senators Hill and Hargrove

AN ACT Relating to eliminating accounts and funds; amending RCW 19.146.205, 64.44.060, 70.116.134, 41.05.140, 82.45.180, and 70.122.130; reenacting and amending RCW 43.84.092, 43.84.092, 43.79A.040, 82.44.180, and 43.99H.020; creating a new section; repealing RCW 13.40.466, 27.34.410, 28B.10.851, 28B.14D.040,

28B.121.070, 36.120.200, 41.45.230, 43.31.805, 43.60A.153, 43.60A.215, 43.63A.315, 43.63A.766, 43.70.325, 43.83H.030, 43.338.030, 46.68.330, 49.78.350, 70.47A.080, 70.122.140, 72.72.030, 77.70.450, and 81.100.070; providing an effective date; providing a contingent effective date; providing a contingent expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5288 by Senators Hill, Hargrove and Shin

AN ACT Relating to contracts for health care services for incarcerated offenders; and amending RCW 72.10.030.

Referred to Committee on Human Services & Corrections.

SB 5289 by Senators Hargrove, Hatfield, Ranker, Hobbs, Sheldon and Schoesler

AN ACT Relating to the discover pass; amending RCW 79A.80.020 and 79A.80.080; and adding a new section to chapter 79A.80 RCW.

Referred to Committee on Natural Resources & Parks.

SB 5290 by Senators Delvin, Ericksen, Sheldon, Roach, Becker, Bailey, Rivers, Honeyford, Braun, Carrell, Schoesler, Parlette and Hewitt

AN ACT Relating to the designation of hydroelectric energy generation on irrigation district facilities as renewable; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5291 by Senators Roach, Chase, Rivers and Ericksen

AN ACT Relating to the signing and receipt of ballots; and reenacting and amending RCW 29A.40.091 and 29A.40.110.

Referred to Committee on Governmental Operations.

SB 5292 by Senators Keiser, Conway, Murray, Kohl-Welles, Shin, Hasegawa, Harper, Nelson, Hatfield and Kline

AN ACT Relating to implementing family and medical leave insurance; amending RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 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, 49.86.160, 49.86.170, 49.86.180, 49.86.210, and 50.29.021; reenacting and amending RCW 43.79A.040 and 34.05.328; adding new sections to chapter 49.86 RCW; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Commerce & Labor.

SCR 8401 by Senators Keiser, Becker, Frockt, Dammeier and Schlicher

Creating a joint select committee on health care oversight.

Referred to Committee on Health Care.

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. 5241 which was referred to the Committee on Ways & Means and Senate Bill No. 5251 which was referred to the Committee Trade & Economic Development.

MOTION

At 12:04 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 a.m. Friday, January 25, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate

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WASHINGTON STATE SENATE

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