

**EIGHTEENTH DAY**

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NOON SESSION

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Senate Chamber, Olympia, Thursday, January 31, 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

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

REPORTS OF STANDING COMMITTEES

January 30, 2013

SB 5010 Prime Sponsor, Senator Padden: Establishing that courts may order an offender to refrain from the consumption of marijuana as a part of community custody conditions. Reported by Committee on Law & Justice

MAJORITY recommendation: That Substitute Senate Bill No. 5010 be substituted therefor, and the substitute bill do pass. Signed by Senators Padden, Chair; Carrell, Vice Chair; Darneille; Kline, Ranking Member and Pearson.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Kohl-Welles.

Passed to Committee on Rules for second reading.

January 30, 2013

SB 5030 Prime Sponsor, Senator Roach: Extending the Chinook scenic byway. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; King, Co-Chair; Billig; Fain, Budget Leadership Cabinet; Harper; Hobbs; Mullet; Schlicher; Sheldon and Smith.

Passed to Committee on Rules for second reading.

January 30, 2013

SB 5056 Prime Sponsor, Senator Honeyford: Allowing a person to apply for a work permit for the employment of minors without completing a new master application under certain circumstances. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 30, 2013

SB 5077 Prime Sponsor, Senator Kohl-Welles: Making technical corrections to certain gender-based terms. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5077 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.

January 29, 2013

SB 5082 Prime Sponsor, Senator Benton: Concerning exchange facilitator requirements. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5082 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Benton, Ranking Member; Fain; Hatfield; Mullet; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5083 Prime Sponsor, Senator Benton: Concerning the display of political yard signs in homeowners' associations. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Benton, Ranking Member; Fain; Hatfield; Mullet; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5095 Prime Sponsor, Senator Roach: Providing proof of financial responsibility for motor vehicle operation. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5095 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Benton, Ranking Member; Fain; Hatfield; Mullet; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 29, 2013

SB 5113 Prime Sponsor, Senator Bailey: Concerning the enforcement of speed limits on roads within condominium associations. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Benton, Ranking Member; Fain; Mullet and Nelson.

Passed to Committee on Rules for second reading.

January 30, 2013

SB 5152 Prime Sponsor, Senator Eide: Creating Seattle Sounders FC and Seattle Seahawks special license plates. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5152 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; King, Co-Chair; Fain, Budget Leadership Cabinet; Harper; Hobbs; Mullet; Schlicher; Sheldon and Smith.

Passed to Committee on Rules for second reading.

January 30, 2013

SJM 8001 Prime Sponsor, Senator Sheldon: Requesting that Interstate 5 be named the "Purple Heart Trail." Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; King, Co-Chair; Billig; Fain, Budget Leadership Cabinet; Harper; Hobbs; Mullet; Schlicher; Sheldon and Smith.

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 fifth order of business.

#### INTRODUCTION AND FIRST READING

SB 5452 by Senators Conway, Carrell, Darneille and Kohl-Welles

AN ACT Relating to protection orders for stalking and harassment; amending RCW 9.41.800, 9.94A.535, 9A.46.040, 9A.46.110, 10.14.065, 10.14.070, and 10.31.100; reenacting and amending RCW 26.50.110; adding new sections to chapter 10.14 RCW; adding a new section to chapter 9A.46 RCW; adding a new chapter to Title 7 RCW; and prescribing penalties.

Referred to Committee on Human Services & Corrections.

SB 5453 by Senators Honeyford, Hobbs, Shin, Hatfield, Bailey, Parlette, Eide, Schoesler and King

AN ACT Relating to extending the expiration date of tax exemptions for honey beekeepers; amending 2008 c 314 s 7 (uncodified); and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5454 by Senators Rolfes, Cleveland, Kohl-Welles and Kline

AN ACT Relating to testing of infants placed in out-of-home care under chapter 13.34 RCW whose human immunodeficiency virus is unknown; amending RCW 13.34.315 and 70.24.330; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5455 by Senators Darneille, Kohl-Welles, Frockt and Kline

AN ACT Relating to protecting children under the age of eighteen from the harmful effects of exposure to ultraviolet radiation associated with tanning devices; adding a new chapter to Title 18 RCW; and prescribing penalties.

Referred to Committee on Health Care.

SB 5456 by Senators Schlicher, Becker, Keiser, Bailey, Frockt, Cleveland, Hargrove, Darneille and McAuliffe

AN ACT Relating to detentions under the involuntary treatment act; amending RCW 71.05.040 and 71.05.150; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Human Services & Corrections.

SB 5457 by Senators Nelson, Delvin, Ranker, Kohl-Welles and Kline

AN ACT Relating to adopting the Washington small rechargeable battery stewardship act; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5458 by Senators Billig, Ranker, Kohl-Welles and Kline

AN ACT Relating to the labeling of certain asbestos-containing building materials; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5459 by Senators Becker, Keiser, Parlette, Dammeier and Kline

AN ACT Relating to requiring ninety-day supply limits on certain drugs dispensed by a pharmacist; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Health Care.

SB 5460 by Senators Darneille, Rivers, Harper, Mullet, Kohl-Welles, Kline, Billig and Hobbs

AN ACT Relating to the rights of parents who are incarcerated or in residential substance abuse treatment; amending RCW 13.34.067, 13.34.132, 13.34.136, and 13.34.145; and reenacting and amending RCW 13.34.030 and 13.34.180.

Referred to Committee on Human Services & Corrections.

SB 5461 by Senators Darneille, Harper, Kohl-Welles and Frockt

AN ACT Relating to representation of children in dependency matters; amending RCW 13.34.100 and 13.34.105; and creating a new section.

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Referred to Committee on Human Services &amp; Corrections.

SB 5462 by Senators Honeyford, Carrell and McAuliffe

AN ACT Relating to efficiencies in the department of ecology processing of water right change applications to permit the consolidation of the annual quantities of those water rights held by the applicant; amending RCW 90.44.100 and 90.44.100; providing an effective date; and providing an expiration date.

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

SB 5463 by Senators Honeyford and Carrell

AN ACT Relating to efficiencies in the department of ecology processing of water right change applications that move the point of withdrawal reducing the potential for surface water body impacts; amending RCW 90.44.100 and 90.44.100; providing an effective date; and providing an expiration date.

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

SB 5464 by Senators Cleveland, Becker, Schlicher, Keiser, McAuliffe and Kline

AN ACT Relating to allowing dental hygienists and dental assistants to provide certain services under the supervision of a dentist; amending RCW 18.29.050, 18.29.056, and 18.260.040; and adding a new section to chapter 18.29 RCW.

Referred to Committee on Health Care.

SB 5465 by Senators Dammeier, Schlicher, Becker, Keiser and McAuliffe

AN ACT Relating to exemptions from licensure as a physical therapist; and amending RCW 18.74.150 and 18.74.180.

Referred to Committee on Health Care.

SB 5466 by Senators Carrell, Kohl-Welles and King

AN ACT Relating to criminal history record information compliance audits; and amending RCW 10.98.100.

Referred to Committee on Human Services & Corrections.

SB 5467 by Senators King, Eide, Litzow and Harper

AN ACT Relating to conforming vehicle owner list furnishment requirements with federal law; and amending RCW 46.12.630.

Referred to Committee on Transportation.

SB 5468 by Senators Hewitt, Rolfes, Keiser, Schoesler, Hobbs and McAuliffe

AN ACT Relating to modifying the definition of tourist for the purposes of the lodging tax; and amending RCW 67.28.080.

Referred to Committee on Trade &amp; Economic Development.

SB 5469 by Senators Frockt, Rivers, Hobbs, Keiser, Hatfield, Ericksen, Kohl-Welles, Delvin and McAuliffe

AN ACT Relating to the prescription of biological products and interchangeable biosimilar products; amending RCW 69.41.010, 69.41.120, and 69.41.190; and adding a new section to chapter 69.41 RCW.

Referred to Committee on Health Care.

SB 5470 by Senators Hewitt, McAuliffe, Parlette and Conway

AN ACT Relating to facility-based vocational services; amending RCW 9.94A.725, 36.110.050, 39.23.005, 39.23.010, 39.23.020, 43.20A.445, 43.99C.020, 49.12.091, and 84.36.350; reenacting and amending RCW 82.04.385; and adding a new section to chapter 71A.10 RCW.

Referred to Committee on Health Care.

SB 5471 by Senators Nelson, Mullet, Hobbs, Fain and Keiser

AN ACT Relating to insurance; amending RCW 48.02.060, 48.02.120, 48.15.050, 48.15.120, 48.16.030, 48.20.435, 48.21.157, 48.43.700, 48.43.705, 48.46.040, 48.140.040, 48.140.050, 48.155.010, 48.175.005, and 48.175.020; and repealing RCW 48.140.070.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5472 by Senators Bailey, Ranker, Kohl-Welles and Becker

AN ACT Relating to applied doctorate level degrees in audiology at Western Washington University; and adding a new section to chapter 28B.35 RCW.

Referred to Committee on Higher Education.

SB 5473 by Senators Nelson, Shin, Ranker, Mullet, Billig, Harper, Kline, Keiser, Hasegawa, Conway, Chase, Kohl-Welles, Cleveland, McAuliffe, Darneille, Rolfes, Schlicher, Murray and Hobbs

AN ACT Relating to establishing a voting rights act to promote equal voting opportunity in certain political subdivisions by authorizing district-based elections, requiring redistricting and new elections in certain circumstances, and establishing a cause of action to redress lack of voter opportunity; adding a new section to chapter 28A.343 RCW; adding a new section to chapter 36.32 RCW; adding a new section to chapter 35.21 RCW; and adding a new chapter to Title 29A RCW.

Referred to Committee on Governmental Operations.

SB 5474 by Senators Mullet, Frockt, Keiser, Billig, Fain, McAuliffe and Kline

AN ACT Relating to state employee wellness and productivity; amending RCW 41.05.540; and creating a new section.

Referred to Committee on Health Care.

SB 5475 by Senator Harper

AN ACT Relating to the creating of a licensing category for receiving care centers; amending RCW 74.15.020; and adding a new section to chapter 74.15 RCW.

Referred to Committee on Human Services & Corrections.

SB 5476 by Senators Hewitt, Keiser, Conway and Holmquist Newbry

AN ACT Relating to the employment status of independent contractors in the news business; amending RCW 50.04.240 and 51.12.020; and reenacting and amending RCW 49.46.010.

Referred to Committee on Commerce & Labor.

SB 5477 by Senators Roach and Litzow

AN ACT Relating to high school diplomas; and amending RCW 28A.230.090.

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

SB 5478 by Senators Keiser, Kohl-Welles, Darneille, Nelson and Kline

AN ACT Relating to prohibiting possession of firearms for persons participating in mental health court; and amending RCW 2.28.180.

Referred to Committee on Law & Justice.

SB 5479 by Senators Keiser, Kohl-Welles, Darneille, Nelson and Kline

AN ACT Relating to establishing a process for voluntary temporary safekeeping of firearms with law enforcement agencies; and adding a new section to chapter 9.41 RCW.

Referred to Committee on Law & Justice.

SB 5480 by Senators Keiser, Kohl-Welles, Darneille, Nelson, McAuliffe and Kline

AN ACT Relating to accelerating expansion of mental health involuntary commitment laws; amending 2011 2nd sp.s. c 6 ss 1 and 3 (uncodified); creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 5481 by Senators Keiser, Kline, Rolfes, Roach and Chase

AN ACT Relating to the department of social and health services' supported living program; adding a new chapter to Title 71A RCW; and prescribing penalties.

Referred to Committee on Health Care.

SB 5482 by Senators Keiser, Becker, Cleveland, Nelson, Ranker, Darneille, Conway, Chase, Hasegawa, Kohl-Welles and Kline

AN ACT Relating to health care options under the affordable care act; amending RCW 43.71.030 and 70.47.250; and creating a new section.

Referred to Committee on Health Care.

SB 5483 by Senators Hobbs, Rolfes and Benton

AN ACT Relating to the financial education public-private partnership; amending RCW 28A.300.450 and 28A.300.460; and adding a new section to chapter 28A.300 RCW.

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

SB 5484 by Senators Kline, Frockt, Ranker, Rolfes, Padden, Fain and Kohl-Welles

AN ACT Relating to assault in the third degree occurring in areas used in connection with court proceedings; amending RCW 9.94A.535; reenacting and amending RCW 9A.36.031; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5485 by Senators Kline, Shin, Keiser, Ranker, Frockt, Schlicher and Kohl-Welles

AN ACT Relating to unauthorized access to firearms; reenacting and amending RCW 9.41.010; adding a new section to chapter 9.41 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5486 by Senators Kline, Shin and Nelson

AN ACT Relating to partial and total confinement options for offenders; amending RCW 9.94A.030, 9.94A.190, 9.94A.704, 9.94A.728, 9.94A.731, and 72.65.010; adding new sections to chapter 72.65 RCW; creating a new section; and repealing RCW 9.94A.734.

Referred to Committee on Human Services & Corrections.

SB 5487 by Senators Kline, Kohl-Welles and Hargrove

AN ACT Relating to persistent offenders; amending RCW 9.94A.501, 9.94A.570, and 9.95.435; adding a new section to chapter 9.94A RCW; adding new sections to chapter 9.95 RCW; and prescribing penalties.

Referred to Committee on Human Services & Corrections.

SB 5488 by Senators Kohl-Welles, Padden, Kline, Darneille, Fraser, Ranker, Keiser, Delvin, Carrell, McAuliffe, Chase and Conway

AN ACT Relating to establishing an enhanced penalty for the use of an internet advertisement to facilitate the commission

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of a sex-trafficking crime; adding a new section to chapter 9.68A RCW; repealing RCW 9.68A.104; repealing 2012 c 138 s 1 (uncodified); and repealing 2012 c 138 s 3 (uncodified).

Referred to Committee on Financial Institutions, Housing & Insurance.

Referred to Committee on Law & Justice.

SB 5495 by Senators Holmquist Newbry, Fain, Hobbs, Dammeier and McAuliffe

SB 5489 by Senators Mullet, Hobbs and Nelson

AN ACT Relating to the state building code council; and amending RCW 19.27.070.

AN ACT Relating to adopting the insurer state of entry model act; amending RCW 48.05.090; adding new sections to chapter 48.35 RCW; repealing RCW 48.35.010, 48.35.020, 48.35.030, 48.35.040, 48.35.050, 48.35.060, 48.35.070, 48.35.080, 48.35.090, 48.35.100, 48.35.110, 48.35.120, 48.35.130, 48.35.140, 48.35.150, 48.35.160, 48.35.170, 48.35.180, 48.35.190, and 48.35.200; and providing an effective date.

Referred to Committee on Governmental Operations.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5496 by Senators Braun, Fain, Hatfield, Hargrove, Dammeier, Chase and Kohl-Welles

SB 5490 by Senators Roach, Rolfes, Benton, Shin, Hasegawa, Braun, Rivers, Hobbs, Ranker, Conway and Chase

AN ACT Relating to authorizing approval of online school programs in private schools; adding a new section to chapter 28A.195 RCW; and creating new sections.

AN ACT Relating to veterans' assistance levies; amending RCW 73.08.080, 84.52.043, 84.52.043, 84.52.010, and 84.52.010; creating a new section; providing an effective date; and providing an expiration date.

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

Referred to Committee on Governmental Operations.

SB 5497 by Senators Fain, McAuliffe, Litzow, Rolfes, Tom, Rivers, Hill, Fraser, Becker, King and Kohl-Welles

SB 5491 by Senators McAuliffe, Litzow, Kohl-Welles, Dammeier, Frockt, Nelson, Rolfes, Chase, Eide, Cleveland, Rivers, Hobbs, Fain, Hewitt, Murray, Kline, Billig and Conway

AN ACT Relating to assault in the third degree against a school employee; reenacting and amending RCW 9A.36.031; prescribing penalties; and providing an effective date.

AN ACT Relating to statewide indicators of educational health; adding a new section to chapter 28A.150 RCW; and creating a new section.

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

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

SB 5498 by Senators Benton and Padden

SB 5492 by Senators Becker, Schlicher, Darneille and Parlette

AN ACT Relating to authorizing counties to establish and conduct polling place voting; amending RCW 29A.32.241 and 29A.40.010; adding a new section to chapter 29A.04 RCW; and adding a new chapter to Title 29A RCW.

AN ACT Relating to requiring transparency for patients regarding training and qualifications of health care professionals; adding new sections to chapter 18.130 RCW; creating a new section; and providing an effective date.

Referred to Committee on Governmental Operations.

Referred to Committee on Health Care.

SB 5499 by Senators Benton, Hasegawa and Baumgartner

SB 5493 by Senators Schlicher, Parlette and Conway

AN ACT Relating to time for filing initiative measures; and amending RCW 29A.72.030.

AN ACT Relating to funding the prescription monitoring program from the medicaid fraud penalty account; amending RCW 70.225.020 and 74.09.215; and creating a new section.

Referred to Committee on Governmental Operations.

Referred to Committee on Health Care.

SB 5500 by Senators Benton, Roach and Hobbs

SB 5494 by Senators Hobbs, Fain, Holmquist Newbry, Mullet, Dammeier and McAuliffe

AN ACT Relating to providing a replacement ballot by telephone, mail, or in person to a voter who is not a voter that is overseas or in the military; and reenacting and amending RCW 29A.40.070.

AN ACT Relating to carbon monoxide alarms; and amending RCW 19.27.530.

Referred to Committee on Governmental Operations.

SB 5501 by Senators Hobbs, McAuliffe, Litzow and Benton

AN ACT Relating to reducing certain requirements affecting school districts; and amending RCW 28A.230.090, 28A.165.025, and 43.09.260.

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

SB 5502 by Senators Benton, Rivers, Hobbs, Billig and Keiser

AN ACT Relating to requiring the tolling agreement for the Columbia river crossing project to contain certain provisions; amending RCW 47.56.892; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

SB 5503 by Senators Roach, Delvin, Litzow, Fraser, Conway, Sheldon, Shin and Padden

AN ACT Relating to payment of delinquent property taxes; amending RCW 84.56.020; and creating a new section.

Referred to Committee on Governmental Operations.

SB 5504 by Senators Roach, Padden, Fain and Tom

AN ACT Relating to requiring that a state employee be truthful when providing information; adding a new section to chapter 42.52 RCW; and prescribing penalties.

Referred to Committee on Governmental Operations.

SB 5505 by Senators Roach, Chase, Hasegawa, Fain and Tom

AN ACT Relating to ensuring valid voter signatures on petitions count and timely validation of signatures; amending RCW 29A.72.170 and 35.21.005; and creating new sections.

Referred to Committee on Governmental Operations.

SJM 8004 by Senators Roach, Hasegawa and Conway

Requesting Congress and the Postmaster General to establish a special accommodation for official election mail.

Referred to Committee on Governmental Operations.

#### 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. 5481 which was referred to the Committee on Health Care.

#### MOTION

At 12:01 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 a.m. Friday, February 1, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate



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