

TWENTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, February 8, 2013

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present.

The President announced the arrival of Major General Bret D. Daughtery, Adjutant General of the State of Washington and Commander of the Washington State National Guard at the doors of the Senate. The Sergeant At Arms escorted Major General Daughtery to a seat at the rostrum of the Senate.

The Washington Army National Guard Honor Guard, consisting of First Lieutenant Julie Fison, Specialist Karl Baker, Specialist Jennifer Prewitt and Specialist Brian Klotz presented the Colors.

The 133<sup>rd</sup> Washington Army National Guard Band, consisting of musicians Sergeant First Class Alton Huckaby, Staff Sergeant Richard Little and Specialist Dawn Rauch, performed the National Anthem.

Colonel Carl Steele, Chaplain of the Washington State National Guard at Camp Murray offered the prayer.

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 7, 2013

SB 5037 Prime Sponsor, Senator Ranker: Concerning the labeling of seafood. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: That Substitute Senate Bill No. 5037 be substituted therefor, and the substitute bill do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Kline; Parlette Rolfes, Ranking Member.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5072 Prime Sponsor, Senator Delvin: Concerning a sales and use tax exemption for disabled veterans and members of the armed forces for certain equipment and services that assist physically challenged persons to safely operate a motor vehicle. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5072 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Becker; Braun; Conway; Dammeier; Fraser; Hargrove, Ranking Member; Hasegawa; Hatfield; Hewitt; Keiser; Kohl-Welles;

Murray; Nelson, Assistant Ranking Member; Padden; Parlette; Ranker; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5122 Prime Sponsor, Senator Carrell: Concerning patient and staff safety at state hospitals. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5122 be substituted therefor, and the substitute bill do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Baumgartner; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Ways & Means.

February 7, 2013

SB 5131 Prime Sponsor, Senator Honeyford: Providing tax incentives for donations of modern laboratory equipment to higher education institutions and vocational skills centers. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner and Tom.

MINORITY recommendation: Do not pass. Signed by Senators Frockt Kohl-Welles, Ranking Member.

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

Passed to Committee on Ways & Means.

February 7, 2013

SB 5132 Prime Sponsor, Senator Honeyford: Concerning the disclosure of estimated debt service costs. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Becker; Braun; Conway; Dammeier; Fraser; Hargrove, Ranking Member; Hasegawa; Hatfield; Hewitt; Kohl-Welles; Murray; Nelson, Assistant Ranking Member; Padden; Parlette; Ranker; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5153 Prime Sponsor, Senator Kohl-Welles: Concerning transfers of clients between regional support networks. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5153 be substituted therefor, and the substitute bill do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Baumgartner; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5175 Prime Sponsor, Senator Hargrove: Concerning sexual assault protection orders. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Baumgartner; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5197 Prime Sponsor, Senator Dammeier: Requiring additional safety features in school construction and remodeling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5197 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Becker; Braun; Conway; Dammeier; Fraser; Hargrove, Ranking Member; Hasegawa; Hatfield; Hewitt; Keiser; Kohl-Welles; Murray; Nelson, Assistant Ranking Member; Padden; Parlette; Ranker; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5198 Prime Sponsor, Senator Darneille: Exempting personal information relating to children from public inspection and copying. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Baumgartner; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5206 Prime Sponsor, Senator Becker: Authorizing occupational therapists, occupational therapy assistants, dietitians, and nutritionists to participate in online access to the University of Washington health sciences library. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey; Cleveland; Ericksen; Frockt; Parlette and Schlicher.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5283 Prime Sponsor, Senator Hill: Concerning a business and occupation tax exemption for the Washington health benefit exchange established under chapter 43.71 RCW. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5283 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Bailey; Becker; Braun; Conway; Dammeier; Fraser; Hargrove, Ranking Member; Hatfield; Hewitt;

Keiser; Kohl-Welles; Murray; Nelson, Assistant Ranking Member; Parlette; Ranker; Rivers; Schoesler and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Baumgartner, Vice Chair and Padden.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5287 Prime Sponsor, Senator Hill: Eliminating accounts and funds. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5287 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Becker; Braun; Conway; Dammeier; Fraser; Hargrove, Ranking Member; Hasegawa; Hatfield; Hewitt; Keiser; Kohl-Welles; Murray; Nelson, Assistant Ranking Member; Padden; Parlette; Ranker; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5318 Prime Sponsor, Senator Bailey: Removing the one-year waiting period for veterans or active members of the military for purposes of eligibility for resident tuition. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frockt; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Ways & Means.

February 7, 2013

SB 5337 Prime Sponsor, Senator Pearson: Modifying expiration dates affecting the department of natural resources' timber sale program. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Senators Pearson, Chair; Smith, Vice Chair; Hargrove; Hewitt; Kline; Parlette Rolfes, Ranking Member.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5342 Prime Sponsor, Senator Dammeier: Concerning a sales and use tax exemption for restaurants in respect to certain items that impart flavor to food during the cooking process. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Becker; Braun; Conway; Dammeier; Hargrove, Ranking Member; Hatfield; Hewitt; Keiser; Kohl-Welles; Murray; Nelson, Assistant Ranking Member; Padden; Parlette; Ranker; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

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TWENTY SIXTH DAY, FEBRUARY 8, 2013

SB 5343 Prime Sponsor, Senator Bailey: Concerning the rights of higher education students involved in military service. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frockt; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5402 Prime Sponsor, Senator Carrell: Allowing residents of total confinement facilities and secure community transition facilities to engage in therapeutic occupational assignments within the confines of McNeil Island. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5402 be substituted therefor, and the substitute bill do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Baumgartner; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5445 Prime Sponsor, Senator Honeyford: Funding capital projects. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5445 be substituted therefor, and the substitute bill do pass. Signed by Senators Hill, Chair; Honeyford, Capital Budget Chair; Baumgartner, Vice Chair; Bailey; Braun; Conway; Dammeier; Fraser; Hargrove, Ranking Member; Hasegawa; Hatfield; Hewitt; Keiser; Kohl-Welles; Nelson, Assistant Ranking Member; Padden; Parlette; Ranker; Rivers; Schoesler and Tom.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5466 Prime Sponsor, Senator Carrell: Modifying criminal history record information compliance audit provisions. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Baumgartner; Darneille, Ranking Member; Hargrove; Harper and Padden.

Passed to Committee on Rules for second reading.

February 7, 2013

SB 5472 Prime Sponsor, Senator Bailey: Authorizing applied doctorate level degrees in audiology at Western Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Bailey, Chair; Becker, Vice Chair; Baumgartner; Frockt; Kohl-Welles, Ranking Member; McAuliffe and Tom.

Passed to Committee on Rules for second reading.

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2013 REGULAR SESSION

SJM 8000 Prime Sponsor, Senator Kohl-Welles: Requesting that the Drug Enforcement Administration reclassify medical marijuana as a Schedule II drug. Reported by Committee on Health Care

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8000 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators Becker, Chair; Dammeier, Vice Chair; Bailey; Cleveland; Ericksen; Frockt; Parlette and Schlicher.

Passed to Committee on Rules for second reading.

February 7, 2013

SJM 8003 Prime Sponsor, Senator Kohl-Welles: Requesting Congress to amend the Communications Decency Act. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Carrell, Chair; Pearson, Vice Chair; Baumgartner; Darneille, Ranking Member; Hargrove; Harper and Padden.

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 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.

Referred to Committee on Natural Resources & Parks.

SB 5678 by Senators Frockt and Darneille

AN ACT Relating to clarifying the use of automated traffic safety cameras at intersections with two or more arterial highways; and reenacting and amending RCW 46.63.170.

Referred to Committee on Transportation.

SB 5679 by Senators Brown, Chase, King, Litzow, Dammeier, Schoesler, Rivers, Smith, Braun, Hewitt, Sheldon and Tom

AN ACT Relating to improving the business climate and stimulating job creation by requiring certain agencies to establish a formal review process of existing rules; adding a new section to chapter 43.21A RCW; adding a new section to chapter 43.22 RCW; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Trade & Economic Development.

SB 5680 by Senators Brown, Chase, King, Litzow, Dammeier, Rivers, Schlicher, Smith, Braun, Parlette, Hewitt and Tom

AN ACT Relating to promoting economic development by providing information to businesses; and amending RCW 19.02.050.

Referred to Committee on Trade & Economic Development.

SB 5681 by Senators Rolfes and Keiser

AN ACT Relating to facilitating treatment for persons with co- occurring disorders by requiring development of an integrated rule; adding a new section to chapter 70.96A RCW; adding a new section to chapter 71.05 RCW; and providing expiration dates.

Referred to Committee on Human Services & Corrections.

SB 5682 by Senators Braun and Ericksen

AN ACT Relating to replacement of like-in-kind household appliances; amending RCW 18.27.090, 18.106.150, and 19.28.006; and reenacting and amending RCW 19.28.091.

Referred to Committee on Commerce & Labor.

SB 5683 by Senators Becker, Hargrove and Padden

AN ACT Relating to information under the death with dignity act; and amending RCW 70.245.010, 70.245.040, and 70.245.180.

Referred to Committee on Health Care.

SB 5684 by Senator King

AN ACT Relating to the prevailing rate of wage paid on public works; and amending RCW 39.12.020, 39.12.021, and 39.12.030.

Referred to Committee on Commerce & Labor.

SB 5685 by Senator King

AN ACT Relating to ensuring transparency with prevailing wage rate determinations; adding a new section to chapter 39.12 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

SB 5686 by Senator King

AN ACT Relating to surveys used in prevailing wage determinations; amending RCW 39.12.015 and 39.04.350; adding new sections to chapter 39.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

SB 5687 by Senator Nelson

AN ACT Relating to extending physician-patient privilege to other health care providers; and amending RCW 5.60.060 and 18.73.270.

Referred to Committee on Law & Justice.

SB 5688 by Senators Braun, Carrell, Dammeier, Rivers, Sheldon and Hobbs

AN ACT Relating to simplifying definitions and classifications concerning state and local tax systems; amending RCW 35.102.030, 35.102.040, 35.102.140, 35.102.160, 82.04.060, 82.04.230, 82.04.255, 82.04.260, 82.04.280, 82.04.285, 82.04.290, 35.102.150, 48.14.080, 82.04.051, 82.04.257, 82.04.261, 82.04.270, 82.04.29001, 82.04.29002, 82.04.293, 82.04.297, 82.04.298, 82.04.334, 82.04.360, 82.04.440, 82.04.4451, 82.04.44525, 82.04.4463, 82.04.4483, 82.04.460, 82.04.540, 82.04.620, 82.08.806, 82.16.100, 82.32.045, 82.32.533, and 82.45.195; reenacting and amending RCW 82.04.250 and 82.04.260; adding new sections to chapter 35.102 RCW; adding a new section to chapter 82.04 RCW; creating new sections; repealing RCW 82.04.272, 82.04.2905, 82.04.2906, 82.04.2907, 82.04.2908, 82.04.2909, 82.04.294, and 35.102.120; repealing 2010 c 114 s 104; repealing 2003 c 149 s 3; repealing 2010 c 106 s 206; repealing 2009 c 461 s 3; repealing 2006 c 300 s 7; repealing 2003 c 149 s 4; providing effective dates; and providing expiration dates.

Referred to Committee on Trade & Economic Development.

SB 5689 by Senator Darneille

AN ACT Relating to access to juvenile records; amending RCW 13.50.050 and 10.97.050; creating new sections; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5690 by Senators Hatfield, Fraser, Ericksen and Honeyford

AN ACT Relating to the fiscal conditions of local government; and adding a new chapter to Title 43 RCW.

Referred to Committee on Ways & Means.

SB 5691 by Senators Hewitt, Conway and Rolfes

AN ACT Relating to veterans' homes; amending RCW 72.36.020, 72.36.030, 72.36.035, 72.36.055, 72.36.070, 72.36.075, and 43.60A.075; and adding a new section to chapter 72.36 RCW.

Referred to Committee on Governmental Operations.

SB 5692 by Senators King, Harper, Conway, Eide and Tom

AN ACT Relating to standby guardians and limited guardians; amending RCW 11.88.125; and providing an effective date.

Referred to Committee on Law & Justice.

SB 5693 by Senators Baumgartner, Frockt and Kohl-Welles

AN ACT Relating to making ample provisions to support higher education; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Higher Education.

SB 5694 by Senators Conway, Schlicher, Dammeier, Hargrove, Carrell, Chase, Mullet, Harper, McAuliffe and Kohl-Welles

AN ACT Relating to improving protections for incapacitated adults; amending RCW 11.88.020, 11.88.030, 11.88.040, 11.88.120, 11.88.090, 11.92.043, and 43.190.060; and adding a new section to chapter 2.56 RCW.

Referred to Committee on Law & Justice.

SB 5695 by Senators Becker, Dammeier, Cleveland, Keiser, Schlicher, Frockt, Mullet and McAuliffe

AN ACT Relating to wellness programs offered by a health carrier; adding a new section to chapter 48.43 RCW; adding a new section to chapter 48.30 RCW; and creating a new section.

Referred to Committee on Health Care.

SB 5696 by Senators Litzow and Mullet

AN ACT Relating to apiarists; and adding a new section to chapter 15.60 RCW.

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

SB 5697 by Senators Braun, Carrell, Dammeier, Rivers and Sheldon

AN ACT Relating to reducing the frequency of local sales and use tax changes; and amending RCW 82.14.055.

Referred to Committee on Trade & Economic Development.

SJM 8007 by Senators Shin, Conway, Harper, Nelson, Kline, Becker, Hobbs, King, Eide, McAuliffe, Bailey, Hasegawa, Honeyford, Chase and Kohl-Welles

Requesting Congress pass legislation imposing a fee on United States bound cargo when it crosses the Canadian border.

Referred to Committee on Trade & Economic Development.

SJR 8209 by Senators Baumgartner and Kohl-Welles

Amending the Constitution to make higher education the state's second highest priority.

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

On motion of Senator Fain, Senate Bill No. 5663 had been held at the desk on Thursday, February 7, 2013, was referred to the Committee on Natural Resources & Parks.

MOTION

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

MOTION

Senator Hobbs moved adoption of the following resolution:

SENATE RESOLUTION  
8613

By Senators Hobbs, Kline, Schlicher, Shin, Harper, Rolfes, Fraser, Murray, Frockt, Ranker, Hasegawa, Dammeier, Hatfield, Holmquist Newbry, Honeyford, Billig, Conway, Padden, King, Baumgartner, Becker, Tom, Nelson, Chase, Cleveland, Darneille, Mullet, Fain, Bailey, Rivers, Litzow, Carrell, Ericksen, Sheldon, and Schoesler

WHEREAS, Nearly eighty-six hundred men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in nearly every legislative district throughout Washington, volunteer their time and put personal lives aside when the needs of the people of Washington state arise; and

WHEREAS, The Guard always answers the state's call in response to all emergency efforts and to protect lives and property; and

WHEREAS, The Washington Army and Air National Guard continue to provide critical mission support to Operation Enduring Freedom around the world to include Afghanistan, Kuwait, the Philippines, and the Horn of Africa, as well as supporting Federal mission requirements throughout the continental United States; and

WHEREAS, The Guard continues to train and prepare for both natural disasters and threats to our national security; and

WHEREAS, The Guard continues to promote positive lifestyles and activities for Washington's youth through involvement in and support of highly effective drug prevention programs with school-aged children and community-based organizations and the continued success and ongoing work of the invaluable Washington Youth Academy; and

WHEREAS, The Guard continues to actively participate in the state's counterdrug efforts by providing soldiers, airmen, and

specialized equipment to over thirty-four local, state, and federal law enforcement agencies and community-based and other organizations; and

WHEREAS, The Guard adds value to communities by opening its Readiness Centers for public and other community and youth activities use. The Guard continues to build upon these Readiness Centers and Armories throughout the state to enhance education, add to quality of life, and increase economic vitality;

NOW, THEREFORE, BE IT RESOLVED, That the Senate express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the Senate recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the readiness centers and armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to The Adjutant General of the Washington National Guard, the Governor of the State of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Senators Hobbs, King, Shin and Conway spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8613.

The motion by Senator Hobbs carried and the resolution was adopted by voice vote.

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Colonel Robin Blanchard, President of the National Guard Association of Washington Board of Directors and members of the Washington Army and Air National Guard who were present in the gallery and recognized by the senate.

#### MOTION

At 10:22 a.m., on motion of Senator Fain, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:03 a.m. by President Owen.

#### MOTION

On motion of Senator Fain, the Senate reverted to the sixth order of business.

#### SECOND READING

SENATE BILL NO. 5102, by Senators Pearson, Darneille, Padden, Kohl-Welles and Conway

Concerning veterinarian immunity from liability when reporting suspected animal cruelty.

The measure was read the second time.

#### MOTION

On motion of Senator Pearson, the rules were suspended, Senate Bill No. 5102 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pearson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5102.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5102 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SENATE BILL NO. 5102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Fraser: "I would just like to say welcome to Senator Pearson to the Washington State Senate."

#### PERSONAL PRIVILEGE

Senator Pearson: "Thank you Mr. President and thank you all. I would like to acknowledge what's on your table. This was put together by, if you look at the items, they're items throughout the state of Washington. Carolyn Eslick from my district in Sultan has a company called Grow Washington and these are products and actually, when I, went to her some of the people that make these products were very excited that they're coming before all of you here and I hope that you know these are all locally grown products. I have no, I heard that there is soap and I'm not trying to insult anybody saying they smell or anything like that but all kinds of things in here. I hope you enjoy and if there are businesses in your district, please visit them because they are very excited. Thank you Mr. President."

#### REMARKS BY THE PRESIDENT

President Owen: "Senator Pearson, I don't see anything."

#### PERSONAL PRIVILEGE

Senator Hargrove: "Well, I'd like to welcome Senator Pearson to the Senate. It's nice to finally have somebody here that has a bigger neck than I have. I've gotten lots of comments from your caucus saying how they're glad you're here to protect them from me so that it even things out. I wanted to know, however, are there some of those dog bones in here that you were talking about? I'm looking forward to that. Anyway, welcome."

#### PERSONAL PRIVILEGE

Senator Ranker: "I want to welcome the good Senator from the Thirty-ninth whose taken over a past jurisdiction that is mine that is very near and dear to me, Natural Resources. I think your

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tenure in the last few weeks as chair of that very important jurisdiction has been fascinating from hearing bills about killing wolves, to stealing bills that should be in other jurisdictions, to just a wonderful, wonderful plethora of brand new remarkable ideas. I am very pleased to see you in that jurisdiction but most of all I'm pleased because the shininess coming off the top of your head makes the President a little less visible sometimes, so, thank you for that. I know that will cost me something Mr. President. In all seriousness Mr. Chair, welcome to the Senate. It's great to have you hear and I really appreciate your thoughtfulness with the issues and your willingness to hear all sides of points of views and I think that's going to carry you a long way. Thank you."

PERSONAL PRIVILEGE

Senator Baumgartner: "I would also like to welcome the good Senator to this august body. He's a true gentleman. I think he's going to be a superstar talent here and we're just very, very pleased that he is here. I'm also very happy for a couple of other reasons which, as the good Senator Hargrove having a bigger neck, I'm sure that his head is still smaller. Also when I first showed up in this body Senator Hargrove grabbed my arm and said something about my scrawny biceps and I'm just glad our team has somebody that can power lift Senator Hargrove should we need to. Welcome."

PERSONAL PRIVILEGE

Senator Shin: "I've known Senator Kirk for many, many years. Tuesday morning devotionals. I've learned to love him and respect him and all the things too but you know what? His wife is much, much prettier than he is. You're a very lucky man."

PERSONAL PRIVILEGE

Senator Roach: "Thank you. Well, I wanted to tell the good Senator from actually Aberdeen, Hoquiam area. Where did he go? There two reasons that a man may have a big neck. Senator Pearson is a weight lifter. So he can bench press over three hundred pounds, we just talked about it today and for those of you that have big necks for other reasons we all have to work about that. We should join him in the gym. But when you go by his office at the end of the day he's got a pair of shorts on, he's going out to work out and I appreciate the good example that you are. It didn't help that my daughter-in-law does this. I didn't follow the example, but you're going out every day may help. Thanks so much and great to have you here."

PERSONAL PRIVILEGE

Senator Kline: "You know the members may not know this but Senator Pearson and I share constituents. It's not because of re-districting but in the correctional institution in Monroe we have a number of constituents who are common, you might say. Unfortunately, due to antiquated laws of our own, they can't vote. But with that I know that given his committee assignments and mine we are going to continue to work for those mutual constituents and do a very good job across the aisle. Thank you."

PERSONAL PRIVILEGE

Senator Hobbs: "I'd like to thank and welcome Senator Pearson coming to this body. I know that Senator Hargrove is pleased too because now, finally, he can start his troll caucus so he's really happy about that. I do question his fiscal conservatism.

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I was talking to the Senate Cafeteria and they told me since he's been here they've had to increase their food orders by twenty percent so they may have to charge us more. Thank you for coming here."

SECOND READING

SENATE BILL NO. 5077, by Senators Kohl-Welles, Holmquist Newbry and Keiser

Making technical corrections to certain gender-based terms.

MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5077 was substituted for Senate Bill No. 5077 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kohl-Welles, the rules were suspended, Substitute Senate Bill No. 5077 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kohl-Welles spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Padden: "Would the lady from the Thirty-sixth district yield to a question? Senator, I just wondered, did you read all four hundred seventy four pages of this bill?"

Senator Kohl-Welles: "I did not have to read all four hundred seventy some pages of this bill because I have great faith in the Code Reviser's Office but what I did read was the two and a half page list of the actual terms that are being amended, being changed. For example; dairy man is changed to dairy farmer."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5077.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5077 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Absent: Senator Ericksen

SUBSTITUTE SENATE BILL NO. 5077, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5113, by Senators Bailey, Padden, Carrell, Roach, Benton and Hobbs

Concerning the enforcement of speed limits on roads within condominium associations.

The measure was read the second time.

#### MOTION

On motion of Senator Bailey, the rules were suspended, Senate Bill No. 5113 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Bailey spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5113.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5113 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Hobbs, Holmquist, Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

SENATE BILL NO. 5113, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Schoesler: "Would the kind lady from the Tenth district yield to a question or two? Senator Bailey, been very busy lately with affairs of the majority caucus and I haven't had time to study legislation as closely as I should have. Having worked with you on the other side of the rotunda, I came up with several questions I should have asked before I voted on this bill. First, does it have an emergency clause? Second, is there anything to do with gain sharing? Third, was there anything in this bill related to retire-rehire policies?"

#### PERSONAL PRIVILEGE

Senator Conway: "I want to welcome Senator Bailey. Senator Bailey and I worked for years on the pension policy together and Senator Schoesler brought that up. We called her 'EC Bailey' for Emergency Clause Bailey', alright. You know it's great to have her with us to continue our work. She's been a great partner on pension policy issues on the select committee and also, incidentally, a great participant on the Select Committee on Veterans and Military Affairs. Welcome. Thank you."

#### PERSONAL PRIVILEGE

Senator Chase: "Well, I would like to extend my welcome also to Senator Bailey and second some of the comments that Senator Schoesler made. You know, I used to sit across the floor from Senator Bailey and she was up on every single bill that ever went through there asking those very same questions and I, Mr. President, had intended to ask her some questions about this homeowner bill and I, against my better judgment, decided to join in with you passing this bill and welcome you. I look forward in working with you again."

#### PERSONAL PRIVILEGE

Senator Becker: "Thank you Mr. President. Well, I have to tell you I think each and every person out here has a different style of communication and a different speed. When I met Barbara, Senator Bailey, I heard this woman that talks slow and here I am la la la and Barbara, Senator Bailey, is just this slow talking, southern lady. It is so much fun to sit and listen to you, number one, but listen to the thinking that goes behind that slow speech. I totally appreciate you. I have totally enjoyed you and I welcome you."

#### PERSONAL PRIVILEGE

Senator Kohl-Welles: "Thank you Mr. President. Well, there's been a lot going on in the senate over the last four weeks and I have changed committees from chairing the Senate Labor and Commerce Committee and now I'm ranking member on the Higher Education Committee and regardless of all the issues that have come up, where there's been some disagreement in our Senate I'd like to say it's been a real pleasure working with Senator Bailey. She is now Chair of the Higher Education Committee and I'm the Ranking Minority Member and I don't believe there could be anybody better with whom to work. She's been so gracious and has been working in a bipartisan way, collaboratively, and I think it's just wonderful she's in the position."

#### PERSONAL PRIVILEGE

Senator King: "Well, I would like to welcome the good Senator Bailey to this floor and I would like to say to you that if we could find more bills that we could get Senator Bailey and Senator Kohl-Welles to talk on, we would only pass half the bills out of here that we normally would."

#### PERSONAL PRIVILEGE

Senator Parlette: "Well, I know there is a good Senator, on the opposite side of the aisle, that does like everything to be gender-neutral, but I have to tell you it's wonderful to have another women in our caucus."

#### PERSONAL PRIVILEGE

Senator Ericksen: "Well, thank you Mr. President. I would like to welcome the good Senator here to join us in this body. Served many years with her in the house and a wonderful person and every chamber needs a little bit of southern charm and southern spirit in their midst. If you haven't had a chance yet, you need to call up Senator Bailey's cell phone and listen all the way to the end of the message. You get there and you hear that that's been there the entire time I've have known you, in that great voice, saying 'Go out there and make it a great day.' It's a great message so I really hope you'll listen all the way through it the next time you call Senator Bailey and hear her message. The other thing that I want to stress, I know that this chamber is all about gender equity and neutrality, I'd like to say the way that we treated the gentleman from the Thirty-ninth, compared to the way the good gentle lady from the tenth shows a very big difference in how we treat our members here on the floor so I'm not sure how Kirk should feel about that with the treatment of him today."

#### PERSONAL PRIVILEGE

Senator Darneille: "Both the previous new freshman in our body, came into the house the same year I did so I've known



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Senator Bailey for twelve years and I just want to warn everyone here as you're doing your bill drafts there's just one small little thing Senator Bailey requests of you and that is to resist the temptation to place an emergency clause on any bill. I'm very happy that we're here together and we worked well. We worked dates many times for the across-the-aisle dinners in the house and since she's half my size I could peer over her at every chance but I'm, very much am happy that you're here with me. Thank you."

## PERSONAL PRIVILEGE

Senator Bailey: "Well, first of all let me say thank you to the comments that were made. I do speak a little slower at times but if you get me riled up you'll find out that I can also speak very fast and some of you have actually have heard that before. I want to talk though, today about the gift that I am giving each of you from the Tenth district and, if you will indulge me Mr. President, I want to take this body on a bit of a journey. In the tenth district. If you notice it on your gift there is a small ferry boat, Mr. Chairman of the transportation system, which is very important to our district. So when you first arrive on south Whidbey Island, you've just gotten off the ferry, you make your way up the Island, you're going to come past other places like Langley and Coupeville and on then to Oak Harbor where you'll also find a little goodie in this bag from Oak Harbor from a place called Seabolt's Restaurant. Seabolt's is one of the larger groups, restaurant and actually producer of smoked salmon. They, without giving too much commercial, they also ship all over the country and outside of the country. Very well known. I would invite you to enjoy that piece of salmon that's in this. You would also note in your card the ferry boat actually I bought from Oak Harbor and with the help of one our merchants there in Oak Harbor. Then you travel on across Deception Pass bridge which is, Mr. President there's a picture of Deception Pass bridge on your little note that you will find tucked in your goodie bag, and take a view there and then work your way on Highway 20 over to Skagit Valley where Deception Pass Bridge, the picture there in your mind is only surpassed by the picture you'll see in Skagit Valley where the tulips grow. It's a wonderful, wonderful beautiful place. As you come down then Highway I-5 towards, back toward your destination, wherever that might be, you'll also come upon a little sign that says Stanwood, Camano Island. I would invite you to go to Camano Island and you will find in your goodie bad a little bag of coffee from Camano Island Roasters, who have been very good to us here at the legislature in some of our international trade trips that we've made by supplying some items for us to take with us. It's a wonderful district, full of lots of things to see and I am absolutely thrilled and very humbled and privileged to be able to represent them here in the State Senate. If that's not enough, when you leave my district right at the edge of the district there's a little place called Angle of the Wind's Casino so you can stop there, some of you, fill your cup that they gave you and if it's raining outside you can still use the umbrella to get back to your car and on your way home. Please come see my district. I thank you so much. This is really such a privilege to be able to serve in this body. Thank you Mr. President."

## PERSONAL PRIVILEGE

Senator Carrell: "Well, looking at the gifts we've received and the comments by Senator Tom the other day about Senator Dammeier, 'Where's the car?' We're progressively getting better and better gifts. So I'm really looking forward to the next couple senators that will be introducing themselves on the floor of the Senate."

## PERSONAL PRIVILEGE

Senator Benton: "Just a reminder, Mr. President, we are still waiting for one Senator's gift and I have to point out to him the stakes are rising. He better hurry up or he might find himself in great debt to try to keep up. So, the early bird catches the worm, Senator Hasegawa."

## SECOND READING

SENATE BILL NO. 5110, by Senators Tom, Murray, Hill and McAuliffe

Regarding local government purchasing. Revised for 1st Substitute: Concerning local government purchasing of supplies, materials, or equipment.

## MOTION

On motion of Senator Tom, Substitute Senate Bill No. 5110 was substituted for Senate Bill No. 5110 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Tom moved that the following amendment by Senator Tom and others be adopted:  
On page 2, beginning on line 17, strike all of subsection (3)(a) and insert the following:

"(a) "Tax revenue" means sales taxes that units of local government impose upon the sale of supplies, materials, or equipment from the supplier to units of local government, and business and occupation taxes that units of local government impose upon the supplier that are measured by the gross receipts of the supplier from the sale."

Senators Tom and Hasegawa spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Tom and others on page 2, line 17 to Substitute Senate Bill No. 5110.

The motion by Senator Tom carried and the amendment was adopted by voice vote.

## MOTION

On motion of Senator Tom, the rules were suspended, Engrossed Substitute Senate Bill No. 5110 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Tom spoke in favor of passage of the bill.

## MOTION

On motion of Senator Hatfield, Senator Hobbs was excused.

## PERSONAL PRIVILEGE

Senator Hasegawa: "Since everybody seems to be keeping track of the number of times I'm standing here, I thought I would roll my congratulations into Senators Pearson, Bailey and Mullet into this minority response on 5110 so it doesn't run up my tally count. Thank you for the point of personal privilege Mr. President. This is really a great little bill, it's going to do a lot to help our small businesses in our communities or medium size or

whose ever contracting to the...Was I out of order? He doesn't, gavel yet me so...

#### REMARKS BY THE PRESIDENT

President Owen: "I'm not sure that's allowed. Go ahead."

Senator Hasegawa: "Thank you for the latitude Mr. President. No this really is a good bill that's going to help local government stimulate the economies within their jurisdictions and I'm surprised we haven't been doing this all along. So, we concur with this. Thanks."

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5110.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5110 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Excused: Senator Hobbs

ENGROSSED SUBSTITUTE SENATE BILL NO. 5110, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5104, by Senators Mullet, Frockt, Hatfield, Litzow, Ericksen, Fain and Kohl-Welles

Placing epinephrine autoinjectors in schools.

The measure was read the second time.

#### MOTION

Senator Mullet moved that the following amendment by Senator Mullet be adopted:

On page 3, line 17, after "(c)" insert "School employees, except those licensed under chapter 18.79 RCW, who have not agreed in writing to the use of epinephrine autoinjectors as a specific part of their job description, may file with the school district a written letter of refusal to use epinephrine autoinjectors. This written letter of refusal may not serve as grounds for discharge, nonrenewal of an employment contract, or other action adversely affecting the employee's contract status.

(d)"

The President declared the question before the Senate to be the adoption of the amendment by Senator Mullet on page 3, line 17 to Senate Bill No. 5104.

The motion by Senator Mullet carried and the amendment was adopted by voice vote.

#### MOTION

On motion of Senator Mullet, the rules were suspended, Engrossed Senate Bill No. 5104 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mullet spoke in favor of passage of the bill.

#### REMARKS BY THE PRESIDENT

President Owen: "Senator Mullet, the President would respectfully point out Rule 29 to you that says, 'When any Senator is about to speak and debate or submit any matter to the Senate, the Senator shall rise, and standing in place, respectfully address the President.' I did notice that I was staring mostly at your back."

Senator Litzow spoke in favor of passage of the bill.

#### REMARKS BY SENATOR FAIN

Senator Fain: "Thank you Mr. President, I'd like to suspend whatever rule that is required so that Senator Hasegawa may not speak more than once for the remainder of the legislative session."

#### REMARKS BY THE PRESIDENT

President Owen: "I think that is the new Hasegawa rule."

Senators Hasegawa and McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5104.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5104 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Bailey, Baumgartner, Becker, Benton, Billig, Braun, Brown, Carrell, Chase, Cleveland, Conway, Dammeier, Darneille, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hasegawa, Hatfield, Hewitt, Hill, Holmquist Newbry, Honeyford, Keiser, King, Kline, Kohl-Welles, Litzow, McAuliffe, Mullet, Murray, Nelson, Padden, Parlette, Pearson, Ranker, Rivers, Roach, Rolfes, Schlicher, Schoesler, Sheldon, Shin, Smith and Tom

Excused: Senator Hobbs

ENGROSSED SENATE BILL NO. 5104, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

#### PERSONAL PRIVILEGE

Senator Mullet: "So the Fifth district is, they're helping me out, I like it. So the fifth district, I'm from Issaquah it's famous for a lot of things, Snoqualmie Falls is one of the top five tourist attractions in the state and when we have paragliding off of Tiger Mountain and we also have the best pizza restaurant in the State of Washington along with the best ice cream store in the State of Washington. Many people travel from across the state to visit these locations. So as the gift for this body, pizza doesn't travel very well, ice cream does. I did some research. Ben & Jerry's Ice Cream has some flavors based on famous celebrities so I wanted to find a flavor that would reflect my Republican colleagues in

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the Senate Chamber so I did some research and I found a show that's called the Colbert Report, I guess, and its hosted by Steven Colbert who seems to have ideology that match a lot of the Republican Party and he has his ice cream flavor, 'AmeriCone Dream' and so at the conclusion of this I will be scooping 'AmeriCone Dream' for everyone in the Republican Caucus. For my Democratic counterparts, the flavor I found is actually a flavor that kind of connects with I-502, that recently passed and it was Jimmy Fallon's flavor 'Late Night Snack' which is officially the cone that he invented while he was high in college. The 'AmeriCone Dream' is vanilla-based, fudged covered waffle cones. 'Late Night Snack' is also vanilla-based, chocolate covered potato chips. Some of you may be wondering why you're not able to eat ice cream as your listening to me right now. Our office did contact the President and we were informed that this body is rich in history and tradition and the rules are not to be broken. Food is not allowed on the floor and as we did our staff research he is correct that this is very unusual. We had to go all the way back to the time, there was a legendary Senator from the Twenty-fifth, I think he's name was Dammeier, who was allowed to break those rules and that was, it was February 6, 2013. Very long ago. So I did respect that this doesn't get broken but at the conclusion of this, outside the senate floor, I will be happy to scoop your ice cream."

#### REMARKS BY THE PRESIDENT

President Owen: "Senator Mullet, the reason the President had denied your request to have ice cream on the floor was the members have a habit of leaving their gifts on their desks and I was afraid how that might turn out."

#### PERSONAL PRIVILEGE

Senator Sheldon: "Well thank you Mr. President. I had to rise quickly after I heard our new senator's speech. I certainly want to welcome him to the senate but I can tell you right now he has broken many rules right away. Now, first of all, he's unabashedly plugging his own business on the floor which is just isn't done. And for an individual who has the Olympic Mountain Ice Cream Company in their district is most famous in Washington state. I really think he should have checked with some other members before he made that personal plug. Of course, when you are elected to the senate and that's a great thing for you and come into this body, and of course, you make your first speech and there's two things that you first learn. Now, first of all, you have not got the secret hand shake yet I can tell you that. You probably will not after that opening speech. And the second thing that we do is, of course, the background check. You know that's always done and I've gotten some results back here. Of course, you have quite a business background and some other things but I do have an email here from the King County Health Department. They've some inspections in your district and they said that you might want to give them a call very, very quickly. Welcome to the State Senate."

#### PERSONAL PRIVILEGE

Senator Hewitt: "Well, we've heard about the new senator breaking the rules. I actually have one that goes a little bit further than that. As you all know my wife runs the fairgrounds in Walla Walla and she has fifty amp plugs everywhere out there. She does not get her electricity free. She has to actually buy that from the power companies. A couple of years ago there was a red Tesla

parked in one of the spots, one of these fifty amp spots, taking the electricity out of the fairgrounds without permission and it disturbed me, actually, because I thought that was like stealing gasoline. Most of us get to steal gasoline, others get to steal electricity. So I wrote the number, the license of this red Tesla down and I think I've run down who this Tesla belongs too. And I'm just wondering if the good Senator from the Fifth and the color of your face be the reaction here Senator. Do you live at 3129 NE Harining Street, Issaquah, Washington? My wife actually has something for you. It's called a receipt and now that we know who it belongs too we'll make sure it gets delivered to the right place. Welcome Senator."

#### POINT OF INQUIRY

Senator Dammeier: "Would the gentleman from the Fifth district yield to a question? Senator Mullet, I just want to make sure, did you check for food allergies of the members before you decided to provide us ice cream?"

Senator Mullet: "And I have no epi-pens, obviously. It's not allowed yet. That's why I announced the contents."

#### PERSONAL PRIVILEGE

Senator Frockt: "Well, I too want to welcome our friend, my friend Mark Mullet to the senate. I have couple points of advice, first of all Mark, when you offer an amendment, you have to speak to the amendment. We just adjourned sine die. I don't know if you guys noticed that. Second thing I want to say, Mark is known as, well-known as a good moderate. Just to show you how moderate he was, I have child with a peanut allergy and I was very excited about this bill. When he came to me my first reaction was, 'Well why don't we just ban peanuts?' Mark said, 'No, no, no, that goes too far David.' So, we've done a good piece of public policy here. We are very excited to have Mark. He's a great guy. All of you are going to have a great time working with him and I just want to say welcome to the senate and look forward to it."

#### PERSONAL PRIVILEGE

Senator Tom: "Well, I just want to welcome the good member to the true, east-side coalition. Now I do have to admit, on his last bill, I had several members from the other east side coalition come up to me, maybe this is just because he's a Telsa kind of guy, wondering what a yuppie-pen was."

#### MOTION

At 12:09 p.m., on motion of Senator Fain, the Senate adjourned until 12:00 noon, Monday, February 11, 2013.

BRAD OWEN, President of the Senate

HUNTER GOODMAN, Secretary of the Senate



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