

## SEVENTY FIRST DAY

House Chamber, Olympia, Monday, March 25, 2013

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Bianka Parrish and Chris Teller. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Norma Hissong, Baha'i Spiritual Assembly, Olympia, Washington.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

The Speaker (Representative Orwall presiding) called upon Representative Moeller to preside.

There being no objection, the House advanced to the fourth order of business.

### INTRODUCTIONS AND FIRST READING

HB 2018 by Representative Hunter

AN ACT Relating to additional contribution rates for contributions made after the date the service is rendered for individual employers of the Washington state retirement systems; amending RCW 41.45.010, 41.45.050, and 41.45.060; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2019 by Representatives Tharinger, Haler, Hunt, Pollet, Morrell and Goodman

AN ACT Relating to the sales and distribution of spirits by distributors, restaurants, former contract liquor stores, and former state store auction buyers; amending RCW 66.24.630, 66.24.055, and 82.08.150; adding a new section to chapter 66.28 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Government Accountability & Oversight.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

### REPORTS OF STANDING COMMITTEES

SSB 5072

Prime Sponsor, Committee on Ways & Means:  
Concerning a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that

March 19, 2013

assist physically challenged persons to safely operate a motor vehicle. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 82.08 RCW to read as follows:

(1) The tax imposed by RCW 82.08.020 does not apply to sales to eligible purchasers of prescribed add-on automotive adaptive equipment, including charges incurred for labor and services rendered in respect to the installation and repairing of such equipment. The exemption provided in this section only applies if the eligible purchaser is reimbursed in whole or part for the purchase by the United States department of veterans affairs or other federal agency, and the reimbursement is paid directly by the federal agency to the seller.

(2) Sellers making tax-exempt sales under this section must obtain an exemption certificate from the eligible purchaser in a form and manner prescribed by the federal agency that provides the reimbursement. The seller must retain a copy of the exemption certificate for the seller's files. In lieu of an exemption certificate, a seller may capture the relevant data elements as allowed under the streamlined sales and use tax agreement.

(3) For purposes of this section, the following definitions apply unless the context clearly requires otherwise:

(a) "Add-on automotive adaptive equipment" means equipment installed in, and modifications made to, a motor vehicle that are necessary to assist physically challenged persons to enter, exit, or safely operate a motor vehicle. The term includes but is not limited to wheelchair lifts, wheelchair restraints, ramps, under vehicle lifts, power door openers, power seats, lowered floors, raised roofs, raised doors, hand controls, left foot gas pedals, chest and shoulder harnesses, parking brake extensions, dual battery systems, steering devices, reduced and zero effort steering and braking, voice-activated controls, and digital driving systems. The term does not include motor vehicles and equipment installed in a motor vehicle by the manufacturer of the motor vehicle.

(b) "Eligible purchaser" means a veteran, or member of the armed forces serving on active duty, who is disabled, regardless of whether the disability is service connected as that term is defined by federal statute 38 U.S.C. Sec. 101, as amended, as of August 1, 2013.

(c) "Prescribed add-on automotive adaptive equipment" means add-on automotive adaptive equipment prescribed by a physician.

NEW SECTION. Sec. 2. A new section is added to chapter 82.12 RCW to read as follows:

(1) The tax imposed by RCW 82.12.020 does not apply to the use of prescribed add-on automotive adaptive equipment or to labor and services rendered in respect to the installation and repairing of such equipment. The exemption under this section only applies if the sale of the prescribed add-on automotive adaptive equipment or labor and services was exempt from sales tax under section 1 of this act or

would have been exempt from sales tax under section 1 of this act if the equipment or labor and services had been purchased in this state.

(2) For purposes of this section, "prescribed add-on automotive adaptive equipment" has the same meaning as provided in section 1 of this act.

**NEW SECTION. Sec. 3.** This act takes effect August 1, 2013."

Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Finance.

March 19, 2013  
**SB 5097** Prime Sponsor, Senator Becker: Allowing spouses to combine volunteer hours for purposes of receiving a complimentary discover pass. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 21, 2013  
**SSB 5119** Prime Sponsor, Committee on Law & Justice: Creating a sentence enhancement for body armor. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

MINORITY recommendation: Without recommendation. Signed by Representative Appleton.

Referred to Committee on Appropriations Subcommittee on General Government.

March 19, 2013  
**SB 5212** Prime Sponsor, Senator Holmquist Newbry: Expanding membership of the Washington state horse park authority. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 19, 2013  
**SB 5235** Prime Sponsor, Senator Hargrove: Modifying the requirements for purchase of care for Indian children. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 21, 2013  
**SB 5488** Prime Sponsor, Senator Kohl-Welles: Establishing an enhanced penalty for the use of an internet advertisement to facilitate the commission of a sex-trafficking crime. Reported by Committee on Public Safety

MAJORITY recommendation: Do pass. Signed by Representatives Goodman, Chair; Roberts, Vice Chair; Klippert, Ranking Minority Member; Hayes, Assistant Ranking Minority Member; Appleton; Holy; Hope; Moscoso; Pettigrew; Ross and Takko.

Passed to Committee on Rules for second reading.

March 19, 2013  
**SB 5558** Prime Sponsor, Senator Fain: Creating loan-making authority for down payment assistance for single-family homeownership. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Passed to Committee on Rules for second reading.

March 19, 2013  
**SSB 5615** Prime Sponsor, Committee on Higher Education: Concerning the health professional loan repayment and scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 28B.76.090 and 2012 c 229 s 401 are each amended to read as follows:

(1) The office of student financial assistance is created within and under the direction of the student achievement council.

(2) The purpose of the office is to administer state and federal financial aid and other education services programs, including the advanced college tuition payment program in chapter 28B.95 RCW, in a cost-effective manner.

(3) The office shall also contract with a fund-raiser who shall not be a registered state lobbyist to solicit and accept grants and donations from public and private sources for the health professional loan repayment and scholarship program as required under RCW 28B.115.030.

**Sec. 2.** RCW 28B.115.030 and 2011 1st sp.s. c 11 s 205 are each amended to read as follows:

The health professional loan repayment and scholarship program is established for credentialed health professionals and residents serving in health professional shortage areas. The program shall be administered by the office. In administering this program, the office shall:

(1) Select credentialed health care professionals and residents to participate in the loan repayment portion of the loan repayment and scholarship program and select eligible students to participate in the scholarship portion of the loan repayment and scholarship program;

(2) Adopt rules and develop guidelines to administer the program;

(3) Collect and manage repayments from participants who do not meet their service obligations under this chapter;

(4) Publicize the program, particularly to maximize participation among individuals in shortage areas and among populations expected to experience the greatest growth in the workforce;

(5) Use a competitive procurement to contract with a fund-raiser to solicit and accept grants and donations from ((public and)) private sources for the program. The fund-raiser must be paid on a contingency fee basis, which shall be based on the total funds raised by the fund-raiser for the program each year. The amount the fund-raiser is paid may be on a sliding scale but must not exceed fifteen percent of the total amount raised for the program each year; and

(6) Develop criteria for a contract for service in lieu of the service obligation where appropriate, that may be a combination of service and payment."

Correct the title.

Signed by Representatives Seaquist, Chair; Pollet, Vice Chair; Haler, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Fagan; Hansen; Hargrove; Johnson; Magendanz; Pedersen; Reykdal; Riccelli; Sawyer; Sells; Smith; Tarleton; Walsh and Wylie.

MINORITY recommendation: Do not pass. Signed by Representative Scott.

Referred to Committee on Appropriations Subcommittee on Education.

March 19, 2013

SSB 5691 Prime Sponsor, Committee on Ways & Means: Concerning veterans' homes. Reported by Committee on Community Development, Housing & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Appleton, Vice Chair; Angel, Ranking Minority Member; Johnson, Assistant Ranking Minority Member; Haler; Pike; Ryu; Santos and Sawyer.

Referred to Committee on Appropriations.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

## SECOND READING

**ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802, by Senate Committee on Ways & Means (originally sponsored by Senators Ranker, Litzow, Frockt, Cleveland, Billig, Kohl-Welles, Murray and McAuliffe)**

**Developing recommendations to achieve the state's greenhouse gas emissions limits. Revised for 2nd Substitute: Developing recommendations to achieve the state's greenhouse gas emissions targets.**

The bill was read the second time.

Representative Klippert moved the adoption of amendment (350).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The status of Washington's electric transmission grid and its ability to accept and absorb new renewable sources of energy, and to quantify the additional investments needed, if any, to meet our state's greenhouse gas emissions reduction targets in 2020, 2035, and 2050"

Representative Klippert spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

Amendment (350) was not adopted.

## MOTIONS

On motion of Representative Harris, Representatives Condotta, Crouse, Hope and Rodne were excused. On motion of Representative Van De Wege, Representative Moscoso was excused.

Representative Dahlquist moved the adoption of amendment (351).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The long-term economic viability of the solar power industry, including the economic impact and importance of the renewable energy investment cost recovery incentive program as provided in chapter 82.16 RCW"

Representative Dahlquist spoke in favor of the adoption of the amendment.

Representative Morris spoke against the adoption of the amendment.

An electronic roll call was requested.

## ROLL CALL

The Clerk called the roll on the adoption of amendment (351) and the amendment was not adopted by the following vote: Yeas: 40 Nays: 53 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Liias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Condotta, Crouse, Hope, Moscoso, and Rodne

Amendment (351) was not adopted.

Representative Kretz moved the adoption of amendment (352).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The long-term economic viability of the wind power industry, including the economic impact and importance of the sales and use tax exemption for machinery and equipment used in generating electricity from renewable energy as provided in RCW 82.08.962"

Representative Kretz spoke in favor of the adoption of the amendment.

Representative Hudgins spoke against the adoption of the amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (352) and the amendment was not adopted by the following vote: Yeas: 40 Nays: 53 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Condotta, Crouse, Hope, Moscoso, and Rodne

Amendment (352) was not adopted.

Representative Short moved the adoption of amendment (353).

On page 3, line 13, after "fuels;" strike "and"

On page 3, line 15, after "targets" insert "; and

(g) The economic, environmental, and greenhouse gas emissions impacts of including hydroelectric generation as an eligible renewable resource under the energy independence act"

Representative Short spoke in favor of the adoption of the amendment.

Representative Upthegrove spoke against the adoption of the amendment.

An electronic roll call was requested.

### ROLL CALL

The Clerk called the roll on the adoption of amendment (353) and the amendment was not adopted by the following vote: Yeas: 41 Nays: 52 Absent: 0 Excused: 5

Voting yea: Representatives Alexander, Angel, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Kirby, Klippert, Kochmar, Kretz, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, O'Ban, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Short, Smith, Taylor, Vick, Walsh, Warnick, Wilcox, and Zeiger

Voting nay: Representatives Appleton, Bergquist, Blake, Carlyle, Chopp, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, and Wylie

Excused: Representatives Condotta, Crouse, Hope, Moscoso, and Rodne

Amendment (353) was not adopted.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Upthegrove, Short, Morris and Short (again) spoke in favor of the passage of the bill.

Representatives Klippert, MacEwen, Parker and Hawkins spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 5802.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5802, and the bill passed the House by the following vote: Yeas, 61; Nays, 32; Absent, 0; Excused, 5.

Voting yea: Representatives Angel, Appleton, Bergquist, Blake, Carlyle, Clibborn, Cody, Dunshee, Farrell, Fey, Fitzgibbon, Freeman, Goodman, Green, Habib, Haigh, Hansen, Hudgins, Hunt, Hunter, Jinkins, Kagi, Kirby, Kochmar, Kretz, Lias, Lytton, Maxwell, McCoy, Moeller, Morrell, Morris, O'Ban, Ormsby, Orwall, Pedersen, Pettigrew, Pollet, Reykdal, Riccelli, Roberts, Ryu, Santos, Sawyer, Seaquist, Sells, Short, Smith, Springer, Stanford, Stonier, Sullivan, Takko, Tarleton, Tharinger, Upthegrove, Van De Wege, Wilcox, Wylie, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Buys, Chandler, Dahlquist, DeBolt, Fagan, Haler, Hargrove, Harris, Hawkins, Hayes, Holy, Hurst, Johnson, Klippert, Kristiansen, MacEwen, Magendanz, Manweller, Nealey, Orcutt, Overstreet, Parker, Pike, Ross, Schmick, Scott, Shea, Taylor, Vick, Walsh and Warnick.

Excused: Representatives Condotta, Crouse, Hope, Moscoso and Rodne.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5802, having received the necessary constitutional majority, was declared passed.

### STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Second Substitute Senate Bill No. 5802.

Representative Hurst, 31st District      FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., March 26, 2013, the 72nd Day of the Regular Session.

2018	
Introduction & 1st Reading .....	1
2019	
Introduction & 1st Reading .....	1
5072-S	
Committee Report .....	1
5097	
Committee Report .....	1
5119-S	
Committee Report .....	2
5212	
Committee Report .....	2
5235	
Committee Report .....	2
5488	
Committee Report .....	2
5558	
Committee Report .....	2
5615-S	
Committee Report .....	2
5691-S	
Committee Report .....	2
5802-S2	
Second Reading .....	3
Amendment Offered .....	3
Third Reading Final Passage .....	4
HOUSE OF REPRESENTATIVES (Representative Moeller presiding)	
Statement for the Journal Representative Hurst .....	4