

SIXTEENTH DAY

NOON SESSION

Senate Chamber, Olympia, Tuesday, January 29, 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 28, 2013

SB 5052 Prime Sponsor, Senator Ericksen: Increasing the number of superior court judges in Whatcom county. Reported by Committee on Law & Justice

MAJORITY recommendation: Do pass. Signed by Senators Padden, Chair; Carrell, Vice Chair; Darneille; Kline, Ranking Member; Kohl-Welles; Pearson and Roach.

Passed to Committee on Rules for second reading.

January 28, 2013

SB 5112 Prime Sponsor, Senator Holmquist Newbry: Granting scheduling authority for qualified retrospective rating plan employers and groups. 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.

January 28, 2013

SB 5124 Prime Sponsor, Senator Holmquist Newbry: Simplifying and adding certainty to the calculation of workers' compensation benefits. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5124 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 Senators Conway, Ranking Member; Hasegawa and Keiser.

Passed to Committee on Rules for second reading.

January 28, 2013

SB 5126 Prime Sponsor, Senator Holmquist Newbry: Concerning recovery for purposes of legal actions under the industrial insurance statutes. 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.

January 28, 2013

SB 5127 Prime Sponsor, Senator Holmquist Newbry: Amending provisions governing structured settlements by removing age barriers and clarifying legislative intent. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5127 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 Senators Conway, Ranking Member; Hasegawa and Keiser.

Passed to Committee on Rules for second reading.

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SB 5128 Prime Sponsor, Senator Holmquist Newbry: Addressing compensation for injured workers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: That Substitute Senate Bill No. 5128 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 Senators Conway, Ranking Member; Hasegawa and Keiser.

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 5384 by Senators Bailey, Keiser, Becker, Ericksen, Dammeier, Parlette, Darneille, Schlicher and Frockt

AN ACT Relating to making the board of denturists the disciplining authority for licensed denturists; amending RCW

18.30.030, 18.30.065, 18.30.090, 18.30.095, 18.30.130, and 18.30.135; reenacting and amending RCW 18.130.040 and 18.130.040; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care.

SB 5385 by Senators Bailey, Keiser, Becker, Ericksen, Parlette, Darneille and Schlicher

AN ACT Relating to the practice of denturism; amending RCW 18.30.010; adding a new section to chapter 18.30 RCW; and providing an effective date.

Referred to Committee on Health Care.

SB 5386 by Senators Mullet, Benton, Hatfield, Hobbs and Delvin

AN ACT Relating to reducing the littering of retail carryout bags; adding a new section to chapter 70.93 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.32 RCW; and prescribing penalties.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5387 by Senators Pearson, Conway, Hasegawa and Roach

AN ACT Relating to the public employees' collective bargaining act as applied to department of corrections employees; reenacting and amending RCW 41.80.020; and adding new sections to chapter 41.56 RCW.

Referred to Committee on Commerce & Labor.

SB 5388 by Senators Parlette, Keiser and Schlicher

AN ACT Relating to reducing the financial loss to emergency medical care and transportation services by ensuring direct payment for emergency transportation services; and amending RCW 48.44.026.

Referred to Committee on Health Care.

SB 5389 by Senators Billig, Fain, Hargrove, Litzow, Murray, Tom, Kohl-Welles, Rolfes, Harper and Chase

AN ACT Relating to sibling visitation for children in foster care; amending RCW 13.34.136; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5390 by Senators Frockt, Kohl-Welles, McAuliffe, Ranker, Murray, Harper and Conway

AN ACT Relating to establishing the educational achievement and tuition reduction incentive program; adding a new section to chapter 28B.15 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

SB 5391 by Senators Bailey, Benton, Carrell, Holmquist Newbry, Sheldon, Delvin, Fain and Padden

AN ACT Relating to an exemption from discover pass requirements for off-road vehicles; and amending RCW 79A.80.010.

Referred to Committee on Natural Resources & Parks.

SB 5392 by Senators Bailey, Holmquist Newbry, Delvin, Tom, Fain, Honeyford and Schoesler

AN ACT Relating to limiting the impact of excess compensation on state retirement system contribution rates; and amending RCW 41.50.150.

Referred to Committee on Ways & Means.

SB 5393 by Senators Keiser, Conway, Kohl-Welles, Hasegawa, Kline, McAuliffe, Cleveland and Chase

AN ACT Relating to extending apprenticeship utilization requirements; amending RCW 39.04.320, 82.60.025, 82.75.010, 82.82.010, 82.08.820, 82.08.900, 82.08.955, and 82.12.955; and reenacting and amending RCW 82.63.010.

Referred to Committee on Commerce & Labor.

SB 5394 by Senators Hasegawa, Conway, Kohl-Welles, Kline, Keiser, Cleveland and Chase

AN ACT Relating to requiring use of resident workers on public works; amending RCW 82.60.025, 82.75.010, 82.82.010, 82.08.820, 82.08.900, 82.08.955, and 82.12.955; reenacting and amending RCW 82.63.010; adding a new section to chapter 39.12 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Labor.

SB 5395 by Senators Conway, Hasegawa, Kohl-Welles, Kline, Keiser, Cleveland and Chase

AN ACT Relating to extending the application of prevailing wage requirements; amending RCW 39.12.010, 39.12.030, 39.12.040, 39.12.042, 39.12.050, 39.12.065, 39.12.070, 82.60.025, 82.75.010, 82.82.010, 82.08.820, 82.08.900, 82.08.955, and 82.12.955; reenacting and amending RCW 82.63.010; and adding a new section to chapter 39.12 RCW.

Referred to Committee on Commerce & Labor.

SB 5396 by Senators Hewitt, Holmquist Newbry, Conway, Kohl-Welles, Hatfield, Hobbs, Schoesler, Delvin and Kline

AN ACT Relating to limited on-premise spirits sampling; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

SB 5397 by Senators Keiser, Schlicher, McAuliffe and Conway

AN ACT Relating to establishing outcome measures for the community mental health service delivery system; adding a

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new section to chapter 71.28 RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5398 by Senators Darneille, Kline, Shin and McAuliffe

AN ACT Relating to the provision of and reimbursement for certain court interpreter services; and amending RCW 2.43.030, 2.43.040, and 2.42.120.

Referred to Committee on Law & Justice.

SB 5399 by Senators Dammeier, Becker, Conway, Fraser, Rivers and Nelson

AN ACT Relating to the timing of penalties under the growth management act; and amending RCW 36.70A.300, 43.17.250, 43.155.070, 70.146.070, and 36.70A.200.

Referred to Committee on Governmental Operations.

SB 5400 by Senators Honeyford, Ericksen and Hewitt

AN ACT Relating to allowing utilities serving customers in Washington and in other states to use eligible renewable resources located within the western electricity coordinating council area to comply with chapter 19.285 RCW, the energy independence act; and reenacting and amending RCW 19.285.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5401 by Senators Carrell and Darneille

AN ACT Relating to empowering the department of social and health services, the department of early learning, and the health care authority to establish and enforce debts against vendors who attempt to avoid their obligation to repay overpayment debts by creating new entities and yet continue to do business with those state agencies; amending RCW 43.20B.010, 43.20B.675, 41.05A.010, and 41.05A.170; adding a new section to chapter 43.20B RCW; adding a new section to chapter 41.05A RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5402 by Senators Carrell and Pearson

AN ACT Relating to allowing residents of total confinement facilities and secure community transition facilities to engage in therapeutic occupational assignments within the confines of McNeil Island; and adding a new section to chapter 71.09 RCW.

Referred to Committee on Human Services & Corrections.

SB 5403 by Senators Carrell and Darneille

AN ACT Relating to the enforcement powers of the office of financial recovery; amending RCW 43.20B.010 and 43.20B.030; and adding new sections to chapter 43.20B RCW.

Referred to Committee on Human Services & Corrections.

SB 5404 by Senators Carrell, Hargrove, Pearson and Darneille

AN ACT Relating to introduction of contraband into or possession of contraband in a secure facility; amending RCW 9A.76.140, 9A.76.150, and 9A.76.160; reenacting and amending RCW 9A.76.010; and prescribing penalties.

Referred to Committee on Human Services & Corrections.

SB 5405 by Senators Murray, Tom, Kohl-Welles, Darneille, Hobbs, Harper and Frockt

AN ACT Relating to extended foster care services; amending RCW 13.34.145, 13.34.267, 13.34.232, 74.13.020, and 74.13.031; reenacting and amending RCW 13.04.030, 13.34.030, 74.13.020, and 74.13.031; adding a new section to chapter 13.34 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 5406 by Senator Ericksen

AN ACT Relating to local government compliance with the growth management act; and amending RCW 36.135.030, 36.70A.130, 36.70A.295, 36.70A.330, 36.70A.340, 36.70A.345, 36.70A.500, 43.17.250, 43.155.070, 70.146.070, and 82.02.050.

Referred to Committee on Governmental Operations.

SB 5407 by Senator Ericksen

AN ACT Relating to electronic filing of pollutant discharge elimination permit system applications; and amending RCW 90.48.260.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5408 by Senator Ericksen

AN ACT Relating to modifying the definition of nonpower attributes in the energy independence act; and reenacting and amending RCW 19.285.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5409 by Senators Ericksen, Ranker, Litzow, Cleveland, Fain, Carrell and Holmquist Newbry

AN ACT Relating to extending the sales and use tax exemption of machinery and equipment that generate electricity from specified sources; amending RCW 82.08.962 and 82.12.962; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5410 by Senator Schlicher

AN ACT Relating to metropolitan park district property tax levies; amending RCW 84.52.010 and 84.52.120; creating a new section; and repealing 2011 1st sp.s. c 28 s 7 (uncodified).

Referred to Committee on Governmental Operations.

SB 5411 by Senators Rolfes, Holmquist Newbry, Hatfield, Honeyford and Conway

AN ACT Relating to requiring the ballot proposition to reduce the terms of office of port commissioners to be submitted at the next general election; and amending RCW 53.12.175.

Referred to Committee on Governmental Operations.

SB 5412 by Senators Ericksen, Smith, Sheldon and Carrell

AN ACT Relating to adding incremental hydroelectricity that is marketed by the Bonneville power administration to the definition of an eligible renewable resource for the purposes of chapter 19.285 RCW; and reenacting and amending RCW 19.285.030.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5413 by Senators Eide, Fain, Litzow, Chase, Hobbs, Conway, Delvin, Roach, Keiser and Sheldon

AN ACT Relating to metal theft; amending RCW 9A.48.100, 9A.56.030, 9A.56.040, 19.290.020, and 19.290.070; adding new sections to chapter 19.290 RCW; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5414 by Senators Schlicher, Becker, Bailey and Keiser

AN ACT Relating to the requirements of allopathic physician licensure; amending RCW 18.71.050, 18.71.051, 18.71.055, and 18.71.095; and adding a new section to chapter 18.71 RCW.

Referred to Committee on Health Care.

SB 5415 by Senators Schlicher, Becker, Bailey and Keiser

AN ACT Relating to updating and aligning with federal requirements hospital health care-associated infection rate reporting; and amending RCW 43.70.056.

Referred to Committee on Health Care.

SB 5416 by Senators Bailey, Schlicher, Becker and Keiser

AN ACT Relating to prescription information; amending RCW 69.41.010, 69.50.308, and 69.50.312; and reenacting and amending RCW 69.50.101.

Referred to Committee on Health Care.

SB 5417 by Senators Mullet, Fain, Hasegawa and Roach

AN ACT Relating to the annexation of unincorporated territory within a code city; and amending RCW 35A.14.295.

Referred to Committee on Governmental Operations.

SB 5418 by Senators Bailey, McAuliffe, Shin, Chase and Harper

AN ACT Relating to county property tax levies; and amending RCW 71.20.110 and 73.08.080.

Referred to Committee on Governmental Operations.

SB 5419 by Senators Benton, Shin and Roach

AN ACT Relating to increasing the cap on small loans; and amending RCW 31.45.073.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5420 by Senators Kohl-Welles, Frockt, Murray, McAuliffe, Fraser, Ranker, Rolfes, Kline, Conway and Chase

AN ACT Relating to creating a two-year freeze on tuition rates at four-year institutions of higher education; reenacting and amending RCW 28B.15.067; and creating a new section.

Referred to Committee on Higher Education.

SB 5421 by Senators Kohl-Welles, Frockt, Murray, McAuliffe, Fraser, Ranker, Kline, Conway and Chase

AN ACT Relating to state funding for the enrollments of the state's institutions of higher education; amending RCW 28B.10.776, 28B.10.778, 28B.10.784, and 43.88C.010; creating a new section; and repealing RCW 28B.10.780 and 28B.10.782.

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

At 12:01 p.m., on motion of Senator Fain, the Senate adjourned until 10:00 a.m. Wednesday, January 30, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate

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