

FORTY FOURTH DAY

House Chamber, Olympia, Tuesday, February 25, 2014

The House was called to order at 9:55 a.m. by the Speaker (Representative Orwall presiding).

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

RESOLUTION

HOUSE RESOLUTION NO. 4687, by Representatives Rodne and Magendanz

WHEREAS, It is the policy of the Washington state house of representatives to recognize the dedication and passion of individuals to serve and improve their communities; and

WHEREAS, Gloria McNeely, who celebrated her ninety-fifth birthday on February 11th moved to the city of Snoqualmie in January 1940 with her husband, Denton; and

WHEREAS, From 1951 to 1962, Gloria was the full charge bookkeeper and associate editor at the Snoqualmie Valley Record; and

WHEREAS, From 1962 to 1981, she was the administrative services officer at the flood control division of the King county department of public works; and

WHEREAS, Gloria retired from the King county department of public works in 1981; and

WHEREAS, After Gloria's husband lost his 48 1/2 year battle with cancer, she devoted her energies to serving and bettering her community; and

WHEREAS, This body recognizes that Gloria's passion for the arts, history, and her community compelled her to serve and volunteer for several local groups and organizations, including the Snoqualmie valley historical museum board, the Snoqualmie arts commission, Snoqualmie valley arts live - a nonprofit citizens' group, which was sold in 2007, dedicated to bringing live, high-quality performing arts and entertainment to the valley; and

WHEREAS, Gloria was also engaged with the now-divided Mount Si business and professional women's association; and

WHEREAS, Gloria was recently inducted into the local chapter of the daughters of the American revolution; and

WHEREAS, Due to her extraordinary leadership and service, Gloria was given a key to the city of Snoqualmie in December 2010; and

WHEREAS, In January 2013, Gloria was appointed as the city of Snoqualmie's first honorary life member of the arts commission; and

WHEREAS, Gloria's fervent and selfless work in the community has benefitted the city and its residents; and

WHEREAS, Gloria is an extraordinary example as to the effect an individual can have on the lives and livelihoods of many;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state house of representatives recognize and honor Gloria McNeely, whose generosity and hard work has not only touched the lives of current Snoqualmie citizens but will continue to affect future generations of the city. The legislature further acknowledges that her efforts to advance her community has, no

doubt, inspired others to volunteer in their respective communities; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the house of representatives immediately transmit copies of this resolution to Gloria McNeely and to Matt Larson, mayor of Snoqualmie.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4687.

HOUSE RESOLUTION NO. 4687 was adopted.

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

REPORTS OF STANDING COMMITTEES

February 21, 2014

SSB 5965 Prime Sponsor, Committee on Human Services & Corrections: Concerning sexually violent predators. Reported by Committee on Public Safety

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

Referred to Committee on Appropriations.

February 21, 2014

ESB 6034 Prime Sponsor, Senator Pearson: Concerning state parks partnership opportunities. Reported by Committee on Environment

MAJORITY recommendation: Do pass as amended.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 79A.05.335 and 1991 c 107 s 1 are each amended to read as follows:

The legislature finds that the parks and recreation lands owned and managed by the ((state parks and recreation)) commission are a significant collection of valuable scenic, natural, cultural, and historical((, and cultural)) resources for the citizens of Washington state. The legislature further finds that if citizens understand and appreciate the ((state park ecological resources, they will come to appreciate and understand the ecosystems and natural resources throughout the state)) scenic, natural, cultural, and historical resources present in Washington's state parks, they will be inspired to conserve this important legacy for future generations. Therefore, the ((state parks and recreation)) commission may ((increase the)) use ((of)) its facilities and resources to provide

((environmental)) scenic, natural, cultural, or historical resource interpretation throughout the state parks system.

Sec. 2. RCW 79A.05.340 and 1991 c 107 s 2 are each amended to read as follows:

The ((state parks and recreation)) commission may provide ((environmental interpretative)) scenic, natural, cultural, or historical resource interpretive activities for visitors to state parks that:

- (1) Explain the functions, history, significance, and cultural aspects of ecosystems;
- (2) Explain the relationship between human needs, human behaviors and attitudes, and the environment; ((and))
- (3) Explain the diverse human heritage and cultural changes over time in Washington state;
- (4) Offer experiences and information to increase citizen understanding, appreciation, and stewardship of ((the environment and its multiple uses)) their natural, cultural, ethnic, and artistic heritage; and
- (5) Explain the need for natural, cultural, and historical resource protection and preservation as well as the methods by which these goals can be achieved.

Sec. 3. RCW 79A.05.345 and 1991 c 107 s 3 are each amended to read as follows:

The ((state parks and recreation)) commission may consult and enter into agreements with and solicit assistance from ((private sector organizations and other governmental agencies that are interested in conserving and interpreting Washington's environment. The commission shall not permit commercial advertising in state park lands or interpretive centers as a condition of such agreements. Logos or credit lines for sponsoring organizations may be permitted. The commission shall maintain an accounting of all monetary gifts provided, and expenditures of monetary gifts shall not be used to increase personnel)) other public agencies, the state parks foundation, private entities, employee business units, and tribes that are interested in stewarding and interpreting state parks scenic, natural, cultural, and recreational resources.

NEW SECTION. Sec. 4. A new section is added to chapter 79A.05 RCW to read as follows:

(1) The commission, in consultation with the department of archaeology and historic preservation, may permit commercial advertising on or in state parks lands and buildings when all the following conditions and standards are met with regard to the commercial advertising:

- (a) It conforms to the United States secretary of the interior's standards for the treatment of historic properties when applied to advertising affecting historic structures, cultural and historic landscapes, and archaeological sites;
- (b) It does not detract from the integrity of the park's natural, cultural, historic, and recreational resources and outstanding scenic view sheds;
- (c) It does not create a potential conflict of interest because of the commercial or corporate entity's regulatory or business relationships with the commission; and
- (d) It will acknowledge individuals and organizations that are donors or sponsors of park events or projects or support the sustainability of park concessionaires, lessees, or service providers.

(2) The commission is encouraged to use its advertising authority to promote:

- (a) Community economic development near state parks;
- (b) Wellness, healthy food options, healthy behaviors, and any other public health goals or principles adopted by the state; and
- (c) Park visitor awareness of services and activities within and near each park.

(3) The commission shall adopt standards for advertising, naming, product placement, and other forms of commercial

recognition that require the commission to define and prohibit, at minimum, the following:

- (a) Obscene, indecent, or discriminatory content;
- (b) Political or public issue advocacy content;
- (c) Products, services, or other materials that are offensive, insulting, disparaging, or degrading; or
- (d) Products, services, or messages that are contrary to the public interest, including any advertisement that encourages or depicts unsafe behaviors or encourages unsafe or prohibited recreation activities. Tobacco and cannabis must be included among the products prohibited under this subsection (3)(d).

(4) Notwithstanding subsection (1) of this section, commercial advertising, including product placement, is permitted on commission web sites, electronic social media, and printed materials within or outside of state parks.

NEW SECTION. Sec. 5. A new section is added to chapter 79A.05 RCW to read as follows:

(1) When entering into any agreement under RCW 79A.05.345 or otherwise involving the management of state park land or a facility by a public or private partner, the commission shall consider, when appropriate:

- (a) If the entity has an adequate source of available funding to assume the financial responsibilities of the agreement;
- (b) If the entity has sufficient expertise to assume the scope of responsibilities of the agreement;
- (c) If the agreement results in net financial benefits to the state; and
- (d) If the agreement results in advancement of the commission's public purpose.

(2) Any agreement subject to this section must include specific performance measures. The performance measures must cover, but are not limited to, the entity's ability to manage financial operating costs, to adequately perform management responsibilities, and to address and respond to public concerns. The agreement must provide that failure to meet any performance measure may lead to the termination of the contract or requirements for remedial action to be taken before the agreement may be extended.

(3) The commission's authority to enter into agreements under this section, section 4 of this act, or RCW 79A.05.345 does not include the ability to rename any state park after a corporate or commercial entity, product, or service.

Sec. 6. RCW 79A.70.010 and 2000 c 25 s 2 are each amended to read as follows:

The purpose of the Washington state parks ((gift)) foundation is to solicit support for the state parks system, cooperate with other organizations, and to encourage gifts to support and improve the state parks.

Sec. 7. RCW 79A.70.020 and 2000 c 25 s 3 are each amended to read as follows:

The definitions in this section apply throughout this chapter((,)) unless the context clearly requires otherwise.

(1) "Foundation" means the Washington state parks ((gift)) foundation((,)) created in RCW 79A.70.030.

(2) "State parks" means that system of parks administered by the commission under this title.

(3) "Eligible grant recipients" includes any and all of the activities of the commission in carrying out the provisions of this title and friends groups or other organizations that propose projects or programs solely for the benefit of state parks.

(4) "Eligible projects" means any project, action, program, or part of any project ((or)), action, or program that serves to preserve, restore, improve, or enhance the state parks.

Sec. 8. RCW 79A.70.030 and 2000 c 25 s 4 are each amended to read as follows:

(1) By September 1, 2000, the commission shall file articles of incorporation in accordance with the Washington nonprofit corporation act, chapter 24.03 RCW, to establish the Washington state parks ((gift)) foundation. The foundation shall not be an agency, instrumentality, or political subdivision of the state and shall not disburse public funds.

(2) The foundation shall have a board of directors consisting of up to fifteen members, whose terms, method of appointment, and authority must be in accordance with the Washington nonprofit corporation act, chapter 24.03 RCW. ((Initial members of the board shall be appointed by the governor and collectively have experience in business, charitable giving, outdoor recreation, and parks administration. Initial appointments shall be made by September 30, 2000. Subsequent board members shall be elected by the general membership of the foundation.

(3) Members of the board shall serve three-year terms, except for the initial terms, which shall be staggered by the governor to achieve a balanced mix of terms on the board. Members of the board may serve up to a maximum of three terms. At the end of a term, a member may continue to serve until a successor has been elected.))

Sec. 9. RCW 79A.70.040 and 2000 c 25 s 5 are each amended to read as follows:

(1) ((As soon as practicable, the board of directors shall organize themselves and the foundation suitably to carry out the duties of the foundation, including achieving federal tax-exempt status.

(2)) The foundation shall actively solicit contributions from individuals and groups for the benefit of the state parks.

((3)) (2) The foundation shall develop criteria for guiding themselves in either the creation of an endowment, or the making of grants to eligible grant recipients and eligible projects in the state parks, or both.

((4)) (3) A competitive grant process shall be conducted at least annually by the foundation to award funds ((to the)) for the benefit of state parks. Competitive grant applications shall only be submitted to the foundation by the commission, friends groups, or other organizations with projects or programs solely for the benefit of state parks. ((The process shall be started as soon as practicable.)) Grants shall be awarded to eligible projects consistent with the criteria developed by the foundation ((and shall be available only for state parks use on eligible projects))."

Correct the title.

Signed by Representatives Fitzgibbon, Chair; Senn, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Harris; Kagi; Nealey and Tharinger.

Referred to Committee on Appropriations Subcommittee on General Government & Information Technology.

February 21, 2014

SB 6035 Prime Sponsor, Senator Kline: Regarding the safety of ski area conveyances. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Senn, Vice Chair; Short, Ranking Minority Member; Pike, Assistant Ranking Minority Member; Farrell; Fey; Harris; Kagi; Nealey and Tharinger.

Referred to Committee on Appropriations Subcommittee on General Government & Information Technology.

February 21, 2014

SSB 6069

Prime Sponsor, Committee on Human Services & Corrections: Modifying community custody conditions for sex offenders. Reported by Committee on Public Safety

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

Passed to Committee on Rules for second reading.

February 21, 2014

SSB 6086

Prime Sponsor, Committee on Energy, Environment & Telecommunications: Reducing PCBs in products purchased by agencies. Reported by Committee on Environment

MAJORITY recommendation: Do pass. Signed by Representatives Fitzgibbon, Chair; Senn, Vice Chair; Short, Ranking Minority Member; Farrell; Fey; Kagi and Tharinger.

MINORITY recommendation: Do not pass. Signed by Representatives Pike, Assistant Ranking Minority Member; Harris and Nealey.

Passed to Committee on Rules for second reading.

February 21, 2014

SB 6135

Prime Sponsor, Senator Benton: Addressing banks and trust companies. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Ryu, Vice Chair; Vick, Assistant Ranking Minority Member; Blake; Fagan; Habib; Hawkins; Hudgins; Hunt, G.; Kochmar; MacEwen; Santos and Stanford.

Passed to Committee on Rules for second reading.

February 21, 2014

SSB 6339

Prime Sponsor, Committee on Law & Justice: Concerning coercion of involuntary servitude. Reported by Committee on Public Safety

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

Passed to Committee on Rules for second reading.

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

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

There being no objection, the House adjourned until 10:00 a.m., February 26, 2014, the 45th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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