

**TWENTY FIFTH DAY**

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NOON SESSION

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Senate Chamber, Olympia, Thursday, February 7, 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

February 5, 2013

SB 5008 Prime Sponsor, Senator Hobbs: Addressing portable electronics insurance. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5008 be substituted therefor, and the substitute bill do pass. Signed by Senators Hobbs, Chair; Mullet, Vice Chair; Benton, Ranking Member; Fain; Hatfield and Nelson.

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5050 Prime Sponsor, Senator Sheldon: Authorizing registered tow truck operators to carry passengers in a vehicle attached to a flatbed tow truck under certain situations. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5066 Prime Sponsor, Senator Billig: Authorizing certain local authorities to establish maximum speed limits on certain nonarterial highways. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5141 Prime Sponsor, Senator King: Allowing motorcycles to stop and proceed through traffic control signals

under certain conditions. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5142 Prime Sponsor, Senator Rolfes: Incorporating motorcycles into certain transportation planning. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; King, Co-Chair; Brown; Carrell; Erickson; Harper; Hobbs; Mullet; Rolfes; Schlicher; Sheldon and Smith.

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5157 Prime Sponsor, Senator Carrell: Regulating provision of child care. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5157 be substituted therefor, and the substitute bill do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Darneille, Ranking Member and Hargrove.

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

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5161 Prime Sponsor, Senator Braun: Authorizing certain eligible family members of United States armed forces members who died while in service or as a result of service to apply for gold star license plates. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5208 Prime Sponsor, Senator Benton: Addressing fees and semiannual assessments, powers, lending limits, and technical amendments related to state-chartered banks, savings banks, savings associations, and trust companies. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5208 be substituted therefor, and the substitute bill do

pass. Signed by Senators Hobbs, Chair; Mullet, Vice Chair; Benton, Ranking Member; Fain; Hatfield and Nelson.

Passed to Committee on Rules for second reading.

February 6, 2013

SB 5237 Prime Sponsor, Senator Dammeier: Establishing accountability for student performance in third grade. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5237 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 Rolfes, Assistant Ranking Member.

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

Passed to Committee on Ways & Means.

February 6, 2013

SB 5244 Prime Sponsor, Senator Litzow: Regarding school suspensions and expulsions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5244 be substituted therefor, and the substitute bill do pass. Signed by Senators Litzow, Chair; Dammeier, Vice Chair; Billig; Brown; Cleveland; Fain; Hill; Rivers Rolfes, Assistant Ranking Member.

MINORITY recommendation: Do not pass. Signed by Senator McAuliffe, Ranking Member.

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

Passed to Committee on Ways & Means.

February 5, 2013

SB 5263 Prime Sponsor, Senator Benton: Concerning motorcycles overtaking and passing pedestrians and bicyclists. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5263 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Vice Co-Chair; Eide, Co-Chair; King, Co-Chair; Billig; Brown; Carrell; Fain, Budget Leadership Cabinet; Harper; Hobbs; Mullet; Rolfes; Schlicher; Sheldon and Smith.

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5274 Prime Sponsor, Senator Carrell: Concerning private motorcycle skills education programs. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5274 be substituted therefor, and the substitute bill do pass. Signed by Senators Benton, Vice Co-Chair; Eide,

Co-Chair; King, Co-Chair; Billig; Brown; Carrell; Ericksen; Fain, Budget Leadership Cabinet; Harper; Hobbs; Mullet; Rolfes; Schlicher; Sheldon and Smith.

Passed to Committee on Rules for second reading.

February 5, 2013

SB 5279 Prime Sponsor, Senator Carrell: Limiting use of public assistance benefits. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5279 be substituted therefor, and the substitute bill do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Darneille, Ranking Member; Hargrove and Padden.

Passed to Committee on Rules for second reading.

February 6, 2013

SB 5328 Prime Sponsor, Senator Litzow: Creating a school-grading program that relies on the accountability index. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5328 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.

#### MOTION

Senator Fain moved that all the measures listed on the Standing Committee report be referred to the committees as designated.

#### POINT OF ORDER

Senator Frockt: "We are not going object to the referral of Senate Bill No. 5328. We just do want to make a note that we believe that the bill's fiscal note is over fifty thousand and normally would go to Ways & Means so we wanted to make that noted for the body's reference. Thanks."

On motion of Senator Fain the 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 5653 by Senators Pearson, Rolfes, Honeyford, Fraser, Smith, Hewitt, Kohl-Welles and Parlette

AN ACT Relating to promoting a balanced financing system for state parks programs and services in order to facilitate resource stewardship, interpretative activities, cultural events, and works of art in state parks; amending RCW

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79A.05.065, 79A.05.335, 79A.05.340, 79A.05.345, 79A.70.005, 79A.70.010, 79A.70.020, 79A.70.030, and 79A.70.040; adding a new section to chapter 79A.05 RCW; and repealing RCW 79A.70.050.

Referred to Committee on Natural Resources & Parks.

SB 5654 by Senators Fraser and Keiser

AN ACT Relating to allowing certain retirees to participate in the insurance programs under chapter 41.05 RCW; and amending RCW 41.04.205.

Referred to Committee on Health Care.

SB 5655 by Senators Murray, Keiser, Kohl-Welles, Hasegawa, Shin, Kline, Nelson, Billig, Mullet, Conway, Darneille, Ranker, Chase, McAuliffe, Frockt, Fraser, Harper, Cleveland and Eide

AN ACT Relating to expanding existing higher education financial aid programs to state residents; amending RCW 28B.92.010; reenacting and amending RCW 28B.118.010; and creating a new section.

Referred to Committee on Higher Education.

SB 5656 by Senators Braun, Carrell, Rivers, Sheldon, Hobbs and Fain

AN ACT Relating to revising business licensing systems; and adding a new section to chapter 35.102 RCW.

Referred to Committee on Trade & Economic Development.

SB 5657 by Senators Pearson, Parlette, Rolfes and Schlicher

AN ACT Relating to state parks and recreation; amending RCW 79A.05.015, 79A.05.065, 79A.05.215, 79A.80.010, 79A.80.020, 79A.80.050, 79A.80.090, and 79A.05.351; adding a new section to chapter 79A.05 RCW; adding new sections to chapter 79A.80 RCW; and creating new sections.

Referred to Committee on Natural Resources & Parks.

SB 5658 by Senators Ericksen, McAuliffe and Hobbs

AN ACT Relating to mercury-containing lights; amending RCW 70.275.060, 70.275.070, 70.275.090, 70.275.100, 70.275.110, and 70.275.140; reenacting and amending RCW 70.275.020; adding a new section to chapter 70.275 RCW; and repealing RCW 70.275.030, 70.275.040, 70.275.050, 70.275.120, and 70.275.130.

Referred to Committee on Energy, Environment & Telecommunications.

SB 5659 by Senators Hargrove and Carrell

AN ACT Relating to assault in the third degree; reenacting and amending RCW 9A.36.031; and prescribing penalties.

Referred to Committee on Law & Justice.

SB 5660 by Senators Chase, McAuliffe, Nelson, Kohl-Welles and Conway

AN ACT Relating to firearms safety education programs; and adding a new section to chapter 28A.230 RCW.

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

SB 5661 by Senator Roach

AN ACT Relating to property assessments and the appeal of those assessments; and adding a new section to chapter 36.21 RCW.

Referred to Committee on Governmental Operations.

SB 5662 by Senator Roach

AN ACT Relating to code enforcement of storage facilities; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Governmental Operations.

SB 5663 by Senators Pearson, Ranker, Tom, Rolfes, Hewitt, Sheldon, Hatfield, Bailey, Parlette, Kline and Roach

AN ACT Relating to derelict and abandoned vessels in state waters; amending RCW 88.02.640, 79.100.100, 79A.65.020, 79.100.130, 43.19.1919, 28B.10.029, 88.02.380, 88.02.340, 88.02.550, 79.100.120, 90.56.410, 79.100.040, 79.100.060, 88.26.020, 53.08.320, 53.08.310, 79A.65.030, 79.100.030, and 43.21B.305; reenacting and amending RCW 43.21B.110 and 43.21B.110; adding a new section to chapter 43.19 RCW; adding new sections to chapter 43.30 RCW; adding new sections to chapter 77.12 RCW; adding new sections to chapter 79A.05 RCW; adding new sections to chapter 47.01 RCW; adding new sections to chapter 35.21 RCW; adding new sections to chapter 35A.21 RCW; adding new sections to chapter 36.32 RCW; adding new sections to chapter 53.08 RCW; adding new sections to chapter 43.21A RCW; adding new sections to chapter 28B.10 RCW; adding new sections to chapter 79.100 RCW; creating new sections; prescribing penalties; providing an effective date; and providing expiration dates.

Held at the desk.

SB 5664 by Senators Rivers, Hobbs, Benton, Roach, Hatfield, Chase, Hewitt, Schoesler, Ericksen and Dammeier

AN ACT Relating to establishing a process for the payment of impact fees through provisions stipulated in recorded covenants; and amending RCW 82.02.050 and 36.70A.070.

Referred to Committee on Governmental Operations.

SB 5665 by Senators Pearson and Rolfes

AN ACT Relating to geoduck diver licenses; amending RCW 77.65.410; adding a new section to chapter 77.65 RCW; adding a new section to chapter 43.30 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Natural Resources & Parks.

SB 5666 by Senators Dammeier and Schlicher

AN ACT Relating to clarifying the law regarding disclosing health care quality improvement, quality assurance, peer review, and credentialing information; amending RCW 18.20.390, 43.70.510, 70.41.230, 70.44.062, 70.56.050, 70.230.080, 70.230.140, and 74.42.640; reenacting and amending RCW 4.24.250, 70.41.200, and 42.56.360; and creating a new section.

Referred to Committee on Health Care.

SB 5667 by Senators Litzow, Rolfes, Fain, McAuliffe, Harper, Rivers, Tom, Eide, Sheldon and Hill

AN ACT Relating to online learning; amending RCW 28A.150.325, 28A.150.262, 28A.250.010, 28A.250.070, 28A.225.225, 28A.150.100, 28A.520.020, 28A.525.162, and 28A.525.166; reenacting and amending RCW 28A.225.220; adding new sections to chapter 28A.250 RCW; creating a new section; and recodifying RCW 28A.150.262 and 28A.150.325.

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

SB 5668 by Senators Padden and Baumgartner

AN ACT Relating to the removal and discharge of peace officers; amending RCW 41.12.080, 41.14.110, and 43.43.070; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Law & Justice.

SB 5669 by Senators Padden, Kohl-Welles, Smith, Hargrove, Pearson, Darneille, Bailey, Nelson, Becker, Benton, Brown, Baumgartner, Conway, Roach and Holmquist Newbry

AN ACT Relating to trafficking; amending RCW 9.68A.090, 9.68A.100, 9.68A.101, 9.68A.102, 9.68A.103, 9A.44.020, 9A.44.100, 9A.44.128, 9A.44.150, 9A.82.010, 9A.88.110, and 13.34.132; reenacting and amending RCW 9A.40.100; prescribing penalties; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5670 by Senators Ranker, Kohl-Welles, Hasegawa and Keiser

AN ACT Relating to extending state need grant eligibility under certain circumstances; amending RCW 28B.92.060; and creating a new section.

Referred to Committee on Higher Education.

SB 5671 by Senators McAuliffe, Litzow, Fraser, Fain, Nelson, King, Chase, Rivers, Conway, Holmquist Newbry, Shin, Braun, Keiser, Brown, Becker, Hewitt, Kohl-Welles, Rolfes and Billig

AN ACT Relating to holding state agencies accountable for providing opportunities for certain students to participate in transition services; and adding a new section to chapter 28A.155 RCW.

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

SB 5672 by Senators Hewitt, Honeyford, Becker, Holmquist Newbry, Brown, Schoesler, Dammeier, King and Roach

AN ACT Relating to supporting youth programs through agricultural fairs and the horse racing commission; and amending RCW 15.76.100, 67.70.240, 15.76.115, and 67.16.280.

Referred to Committee on Commerce & Labor.

SB 5673 by Senators Kohl-Welles, Frockt, Murray, Hasegawa, Chase, Conway, Shin, Fraser, Ranker, Harper, McAuliffe and Rolfes

AN ACT Relating to creating a two-year freeze on tuition rates at community and technical colleges; reenacting and amending RCW 28B.15.067; and creating a new section.

Referred to Committee on Higher Education.

SB 5674 by Senators Kohl-Welles, Smith, Hatfield, Conway, Schoesler, King, Hobbs, Murray, Keiser, Ranker, Harper, Hewitt and Rolfes

AN ACT Relating to wine and beer sampling at farmers markets; amending RCW 66.24.170 and 66.24.244; adding a new section to chapter 66.24 RCW; and repealing 2011 c 62 s 1 (uncodified).

Referred to Committee on Commerce & Labor.

SB 5675 by Senators Braun, Becker, Benton, Ericksen, Baumgartner, Bailey, Delvin, Hill, Sheldon, Dammeier, Carrell, Honeyford, Schoesler, Parlette, Rivers, Smith and Hewitt

AN ACT Relating to introducing private competition in industrial insurance coverage; amending RCW 51.16.140, 51.32.073, 51.44.010, 51.44.020, and 51.44.030; adding new sections to chapter 51.08 RCW; adding a new section to chapter 48.19 RCW; adding new sections to chapter 51.44 RCW; adding a new section to chapter 51.16 RCW; adding a new chapter to Title 51 RCW; creating new sections; and providing an effective date.

Referred to Committee on Commerce & Labor.

SB 5676 by Senators Braun, Benton, Holmquist Newbry, Padden, Becker, Honeyford, Rivers and Roach

AN ACT Relating to protecting personal voter signatures; and adding a new section to chapter 29A.72 RCW.

Referred to Committee on Governmental Operations.

SB 5677 by Senators Parlette, Hatfield, Honeyford, Chase, Brown, Bailey, Smith and Hewitt

AN ACT Relating to authorizing the establishment of a water management board in the Methow watershed; amending RCW 90.14.140, 90.03.380, and 90.44.100; adding a new chapter to Title 90 RCW; and providing an expiration date.

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

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SJM 8006 by Senators Chase, McAuliffe, Nelson,  
Kohl-Welles, Conway and Parlette

At 12:03 p.m., on motion of Senator Fain, the Senate  
adjourned until 10:00 a.m. Friday, February 8, 2013.

Promoting the use of the Eddie Eagle GunSafe Program in  
preschools, early learning programs, and schools.

BRAD OWEN, President of the Senate

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

HUNTER GOODMAN, Secretary of the Senate

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.  
5659 which was referred to the Committee on Law & Justice and  
Senate Bill No. 5663 which was held at the desk.

MOTION



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