

TWENTY SIXTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, February 5, 2010

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 with the exception of Senators Brown and Holmquist.

The Sergeant at Arms Color Guard consisting of Pages Harrison Scott and Kathryn Carlson, presented the Colors. Pastor Dan Sailer of Stanwood United Methodist Church offered the prayer.

POINT OF ORDER

Senator Honeyford: "Just a few minutes ago in the Environment, Energy & Water Committee we had a bill that came up about, it was a motion to approve the bill about one minute to ten and with discussion and things afterwards we went beyond the ten am deadline. As I understand the Senate Rules prohibit the body, or the committee from considering legislation or business after ten am. This was on Senate Bill No. 6489, the vote was concluded about three or four minutes after ten. I believe that it's improper and ask for an opinion thereon."

REMARKS BY SENATOR MARR

Senator Marr: "In the absence of the Chair or Vice Chair, I'd like to point out that as a member of the committee the Chair ruled that the motion was properly before the committee prior to ten o'clock and did rule that it was in order and could be considered expeditiously which it was prior to adjournment."

POINT OF ORDER

Senator Honeyford: "Thank you Mr. President. I would like to correct the statement of the previous speaker. The ruling by the Chair occurred after ten am because we raised the question that it was past ten am. Thank you."

RULING BY THE PRESIDENT

President Owen: "First off, your point of order is not necessarily in order at this time because the bill is not before us and that would be the appropriate time for us to consider that. However, saying so, the President would remind the members that often times when you are going to go over, you have come to leadership and ask us to suspend that rule so that you can continue your business beyond the ten o'clock period or a few minutes beyond that. So, the President would suggest that as an advisement to the Chair before that bill comes before the Senate and he has to rule on it."

MOTION

On motion of Senator Eide, 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 3, 2010

SB 6202 Prime Sponsor, Senator Hargrove: Expanding provisions relating to vulnerable adults. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6202 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6228 Prime Sponsor, Senator Haugen: Regarding organic products. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Hatfield, Chair; Ranker, Vice Chair; Schoesler; Becker; Haugen; Morton and Shin.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6261 Prime Sponsor, Senator Marr: Addressing utility services collections against rental property. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6261 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senator McDermott.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6266 Prime Sponsor, Senator Hobbs: Concerning service members' civil relief. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6266 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; McDermott; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6277 Prime Sponsor, Senator Zarelli: Revising the order of vesting for the right to control disposition of human remains. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6277 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; McCaslin; Carrell; Gordon; Hargrove and Roach.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6292 Prime Sponsor, Senator Brandland: Providing notice of release from involuntary treatment. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6292 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6300 Prime Sponsor, Senator Hobbs: Authorizing public hospital districts to execute security instruments. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; McDermott; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6323 Prime Sponsor, Senator Swecker: Providing protection for vulnerable adults when domestic violence temporary ex parte protection orders are requested and issued. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6323 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6327 Prime Sponsor, Senator Regala: Exempting housing authorities from laws governing the construction, alteration, repair, or improvement of property by other public bodies. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6327 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; McDermott; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6338 Prime Sponsor, Senator Regala: Providing transitional housing for persons at risk of experiencing homelessness. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6338 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6384 Prime Sponsor, Senator Berkey: Conforming certain manufactured/mobile home dispute resolution program definitions with certain manufactured/mobile home landlord-tenant act definitions. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; McDermott; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6406 Prime Sponsor, Senator Franklin: Concerning regulation and licensing of residential mortgage loan servicers and services. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin and McDermott.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6412 Prime Sponsor, Senator Hobbs: Concerning medical malpractice closed claim reporting. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6412 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin and McDermott.

MINORITY recommendation: Do not pass. Signed by Senators Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6442 Prime Sponsor, Senator Berkey: Eliminating the prevent or reduce owner-occupied foreclosure program account. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; McDermott; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

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SB 6459 Prime Sponsor, Senator Hobbs: Concerning the inspection of rental properties. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6459 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senator McDermott.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Benton and Parlette.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6460 Prime Sponsor, Senator Marr: Increasing the charge limit for the preparation of condominium resale certificates. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin and McDermott.

MINORITY recommendation: Do not pass. Signed by Senator Benton.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6490 Prime Sponsor, Senator Kline: Changing provisions regulating driver's and vehicle licenses. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6490 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Carrell; Gordon; Hargrove; Kohl-Welles and Roach.

Passed to Committee on Transportation.

February 4, 2010

SB 6511 Prime Sponsor, Senator Hobbs: Regarding gang and hate group activity at schools and school activities. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6511 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; King; Brandland; Gordon; Hobbs and Roach.

MINORITY recommendation: Do not pass. Signed by Senator Kauffman, Vice Chair, Early Learning.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6512 Prime Sponsor, Senator Gordon: Increasing school safety. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6512 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; King; Brandland; Gordon; Hobbs and Roach.

MINORITY recommendation: Do not pass. Signed by Senator Kauffman, Vice Chair, Early Learning.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6538 Prime Sponsor, Senator Keiser: Defining small groups for insurance purposes. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6538 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Marr; Murray and Parlette.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6544 Prime Sponsor, Senator Berkey: Extending the time limitations for approval of plats. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6544 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; McDermott; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6548 Prime Sponsor, Senator Hargrove: Suspending the parole or probation of an offender who is charged with a new felony offense in certain conditions. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6548 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6553 Prime Sponsor, Senator McAuliffe: Regarding mathematics and science high school graduation requirements. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6553 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Ways & Means.

February 3, 2010

SB 6562 Prime Sponsor, Senator Kilmer: Regarding tuition-setting authority at institutions of higher education. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6562 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Becker; Hewitt; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6582 Prime Sponsor, Senator Keiser: Concerning nursing assistant credentialing. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6582 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Marr; Murray and Parlette.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6589 Prime Sponsor, Senator Kauffman: Creating a workforce housing program. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin and McDermott.

MINORITY recommendation: Do not pass. Signed by Senators Benton; Parlette and Schoesler.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6593 Prime Sponsor, Senator Gordon: Transferring the administration of the infant and toddler early intervention program from the department of social and health services to the department of early learning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6604 Prime Sponsor, Senator Hobbs: Providing flexibility in the education system. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6604 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6607 Prime Sponsor, Senator Hobbs: Concerning premiums for individual health coverage. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6607 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Fairley; Marr and Murray.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker and Parlette.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6610 Prime Sponsor, Senator Hargrove: Concerning the assessment and treatment of certain persons with mental illnesses. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6610 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Kauffman and McAuliffe.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brandland and Carrell.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6619 Prime Sponsor, Senator McAuliffe: Including approved private schools in the superintendent of public instruction's record check information rules. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott; Roach and Tom.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6620 Prime Sponsor, Senator McAuliffe: Recognizing successful schools and school districts by providing flexibility for schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6620 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs and McDermott.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6624 Prime Sponsor, Senator Berkey: Defining normal wear and tear for a motor vehicle for the purpose of a service contract. Reported by Committee on Financial Institutions, Housing & Insurance

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MAJORITY recommendation: That Substitute Senate Bill No. 6624 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin; McDermott and Parlette.

MINORITY recommendation: Do not pass. Signed by Senator Schoesler.

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

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6643 Prime Sponsor, Senator Schoesler: Regarding compliance reports for second-class school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6662 Prime Sponsor, Senator Kilmer: Regarding developing a curriculum for a career track for home care aides. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 6662 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Hewitt; Jacobsen; McAuliffe; Shin and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Pflug and Stevens.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6668 Prime Sponsor, Senator Kauffman: Regarding eligibility requirements for the early childhood education and assistance program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott; Roach and Tom.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6670 Prime Sponsor, Senator Parlette: Regarding group medical insurance for nontraditional groups. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6670 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Marr; Murray and Parlette.

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Passed to Committee on Rules for second reading.

February 4, 2010

SB 6671 Prime Sponsor, Senator Pflug: Concerning emergency departments that are not physically connected to a hospital. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6671 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Pflug; Becker; Fairley and Parlette.

MINORITY recommendation: Do not pass. Signed by Senator Marr.

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

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6673 Prime Sponsor, Senator Kline: Appointing a task force to study bail practices and procedures. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6673 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Carrell; Gordon; Hargrove; Kohl-Welles and Roach.

Passed to Committee on Rules for second reading.

January 28, 2010

SB 6683 Prime Sponsor, Senator Tom: Concerning the transmittal of renewal notices for licenses, registrations, and permits via electronic means. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

Passed to Committee on Ways & Means.

February 3, 2010

SB 6696 Prime Sponsor, Senator McAuliffe: Regarding education reform. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6696 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; Gordon; Hobbs; McDermott; Roach and Tom.

MINORITY recommendation: Do not pass. Signed by Senators King and Brandland.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6698 Prime Sponsor, Senator Keiser: Concerning the acquisition of nonprofit hospitals. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6698 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Fairley and Murray.

MINORITY recommendation: Do not pass. Signed by Senator Marr.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker and Parlette.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6702 Prime Sponsor, Senator Kline: Providing education programs for juveniles in adult jails. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6702 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; Gordon; Hobbs; McDermott and Roach.

MINORITY recommendation: Do not pass. Signed by Senators King and Brandland.

Passed to Committee on Ways & Means.

February 3, 2010

SB 6703 Prime Sponsor, Senator Franklin: Regarding online nursing programs. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Hewitt; Jacobsen; McAuliffe; Shin; Stevens and Tom.

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

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6772 Prime Sponsor, Senator Benton: Modifying service of notice requirements under the residential landlord-tenant act. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; McDermott; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6780 Prime Sponsor, Senator Keiser: Concerning community living for persons with developmental disabilities. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6780 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Fairley; Marr and Murray.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker and Parlette.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6792 Prime Sponsor, Senator Hatfield: Extending the agribusiness purposes exemption for certain commercial driver's license applicants. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6792 be substituted therefor, and the substitute bill do pass. Signed by Senators Hatfield, Chair; Ranker, Vice Chair; Schoesler; Becker; Haugen; Morton and Shin.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6794 Prime Sponsor, Senator Haugen: Directing the state conservation commission to work with other agencies for implementation of agricultural landowner incentive programs. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6794 be substituted therefor, and the substitute bill do pass. Signed by Senators Hatfield, Chair; Ranker, Vice Chair; Schoesler; Becker; Haugen; Morton and Shin.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6796 Prime Sponsor, Senator Gordon: Assessing a business and occupation tax surcharge on automatic teller fees in excess of one dollar and fifty cents. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin and McDermott.

MINORITY recommendation: Do not pass. Signed by Senators Benton and Schoesler.

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

Passed to Committee on Ways & Means.

February 4, 2010

SB 6798 Prime Sponsor, Senator Kauffman: Implementing the recommendations of the achievement gap oversight and accountability committee. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6798 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Gordon; Hobbs and McDermott.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brandland and Roach.

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Passed to Committee on Ways & Means.

February 4, 2010

SB 6811 Prime Sponsor, Senator Keiser: Concerning naturopathy. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Becker; Fairley; Marr; Murray and Parlette.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6816 Prime Sponsor, Senator Schoesler: Concerning special permitting for certain farm implements. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6816 be substituted therefor, and the substitute bill do pass. Signed by Senators Hatfield, Chair; Schoesler; Becker; Haugen; Morton and Shin.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6817 Prime Sponsor, Senator McDermott: Concerning funds for certain affordable housing purposes. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin and McDermott.

MINORITY recommendation: Do not pass. Signed by Senators Benton and Schoesler.

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

Passed to Committee on Ways & Means.

February 4, 2010

SJM 8023 Prime Sponsor, Senator McAuliffe: Petitioning Congress to fully fund forty percent of the costs of the federal Individuals with Disabilities Education Act (IDEA). Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs and Roach.

Passed to Committee on Rules for second reading.

February 3, 2010

SJM 8026 Prime Sponsor, Senator Regala: Requesting the Interstate Commission for Adult Offender Supervision immediately initiate its emergency rule-making process. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES GUBERNATORIAL APPOINTMENTS

February 4, 2010

SGA 9184 DENISE COLLEY, reappointed on July 23, 2009, for the term ending July 1, 2014, as Member of the Board of Trustees, State School for the Blind. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SGA 9226 DOLORITA REANDEAU, reappointed on July 23, 2009, for the term ending July 1, 2014, as Member of the Board of Trustees, State School for the Deaf. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SGA 9240 LARRY E SWIFT, reappointed on July 23, 2009, for the term ending July 1, 2014, as Member of the Board of Trustees, State School for the Deaf. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SGA 9255 JEFF VINCENT, reappointed on January 13, 2010, for the term ending January 12, 2014, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SGA 9257 SHEILA L FOX, reappointed on January 13, 2010, for the term ending January 12, 2014, as Member of the

State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SGA 9267 MARY JEAN RYAN, reappointed on January 13, 2010, for the term ending January 12, 2014, as Member of the State Board of Education. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott and Roach.

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6490 which was referred to the Committee on Transportation and Senate Bill No. 6610 which was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Eide, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6847 by Senators Pridemore, Prentice, Regala, Keiser, Kline, Fraser, Berkey, Murray, Shin and Kohl-Welles

AN ACT Relating to the use taxation of natural and manufactured gas; and amending RCW 82.12.010.

Referred to Committee on Ways & Means.

SB 6848 by Senator Tom

AN ACT Relating to forest practices applications; amending RCW 76.09.065; and providing an effective date.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6849 by Senators Pridemore and Zarelli

AN ACT Relating to consolidating forecast functions; amending RCW 9.94A.480, 9.94A.850, 10.98.140, 41.06.087, 41.45.030, 41.45.120, 43.88.020, 43.88.030, 43.88.120, 46.01.325, 50.38.050, 70.94.431, 70.94.483, 70.94.6528, 74.09.470, 82.33.010, 82.33.020, 82.33.040, 82.33.050, 90.90.070, and 74.09.470; adding new sections to chapter 82.33 RCW; creating a new section; repealing RCW

9.94A.855, 9.94A.863, 43.88C.010, 43.88C.020, and 43.88C.030; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6850 by Senators Becker, Pflug and Roach

AN ACT Relating to investigations of child abuse or neglect; and amending RCW 26.44.030.

Referred to Committee on Human Services & Corrections.

SHB 1203 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives O'Brien and Chase)

AN ACT Relating to the definition of relative for purposes of the crime of rendering criminal assistance; amending RCW 9A.76.060; and creating a new section.

Referred to Committee on Judiciary.

SHB 1679 by House Committee on Ways & Means (originally sponsored by Representatives Simpson, Van De Wege, Ericks, Williams, White, Kelley, Sells, Ross, Hope and Conway)

AN ACT Relating to access to catastrophic disability medical insurance under plan 2 of the law enforcement officers' and firefighters' retirement system; amending RCW 43.43.040; reenacting and amending RCW 41.26.470; and creating a new section.

Referred to Committee on Ways & Means.

SHB 1838 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Orcutt and Blake)

AN ACT Relating to the creation of a raffle-only limited recreational rainbow trout fishery in Spirit Lake; amending RCW 77.32.050, 77.08.010, 9.46.400, and 9.46.010; and adding a new section to chapter 77.32 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 1880 by Representatives Armstrong, Hunt, Appleton, Alexander and Nelson

AN ACT Relating to ballot envelopes; and amending RCW 29A.40.091.

Referred to Committee on Government Operations & Elections.

SHB 1900 by House Committee on Judiciary (originally sponsored by Representatives Kelley and Hurst)

AN ACT Relating to the disclosure of vehicle owner information; and reenacting and amending RCW 46.12.380.

Referred to Committee on Transportation.

SHB 2422 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by

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Representatives Parker, Hurst, Driscoll, Kelley, Dammeier, Schmick and Ormsby)

manufacturer of commercial jetliners and military aircraft combined; and

AN ACT Relating to escape or disappearance notification requirements; and amending RCW 10.77.165.

WHEREAS, Boeing also designs and manufactures rotorcraft, missiles, satellites, electronic and defense systems, launch vehicles, and advanced information and communications systems; and
 WHEREAS, Boeing has customers in more than 90 countries around the world and is one of the largest importers in the United States; and

Referred to Committee on Human Services & Corrections.

EHB 2519 by Representatives Green, Hope, Ericks, Maxwell, Sullivan, Upthegrove, Carlyle, Conway, Simpson, Van De Wege, Kenney, Morrell, Hurst, Campbell and Kelley

WHEREAS, Late last year the Boeing Company reached a major milestone with the first flight of its 787 "Dreamliner"; and

AN ACT Relating to duty-related death benefits for public safety employees; amending RCW 41.26.048, 51.32.050, 28B.15.380, 28B.15.520, and 43.43.285; reenacting and amending RCW 41.26.510 and 43.43.295; and creating new sections.

WHEREAS, That tremendous achievement would not have been possible without the skill and dedication of Boeing's talented and hard-working employees; and

Referred to Committee on Ways & Means.

HB 2625 by Representatives Kelley, Ericks, Conway, Driscoll, O'Brien, Liias, Blake, Finn, Simpson, Orwall, Morrell and Campbell

WHEREAS, Each Boeing job supports two and a half additional jobs across our state; and

AN ACT Relating to bail for felony offenses; adding a new section to chapter 10.19 RCW; and creating a new section.

WHEREAS, The aerospace industry accounts for 15 percent of Washington state's economy and one-sixth of our gross state product; and

Referred to Committee on Judiciary.

WHEREAS, There are more than 250 aerospace-related companies in Washington; and

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6848 which was referred to the Committee on Natural Resources, Ocean & Recreation.

WHEREAS, there are more than 200,000 aerospace-related jobs in Washington, with direct wages totaling 5.4 billion dollars and an economic impact of 36 billion dollars; and

MOTION

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

WHEREAS, A new study shows the aerospace industry accounted for 28 percent of our state's job growth from 2004 to 2008; and

MOTION

Senator Hewitt moved adoption of the following resolution:

WHEREAS, The Senate values these jobs and the people who hold them, and will make it a priority to ensure Washington remains the best place to design, build, and market commercial airplanes;

SENATE RESOLUTION
8676

By Senators Hewitt, Gordon, Parlette, Kastama, Sheldon, Honeyford, Delvin, Holmquist, Stevens, Morton, Kohl-Welles, Schoesler, Kilmer, Marr, Brown, Tom, McCaslin, and Fraser

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledge and honor the Boeing Company for its tremendous contributions to Washington's economy, the families of our state, and the vitality of our citizens; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Boeing Corporate Offices in Chicago, Boeing Commercial Airplanes in Seattle, the International Association of Machinists and Aerospace Workers, and the Society of Professional Engineering Employees in Aerospace.

Senators Hewitt, Kastama and Shin spoke in favor of the adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8676.

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

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced David Schumacher, the Boeing Company's NW State & Local Governmental Relations Director who was seated in the gallery.

PERSONAL PRIVILEGE

Senator Keiser: "Thank you Mr. President. If you look around the chamber today you'll see a lot of ladies wearing red hats. This is Go Red For Women day, sponsored by the American Heart Association and I just wanted to make a note that we're wearing red today to draw attention to the fact that cardiovascular disease is the number one killer of women in our country. That in fact while we had over, nearly four hundred fifty thousand women die from various kinds of cardiovascular disease in a year. That compares to less than fifty thousand women who die from

WHEREAS, William E. Boeing was born in 1881 in Detroit, Michigan; and

WHEREAS, William Boeing left Yale Engineering College for the West Coast in 1903, the same year the Wright Brothers made their first flight at Kitty Hawk, North Carolina; and

WHEREAS, William Boeing began construction of a twin-float seaplane in his boathouse in 1915; and

WHEREAS, On July 15, 1916, Boeing incorporated his business and one year later changed the name to the Boeing Airplane Company; and

WHEREAS, That company has grown over the past century to become the world's leading aerospace manufacturer and the largest

breast cancer. Of course those numbers are appalling and it is our job who are working on health care issues to try and bring all those numbers below where there at now. I think there's a lack of consciousness currently about the tremendous toll heart disease takes on women in their diagnosis, with their doctors so, I'd just ask all women to pay attention to those symptom's that can come on and be aware that heart disease including stroke is the number one killer of all women in our country. Thank you."

MOTION

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

MOTION

On motion of Senator Brandland, Senators Benton and Holmquist were excused.

SECOND READING

SENATE BILL NO. 6213, by Senators Haugen and Swecker

Concerning vehicles at railroad grade crossings.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 6213 was substituted for Senate Bill No. 6213 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 6213 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and Swecker spoke in favor of the passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6213.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6213 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Absent: Senator Brown

Excused: Senator Holmquist

SUBSTITUTE SENATE BILL NO. 6213, 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. 5516, by Senators Franklin, Kline, Kohl-Welles, Regala, Fraser, Kauffman and Shin

Addressing drug overdose prevention.

The measure was read the second time.

MOTION

Senator Franklin moved that the following striking amendment by Senator Franklin be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature intends to save lives by increasing timely medical attention to drug overdose victims through the establishment of limited immunity from prosecution for people who seek medical assistance in a drug overdose situation. Drug overdose is the leading cause of unintentional injury death in Washington state, ahead of motor vehicle related deaths. Washington state is one of sixteen states in which drug overdoses cause more deaths than traffic accidents. Drug overdose mortality rates have increased significantly since the 1990s, according to the centers for disease control and prevention, and illegal and prescription drug overdoses killed more than thirty-eight thousand people nationwide in 2006, the last year for which firm data is available. The Washington state department of health reports that in 1999, unintentional drug poisoning was responsible for four hundred three deaths in this state; in 2007, the number had increased to seven hundred sixty-one, compared with six hundred ten motor vehicle related deaths that same year. Many drug overdose fatalities occur because peers delay or forego calling 911 for fear of arrest or police involvement, which researchers continually identify as the most significant barrier to the ideal first response of calling emergency services.

NEW SECTION. Sec. 2. A new section is added to chapter 69.50 RCW to read as follows:

(1)(a) A person acting in good faith who seeks medical assistance for someone experiencing a drug-related overdose shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge of possession of a controlled substance was obtained as a result of the person seeking medical assistance.

(b) A person acting in good faith may receive a naloxone prescription, possess naloxone, and administer naloxone to an individual suffering from an apparent opiate-related overdose.

(2) A person who experiences a drug-related overdose and is in need of medical assistance shall not be charged or prosecuted for possession of a controlled substance pursuant to RCW 69.50.4013, or penalized under RCW 69.50.4014, if the evidence for the charge of possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.

(3) The protection in this section from prosecution for possession crimes under RCW 69.50.4013 shall not be grounds for suppression of evidence in other criminal charges.

NEW SECTION. Sec. 3. A new section is added to chapter 18.130 RCW to read as follows:

The administering, dispensing, prescribing, purchasing, acquisition, possession, or use of naloxone shall not constitute unprofessional conduct under chapter 18.130 RCW, or be in violation of any provisions under this chapter, by any practitioner or person, if the unprofessional conduct or violation results from a good faith effort to assist:

(1) A person experiencing, or likely to experience, an opiate-related overdose; or

(2) A family member, friend, or other person in a position to assist a person experiencing, or likely to experience, an opiate-related overdose.

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Sec. 4. RCW 9.94A.535 and 2008 c 276 s 303 and 2008 c 233 s 9 are each reenacted and amended to read as follows:

The court may impose a sentence outside the standard sentence range for an offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence. Facts supporting aggravated sentences, other than the fact of a prior conviction, shall be determined pursuant to the provisions of RCW 9.94A.537.

Whenever a sentence outside the standard sentence range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard sentence range shall be a determinate sentence.

If the sentencing court finds that an exceptional sentence outside the standard sentence range should be imposed, the sentence is subject to review only as provided for in RCW 9.94A.585(4).

A departure from the standards in RCW 9.94A.589 (1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in this section, and may be appealed by the offender or the state as set forth in RCW 9.94A.585 (2) through (6).

(1) Mitigating Circumstances - Court to Consider

The court may impose an exceptional sentence below the standard range if it finds that mitigating circumstances are established by a preponderance of the evidence. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(e) The defendant's capacity to appreciate the wrongfulness of his or her conduct, or to conform his or her conduct to the requirements of the law, was significantly impaired. Voluntary use of drugs or alcohol is excluded.

(f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(g) The operation of the multiple offense policy of RCW 9.94A.589 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(h) The defendant or the defendant's children suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(i) The defendant was making a good faith effort to obtain or provide medical assistance for someone who is experiencing a drug-related overdose.

(2) Aggravating Circumstances - Considered and Imposed by the Court

The trial court may impose an aggravated exceptional sentence without a finding of fact by a jury under the following circumstances:

(a) The defendant and the state both stipulate that justice is best served by the imposition of an exceptional sentence outside the standard range, and the court finds the exceptional sentence to be consistent with and in furtherance of the interests of justice and the purposes of the sentencing reform act.

(b) The defendant's prior unscored misdemeanor or prior unscored foreign criminal history results in a presumptive sentence

that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(c) The defendant has committed multiple current offenses and the defendant's high offender score results in some of the current offenses going unpunished.

(d) The failure to consider the defendant's prior criminal history which was omitted from the offender score calculation pursuant to RCW 9.94A.525 results in a presumptive sentence that is clearly too lenient.

(3) Aggravating Circumstances - Considered by a Jury -Imposed by the Court

Except for circumstances listed in subsection (2) of this section, the following circumstances are an exclusive list of factors that can support a sentence above the standard range. Such facts should be determined by procedures specified in RCW 9.94A.537.

(a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

(b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance.

(c) The current offense was a violent offense, and the defendant knew that the victim of the current offense was pregnant.

(d) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(i) The current offense involved multiple victims or multiple incidents per victim;

(ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time; or

(iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(e) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify a current offense as a major VUCSA:

(i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so;

(ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use;

(iii) The current offense involved the manufacture of controlled substances for use by other parties;

(iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy;

(v) The current offense involved a high degree of sophistication or planning, occurred over a lengthy period of time, or involved a broad geographic area of disbursement; or

(vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional).

(f) The current offense included a finding of sexual motivation pursuant to RCW 9.94A.835.

(g) The offense was part of an ongoing pattern of sexual abuse of the same victim under the age of eighteen years manifested by multiple incidents over a prolonged period of time.

(h) The current offense involved domestic violence, as defined in RCW 10.99.020, and one or more of the following was present:

(i) The offense was part of an ongoing pattern of psychological, physical, or sexual abuse of the victim manifested by multiple incidents over a prolonged period of time;

(ii) The offense occurred within sight or sound of the victim's or the offender's minor children under the age of eighteen years; or

(iii) The offender's conduct during the commission of the current offense manifested deliberate cruelty or intimidation of the victim.

(i) The offense resulted in the pregnancy of a child victim of rape.

(j) The defendant knew that the victim of the current offense was a youth who was not residing with a legal custodian and the defendant established or promoted the relationship for the primary purpose of victimization.

(k) The offense was committed with the intent to obstruct or impair human or animal health care or agricultural or forestry research or commercial production.

(l) The current offense is trafficking in the first degree or trafficking in the second degree and any victim was a minor at the time of the offense.

(m) The offense involved a high degree of sophistication or planning.

(n) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(o) The defendant committed a current sex offense, has a history of sex offenses, and is not amenable to treatment.

(p) The offense involved an invasion of the victim's privacy.

(q) The defendant demonstrated or displayed an egregious lack of remorse.

(r) The offense involved a destructive and foreseeable impact on persons other than the victim.

(s) The defendant committed the offense to obtain or maintain his or her membership or to advance his or her position in the hierarchy of an organization, association, or identifiable group.

(t) The defendant committed the current offense shortly after being released from incarceration.

(u) The current offense is a burglary and the victim of the burglary was present in the building or residence when the crime was committed.

(v) The offense was committed against a law enforcement officer who was performing his or her official duties at the time of the offense, the offender knew that the victim was a law enforcement officer, and the victim's status as a law enforcement officer is not an element of the offense.

(w) The defendant committed the offense against a victim who was acting as a good Samaritan.

(x) The defendant committed the offense against a public official or officer of the court in retaliation of the public official's performance of his or her duty to the criminal justice system.

(y) The victim's injuries substantially exceed the level of bodily harm necessary to satisfy the elements of the offense. This aggravator is not an exception to RCW 9.94A.530(2).

(z)(i)(A) The current offense is theft in the first degree, theft in the second degree, possession of stolen property in the first degree, or possession of stolen property in the second degree; (B) the stolen property involved is metal property; and (C) the property damage to the victim caused in the course of the theft of metal property is more than three times the value of the stolen metal property, or the theft of the metal property creates a public hazard.

(ii) For purposes of this subsection, "metal property" means commercial metal property, private metal property, or nonferrous metal property, as defined in RCW 19.290.010.

(aa) The defendant committed the offense with the intent to directly or indirectly cause any benefit, aggrandizement, gain, profit,

or other advantage to or for a criminal street gang as defined in RCW 9.94A.030, its reputation, influence, or membership.

Sec. 5. RCW 18.130.180 and 2008 c 134 s 25 are each amended to read as follows:

The following conduct, acts, or conditions constitute unprofessional conduct for any license holder under the jurisdiction of this chapter:

(1) The commission of any act involving moral turpitude, dishonesty, or corruption relating to the practice of the person's profession, whether the act constitutes a crime or not. If the act constitutes a crime, conviction in a criminal proceeding is not a condition precedent to disciplinary action. Upon such a conviction, however, the judgment and sentence is conclusive evidence at the ensuing disciplinary hearing of the guilt of the license holder of the crime described in the indictment or information, and of the person's violation of the statute on which it is based. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for the conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(2) Misrepresentation or concealment of a material fact in obtaining a license or in reinstatement thereof;

(3) All advertising which is false, fraudulent, or misleading;

(4) Incompetence, negligence, or malpractice which results in injury to a patient or which creates an unreasonable risk that a patient may be harmed. The use of a nontraditional treatment by itself shall not constitute unprofessional conduct, provided that it does not result in injury to a patient or create an unreasonable risk that a patient may be harmed;

(5) Suspension, revocation, or restriction of the individual's license to practice any health care profession by competent authority in any state, federal, or foreign jurisdiction, a certified copy of the order, stipulation, or agreement being conclusive evidence of the revocation, suspension, or restriction;

(6) Except when authorized by section 3 of this act, the possession, use, prescription for use, or distribution of controlled substances or legend drugs in any way other than for legitimate or therapeutic purposes, diversion of controlled substances or legend drugs, the violation of any drug law, or prescribing controlled substances for oneself;

(7) Violation of any state or federal statute or administrative rule regulating the profession in question, including any statute or rule defining or establishing standards of patient care or professional conduct or practice;

(8) Failure to cooperate with the disciplining authority by:

(a) Not furnishing any papers, documents, records, or other items;

(b) Not furnishing in writing a full and complete explanation covering the matter contained in the complaint filed with the disciplining authority;

(c) Not responding to subpoenas issued by the disciplining authority, whether or not the recipient of the subpoena is the accused in the proceeding; or

(d) Not providing reasonable and timely access for authorized representatives of the disciplining authority seeking to perform practice reviews at facilities utilized by the license holder;

(9) Failure to comply with an order issued by the disciplining authority or a stipulation for informal disposition entered into with the disciplining authority;

(10) Aiding or abetting an unlicensed person to practice when a license is required;

(11) Violations of rules established by any health agency;

(12) Practice beyond the scope of practice as defined by law or rule;

(13) Misrepresentation or fraud in any aspect of the conduct of the business or profession;

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(14) Failure to adequately supervise auxiliary staff to the extent that the consumer's health or safety is at risk;

(15) Engaging in a profession involving contact with the public while suffering from a contagious or infectious disease involving serious risk to public health;

(16) Promotion for personal gain of any unnecessary or inefficacious drug, device, treatment, procedure, or service;

(17) Conviction of any gross misdemeanor or felony relating to the practice of the person's profession. For the purposes of this subsection, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence has been deferred or suspended. Nothing in this section abrogates rights guaranteed under chapter 9.96A RCW;

(18) The procuring, or aiding or abetting in procuring, a criminal abortion;

(19) The offering, undertaking, or agreeing to cure or treat disease by a secret method, procedure, treatment, or medicine, or the treating, operating, or prescribing for any health condition by a method, means, or procedure which the licensee refuses to divulge upon demand of the disciplining authority;

(20) The willful betrayal of a practitioner-patient privilege as recognized by law;

(21) Violation of chapter 19.68 RCW;

(22) Interference with an investigation or disciplinary proceeding by willful misrepresentation of facts before the disciplining authority or its authorized representative, or by the use of threats or harassment against any patient or witness to prevent them from providing evidence in a disciplinary proceeding or any other legal action, or by the use of financial inducements to any patient or witness to prevent or attempt to prevent him or her from providing evidence in a disciplinary proceeding;

(23) Current misuse of:

(a) Alcohol;

(b) Controlled substances; or

(c) Legend drugs;

(24) Abuse of a client or patient or sexual contact with a client or patient;

(25) Acceptance of more than a nominal gratuity, hospitality, or subsidy offered by a representative or vendor of medical or health-related products or services intended for patients, in contemplation of a sale or for use in research publishable in professional journals, where a conflict of interest is presented, as defined by rules of the disciplining authority, in consultation with the department, based on recognized professional ethical standards."

Senators Franklin and McCaslin spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Franklin to Senate Bill No. 5516.

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

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "prevention;" strike the remainder of the title and insert "amending RCW 18.130.180; reenacting and amending RCW 9.94A.535; adding a new section to chapter 69.50 RCW; adding a new section to chapter 18.130 RCW; and creating a new section."

MOTION

On motion of Senator Franklin, the rules were suspended, Engrossed Senate Bill No. 5516 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kline spoke in favor of passage of the bill.

MOTION

On motion of Senator Kauffman, Senator Brown was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5516.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5516 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Voting nay: Senator Carrell

Excused: Senator Holmquist

ENGROSSED SENATE BILL NO. 5516, 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. 6229, by Senators Schoesler and Ranker

Extending to 2015 the assessment levied under RCW 15.36.551 to support the dairy inspection program.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 6229 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler 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. 6229.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6229 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton,

Murray, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Voting nay: Senator Oemig

Excused: Senator Holmquist

SENATE BILL NO. 6229, 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. 6221, by Senator Fairley

Concerning clarification and expansion of eligibility to use the state's local government investment pool.

The measure was read the second time.

MOTION

Senator Tom moved that the following amendment by Senators Tom and King be adopted.

On page 4, line 6, after "designee," insert "authorized officer of a school district."

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

The President declared the question before the Senate to be the adoption of the amendment by Senators Tom and King on page 4, line 6 to Senate Bill No. 6621.

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 Senate Bill No. 6221 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.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6221.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6221 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator Holmquist

ENGROSSED SENATE BILL NO. 6221, 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. 5798, by Senators Kohl-Welles, McCaslin, Keiser, Pflug and Kline

Concerning medical marijuana.

MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5798 was substituted for Senate Bill No. 5798 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. 5798 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Pflug spoke in favor of the passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5798.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5798 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 11; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hatfield, Hewitt, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Shin and Tom

Voting nay: Senators Benton, Hargrove, Haugen, Honeyford, Morton, Roach, Schoesler, Sheldon, Stevens, Swecker and Zarelli

Excused: Senator Holmquist

SUBSTITUTE SENATE BILL NO. 5798, 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.

MOTION

On motion of Senator Eide, the Senate advanced to the seventh order of business.

THIRD READING

SENATE BILL NO. 6103, by Senator Prentice.

Modifying the definition of gambling.

The bill was read on Third Reading.

Senator Prentice 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. 6103.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6103 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hobbs, Jacobsen, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Morton, Murray,

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Oemig, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Sheldon, Shin, Swecker and Tom

Voting nay: Senators Becker, Brandland, Carrell, Hewitt, Honeyford, Kastama, King, McCaslin, Parlette, Pflug, Schoesler, Stevens and Zarelli

Excused: Senator Holmquist

SENATE BILL NO. 6103, 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.

MOTION

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

SECOND READING

SENATE BILL NO. 6273, by Senators Swecker, Fairley, Keiser, Hatfield, Pflug, Stevens, Shin and McCaslin

Concerning insurance coverage of the sales tax for prescribed durable medical equipment and mobility enhancing equipment. Revised for 1st Substitute: Regarding insurance coverage of the sales tax for prescribed durable medical equipment and mobility enhancing equipment.

MOTIONS

On motion of Senator Swecker, Substitute Senate Bill No. 6273 was substituted for Senate Bill No. 6273 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Swecker, the rules were suspended, Substitute Senate Bill No. 6273 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Swecker and Keiser spoke in favor of the passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6273.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6273 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator Holmquist

SUBSTITUTE SENATE BILL NO. 6273, 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. 5621, by Senators Kline and Marr

Regarding hearing examiner fees.

The measure was read the second time.

MOTION

On motion of Senator Kline, the rules were suspended, Senate Bill No. 5621 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kline 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. 5621.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5621 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 13; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brown, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Prentice, Pridemore, Ranker, Regala, Rockefeller, Sheldon, Shin, Swecker and Tom

Voting nay: Senators Becker, Benton, Brandland, Carrell, Delvin, Hewitt, Honeyford, Parlette, Pflug, Roach, Schoesler, Stevens and Zarelli

Excused: Senator Holmquist

SENATE BILL NO. 5621, 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. 6243, by Senators Fairley, Oemig, Swecker and McDermott

Eliminating provisions for filings at locations other than the public disclosure commission.

The measure was read the second time.

MOTION

On motion of Senator Fairley, the rules were suspended, Senate Bill No. 6243 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fairley 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. 6243.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6243 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker,

Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Absent: Senator Brown

Excused: Senator Holmquist

SENATE BILL NO. 6243, 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.

MOTION

On motion of Senator Eide, the Senate advanced to the seventh order of business.

THIRD READING

SUBSTITUTE SENATE BILL NO. 5424, by Senate Committee on Ways & Means (originally sponsored by Senators Parlette and Sheldon).

Concerning interest rate and penalty provisions in the current use program.

The bill was read on Third Reading.

MOTION

On motion of Senator Parlette, the rules were suspended and Substitute Senate Bill No. 5424 was returned to second reading for the purpose of amendment.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5424, by Senate Committee on Ways & Means (originally sponsored by Senators Parlette and Sheldon)

Concerning interest rate and penalty provisions in the current use program.

The measure was read the second time.

MOTION

Senator Parlette moved that the following striking amendment by Senators Parlette and Sheldon be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 84.34.108 and 2009 c 513 s 2, 2009 c 354 s 3, 2009 c 255 s 2, and 2009 c 246 s 3 are each reenacted and amended to read as follows:

(1) When land has once been classified under this chapter, a notation of the classification ~~((shall))~~ must be made each year upon the assessment and tax rolls and the land ~~((shall))~~ must be valued pursuant to RCW 84.34.060 or 84.34.065 until removal of all or a portion of the classification by the assessor upon occurrence of any of the following:

(a) Receipt of notice from the owner to remove all or a portion of the classification;

(b) Sale or transfer to an ownership, except a transfer that resulted from a default in loan payments made to or secured by a governmental agency that intends to or is required by law or regulation to resell the property for the same use as before, making all or a portion of the land exempt from ad valorem taxation;

(c) Sale or transfer of all or a portion of the land to a new owner, unless the new owner has signed a notice of classification continuance, except transfer to an owner who is an heir or devisee of

a deceased owner ~~((shall))~~ does not, by itself, result in removal of classification. The notice of continuance shall be on a form prepared by the department. If the notice of continuance is not signed by the new owner and attached to the real estate excise tax affidavit, all additional taxes calculated pursuant to subsection (4) of this section ~~((shall become))~~ are due and payable by the seller or transferor at time of sale. The auditor ~~((shall))~~ may not accept an instrument of conveyance regarding classified land for filing or recording unless the new owner has signed the notice of continuance or the additional tax has been paid, as evidenced by the real estate excise tax stamp affixed thereto by the treasurer. The seller, transferor, or new owner may appeal the new assessed valuation calculated under subsection (4) of this section to the county board of equalization in accordance with the provisions of RCW 84.40.038. Jurisdiction is hereby conferred on the county board of equalization to hear these appeals;

(d) Determination by the assessor, after giving the owner written notice and an opportunity to be heard, that all or a portion of the land no longer meets the criteria for classification under this chapter. The criteria for classification pursuant to this chapter continue to apply after classification has been granted.

The granting authority, upon request of an assessor, ~~((shall))~~ must provide reasonable assistance to the assessor in making a determination whether the land continues to meet the qualifications of RCW 84.34.020 (1) or (3). The assistance ~~((shall))~~ must be provided within thirty days of receipt of the request.

(2) Land may not be removed from classification because of:

(a) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120; or

(b) The creation, sale, or transfer of a fee interest or a conservation easement for the riparian open space program under RCW 76.09.040.

(3) Within thirty days after the removal of all or a portion of the land from current use classification under subsection (1) of this section, the assessor shall notify the owner in writing, setting forth the reasons for the removal. The seller, transferor, or owner may appeal the removal to the county board of equalization in accordance with the provisions of RCW 84.40.038. The removal notice must explain the steps needed to appeal the removal decision, including when a notice of appeal must be filed, where the forms may be obtained, and how to contact the county board of equalization.

(4) Unless the removal is reversed on appeal, the assessor ~~((shall))~~ must revalue the affected land with reference to its true and fair value on January 1st of the year of removal from classification. Both the assessed valuation before and after the removal of classification shall be listed and taxes shall be allocated according to that part of the year to which each assessed valuation applies. Except as provided in subsection (6) of this section, an additional tax, applicable interest, and penalty ~~((shall be))~~ is imposed which ~~((shall be))~~ is due and payable to the treasurer thirty days after the owner is notified of the amount of the additional tax. As soon as possible, the assessor ~~((shall))~~ must compute the amount of additional tax, applicable interest, and penalty and the treasurer shall mail notice to the owner of the amount thereof and the date on which payment is due. The amount of the additional tax, applicable interest, and penalty ~~((shall))~~ must be determined as follows:

(a) The amount of additional tax ~~((shall be))~~ is equal to the difference between the property tax paid as "open space land," "farm and agricultural land," or "timber land" and the amount of property tax otherwise due and payable for the seven years last past had the land not been so classified;

(b) ~~((The amount of applicable interest shall be equal to the interest upon the amounts of the additional tax paid at the same statutory rate charged on delinquent property taxes from the dates on which the additional tax could have been paid without penalty if the~~

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~~land had been assessed at a value without regard to this chapter;))~~
The interest rate provided in RCW 84.69.100 must be charged on the amount of additional tax imposed under (a) of this subsection. The annual rate of interest in effect at the time of removal must be applied to the total amount of additional tax due;

(c) The amount of the penalty ~~((shall be))~~ is as provided in RCW 84.34.080. The penalty ~~((shall))~~ may not be imposed if the removal satisfies the conditions of RCW 84.34.070.

(5) Additional tax, applicable interest, and penalty, ~~((shall))~~ must become a lien on the land which ~~((shall))~~ attaches at the time the land is removed from classification under this chapter and ~~((shall have))~~ has priority to and shall be fully paid and satisfied before any recognizance, mortgage, judgment, debt, obligation or responsibility to or with which the land may become charged or liable. This lien may be foreclosed upon expiration of the same period after delinquency and in the same manner provided by law for foreclosure of liens for delinquent real property taxes as provided in RCW 84.64.050. Any additional tax unpaid on its due date ~~((shall))~~ becomes thereupon ~~((become))~~ delinquent. From the date of delinquency until paid, interest ~~((shall))~~ must be charged at the same rate applied by law to delinquent ad valorem property taxes.

(6) The additional tax, applicable interest, and penalty specified in subsection (4) of this section ~~((shall))~~ may not be imposed if the removal of classification pursuant to subsection (1) of this section resulted solely from:

(a) Transfer to a government entity in exchange for other land located within the state of Washington;

(b)(i) A taking through the exercise of the power of eminent domain, or (ii) sale or transfer to an entity having the power of eminent domain in anticipation of the exercise of such power, said entity having manifested its intent in writing or by other official action;

(c) A natural disaster such as a flood, windstorm, earthquake, or other such calamity rather than by virtue of the act of the landowner changing the use of the property;

(d) Official action by an agency of the state of Washington or by the county or city within which the land is located which disallows the present use of the land;

(e) Transfer of land to a church when the land would qualify for exemption pursuant to RCW 84.36.020;

(f) Acquisition of property interests by state agencies or agencies or organizations qualified under RCW 84.34.210 and 64.04.130 for the purposes enumerated in those sections. At such time as these property interests are not used for the purposes enumerated in RCW 84.34.210 and 64.04.130 the additional tax specified in subsection (4) of this section ~~((shall be))~~ is imposed;

(g) Removal of land classified as farm and agricultural land under RCW 84.34.020(2)(f);

(h) Removal of land from classification after enactment of a statutory exemption that qualifies the land for exemption and receipt of notice from the owner to remove the land from classification;

(i) The creation, sale, or transfer of forestry riparian easements under RCW 76.13.120;

(j) The creation, sale, or transfer of a conservation easement of private forest lands within unconfined channel migration zones or containing critical habitat for threatened or endangered species under RCW 76.09.040;

(k) The sale or transfer of land within two years after the death of the owner of at least a fifty percent interest in the land if the land has been assessed and valued as classified forest land, designated as forest land under chapter 84.33 RCW, or classified under this chapter continuously since 1993. The date of death shown on a death certificate is the date used for the purposes of this subsection (6)(k); or

(1)(i) The discovery that the land was classified under this chapter in error through no fault of the owner. For purposes of this subsection (6)(l), "fault" means a knowingly false or misleading statement, or other act or omission not in good faith, that contributed to the approval of classification under this chapter or the failure of the assessor to remove the land from classification under this chapter.

(ii) For purposes of this subsection (6), the discovery that land was classified under this chapter in error through no fault of the owner is not the sole reason for removal of classification pursuant to subsection (1) of this section if an independent basis for removal exists. Examples of an independent basis for removal include the owner changing the use of the land or failing to meet any applicable income criteria required for classification under this chapter.

Sec. 2. RCW 84.34.070 and 1992 c 69 s 10 are each amended to read as follows:

(1) When land has once been classified under this chapter, it shall remain under such classification and shall not be applied to other use except as provided by subsection (2) of this section for at least ten years from the date of classification and shall continue under such classification until and unless withdrawn from classification after notice of request for withdrawal shall be made by the owner. ~~((During any year))~~ After ~~((eight years of))~~ the initial ten-year classification period ~~((have))~~ has elapsed, notice of request for withdrawal of all or a portion of the land may be given by the owner to the assessor or assessors of the county or counties in which such land is situated. In the event that a portion of a parcel is removed from classification, the remaining portion must meet the same requirements as did the entire parcel when such land was originally granted classification pursuant to this chapter unless the remaining parcel has different income criteria. Within seven days the assessor shall transmit one copy of such notice to the legislative body which originally approved the application. The assessor or assessors, as the case may be, shall ~~((when two assessment years have elapsed following the date of receipt of such notice,))~~ withdraw such land from such classification and the land shall be subject to the additional tax and applicable interest due under RCW 84.34.108. Agreement to tax according to use shall not be considered to be a contract and can be abrogated at any time by the legislature in which event no additional tax or penalty shall be imposed.

(2) The following reclassifications are not considered withdrawals or removals and are not subject to additional tax under RCW 84.34.108:

(a) Reclassification between lands under RCW 84.34.020 (2) and (3);

(b) Reclassification of land classified under RCW 84.34.020 (2) or (3) or chapter 84.33 RCW to open space land under RCW 84.34.020(1);

(c) Reclassification of land classified under RCW 84.34.020 (2) or (3) to forest land classified under chapter 84.33 RCW; and

(d) Reclassification of land classified as open space land under RCW 84.34.020(1)(c) and reclassified to farm and agricultural land under RCW 84.34.020(2) if the land had been previously classified as farm and agricultural land under RCW 84.34.020(2).

(3) Applications for reclassification shall be subject to applicable provisions of RCW 84.34.037, 84.34.035, 84.34.041, and chapter 84.33 RCW.

(4) The income criteria for land classified under RCW 84.34.020(2) (b) and (c) may be deferred for land being reclassified from land classified under RCW 84.34.020 (1)(c) or (3), or chapter 84.33 RCW into RCW 84.34.020(2) (b) or (c) for a period of up to five years from the date of reclassification.

NEW SECTION. Sec. 3. This act applies to taxes levied for collection in 2011 and thereafter."

Senator Parlette spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Parlette and Sheldon to Substitute Senate Bill No. 5424.

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

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "interest rate and penalty provisions in the current use program; amending RCW 84.34.070; reenacting and amending RCW 84.34.108; and creating a new section."

MOTION

On motion of Senator Parlette, the rules were suspended, Engrossed Substitute Senate Bill No. 5424 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5424.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5424 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 5; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Franklin, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker and Zarelli

Voting nay: Senators Fairley, Fraser, Ranker, Regala and Tom

Excused: Senator Holmquist

ENGROSSED SUBSTITUTE SENATE BILL NO. 5424, 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.

MOTION

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

SECOND READING

SENATE BILL NO. 6211, by Senators Haugen, Hatfield and Kohl-Welles

Creating an agricultural scenic corridor within the scenic and recreational highway system.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 6211 was substituted for Senate Bill No. 6211 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 6211 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Haugen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6211.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6211 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Absent: Senator Hargrove

Excused: Senator Holmquist

SUBSTITUTE SENATE BILL NO. 6211, 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. 6345, by Senators Eide, Regala, Delvin, Haugen, Kohl-Welles, Rockefeller, Keiser, Fairley, Kline, Tom and Fraser

Addressing the use of wireless communications devices while driving.

MOTIONS

On motion of Senator Eide, Substitute Senate Bill No. 6345 was substituted for Senate Bill No. 6345 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Eide, the rules were suspended, Substitute Senate Bill No. 6345 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Eide, Benton and Regala spoke in favor of the passage of the bill.

Senators Sheldon and Pflug spoke against passage of the bill.

MOTION

On motion of Senator Marr, Senator Oemig was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6345.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6345 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 0; Excused, 1.

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Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Haugen, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McCaslin, McDermott, Morton, Murray, Parlette, Prentice, Ranker, Regala, Rockefeller, Shin and Tom

Voting nay: Senators Carrell, Hargrove, Hatfield, Hewitt, Honeyford, McAuliffe, Oemig, Pflug, Pridemore, Roach, Schoesler, Sheldon, Stevens, Swecker and Zarelli

Excused: Senator Holmquist

SUBSTITUTE SENATE BILL NO. 6345, 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.

MOTION

At 11:51 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 5:09 p.m. by Senator Fraser.

MOTION

On motion of Senator McDermott, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 5, 2010

SB 5543 Prime Sponsor, Senator Pridemore: Establishing the product stewardship recycling act for mercury-containing lights. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5543 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Marr; Oemig and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Morton.

Passed to Committee on Ways & Means.

February 4, 2010

SB 5786 Prime Sponsor, Senator Fraser: Authorizing the creation of cultural access authorities. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Second Substitute Senate Bill No. 5786 be substituted therefor, and the second substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and King.

Passed to Committee on Ways & Means.

February 3, 2010

SB 5838 Prime Sponsor, Senator McDermott: Concerning traffic infractions where the conduct is a proximate

cause of death, great bodily harm, or substantial bodily injury. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5838 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Gordon; Kohl-Welles and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 5912 Prime Sponsor, Senator Oemig: Providing public funding for supreme court campaigns. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5912 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

MINORITY recommendation: Do not pass. Signed by Senators Benton and Swecker.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6204 Prime Sponsor, Senator Sheldon: Privatizing the sale of liquor. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6204 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Honeyford and King.

MINORITY recommendation: Do not pass. Signed by Senator Kline.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6225 Prime Sponsor, Senator Schoesler: Concerning population thresholds that determine the number of local councilmembers and receipt of local funds. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Roach; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6241 Prime Sponsor, Senator Kilmer: Creating community facilities districts. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 6241 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin and Kilmer.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6242 Prime Sponsor, Senator Pridemore: Updating hazardous waste fee provisions. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 6242 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford; Delvin; Fraser; Marr; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Morton and Oemig.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6245 Prime Sponsor, Senator Kline: Concerning prohibited practices of collection agencies. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6245 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Gordon; Hargrove and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6267 Prime Sponsor, Senator Rockefeller: Regarding water right processing improvements. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 6267 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Marr; Oemig and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Morton.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6301 Prime Sponsor, Senator Swecker: Concerning the designation of urban growth areas outside the hundred year floodplain by counties. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6301 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6316 Prime Sponsor, Senator Carrell: Addressing the coordination between local law enforcement and the department of corrections. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6316 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6362 Prime Sponsor, Senator Zarelli: Concerning government accountability. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6362 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; Benton; Pridemore and Swecker.

Passed to Committee on Ways & Means.

February 5, 2010

SB 6397 Prime Sponsor, Senator Kline: Addressing the viewing of sexually explicit depictions of minors on the internet. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6397 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon; Hargrove; Kohl-Welles and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6433 Prime Sponsor, Senator Honeyford: Extending the time in which certain experienced home inspectors can apply for licensure without meeting instruction and training requirements. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6433 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin; Honeyford; King and Kline.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6476 Prime Sponsor, Senator Stevens: Revising provisions relating to sex crimes involving minors. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6476 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6489 Prime Sponsor, Senator Oemig: Adding products to the energy efficiency code. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 6489 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Marr; Oemig and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and Morton.

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Passed to Committee on Rules for second reading.

February 4, 2010

SB 6494 Prime Sponsor, Senator Tom: Regarding state board of health rules that impact school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6494 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; King; Brandland; Gordon; Hobbs; McDermott and Tom.

MINORITY recommendation: Do not pass. Signed by Senators Oemig, Vice Chair, K-12 and Roach.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6500 Prime Sponsor, Senator Fraser: Limiting the use of restraints on pregnant women or youth. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6500 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Carrell; Kauffman and McAuliffe.

MINORITY recommendation: Do not pass. Signed by Senator Brandland.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6504 Prime Sponsor, Senator Hargrove: Reducing crime victims' compensation benefits and eligibility. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6504 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6515 Prime Sponsor, Senator Kastama: Refocusing the department of commerce, including transferring programs. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 6515 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide; Kilmer and McCaslin.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6533 Prime Sponsor, Senator Roach: Granting high school credit for learning experiences. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6533 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6550 Prime Sponsor, Senator Hargrove: Imposing a sanction for offenders who violate sentence conditions by committing an assault against a law enforcement officer, employee of a law enforcement agency, or department of corrections employee. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6550 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6561 Prime Sponsor, Senator Hargrove: Restricting access to juvenile offender records. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6561 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee Ways & Means.

February 4, 2010

SB 6570 Prime Sponsor, Senator Haugen: Accommodating certain private transportation providers at designated transit only lanes on public highways. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6570 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Benton; Berkey; Delvin; Hatfield; Jacobsen; Kastama; Kauffman; Kilmer; King and Ranker.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6578 Prime Sponsor, Senator Swecker: Creating an optional multiagency permitting team. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 6578 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide and Kilmer.

Passed to Committee on Ways & Means.

February 5, 2010

SB 6590 Prime Sponsor, Senator Kline: Requiring law enforcement officers to be honest and truthful. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6590 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon; Hargrove; Kohl-Welles and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6603 Prime Sponsor, Senator Marr: Concerning land uses adjacent to general aviation airports. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6603 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Benton; Berkey; Delvin; Hatfield; Jacobsen; Kastama and King.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6611 Prime Sponsor, Senator Pridemore: Extending the deadlines for the review and evaluation of comprehensive land use plan and development regulations for three years. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6611 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

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

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6613 Prime Sponsor, Senator Kastama: Modifying the sales and use tax deferral program for investment projects in rural counties. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 6613 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide and Kilmer.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6639 Prime Sponsor, Senator Brown: Creating alternatives to total confinement for nonviolent offenders with minor children. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6639 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6646 Prime Sponsor, Senator Kilmer: Concerning business and occupation tax credits for job creation. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 6646 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide and Kilmer.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6648 Prime Sponsor, Senator Kline: Protecting and assisting consumers and homeowners from unfair lending practices and during foreclosure proceedings. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6648 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and King.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6663 Prime Sponsor, Senator Kohl-Welles: Regulating tanning facilities. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6663 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and King.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6666 Prime Sponsor, Senator Pflug: Addressing statutory construction. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6666 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Hargrove and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6669 Prime Sponsor, Senator Kastama: Concerning the small business development center. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 6669 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Delvin and Eide.

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MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zarelli and McCaslin.

Passed to Committee on Ways & Means.

February 5, 2010

SB 6672 Prime Sponsor, Senator Rockefeller: Modifying the energy independence act. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 6672 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Marr; Oemig; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Morton.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6680 Prime Sponsor, Senator Hargrove: Authorizing counties to impose local sales and use taxes for criminal justice purposes. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6680 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Kauffman and McAuliffe.

MINORITY recommendation: Do not pass. Signed by Senator Carrell.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Stevens and Brandland.

Passed to Committee on Ways & Means.

February 2, 2010

SB 6686 Prime Sponsor, Senator Gordon: Changing the election and appointment provisions for municipal court judges. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6686 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Gordon and Kohl-Welles.

MINORITY recommendation: Do not pass. Signed by Senators Carrell and Roach.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6693 Prime Sponsor, Senator Pridemore: Concerning vehicle license fraud. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6693 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Benton; Berkey; Delvin; Hatfield; Jacobsen; Kastama; Kauffman; Kilmer; King and Ranker.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6697 Prime Sponsor, Senator Haugen: Concerning suffocation. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6697 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Gordon; Hargrove and Kohl-Welles.

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

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6700 Prime Sponsor, Senator Sheldon: Authorizing the naming or renaming of state ferry vessels. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Benton; Berkey; Delvin; Hatfield; Jacobsen; Kauffman; Kilmer; King and Ranker.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6709 Prime Sponsor, Senator Brandland: Waiving the imposition of legal financial obligations in certain circumstances. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6726 Prime Sponsor, Senator Marr: Making the governor the public employer of language access providers. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6726 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and King.

Passed to Committee on Ways & Means.

February 5, 2010

SB 6729 Prime Sponsor, Senator Fraser: Addressing the contents of notices to shareholders of annual or special meetings. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6729 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon; Hargrove; Kohl-Welles and Roach.

Passed to Committee on Rules for second reading.

February 3, 2010

SB 6730 Prime Sponsor, Senator Becker: Concerning child welfare. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6730 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6733 Prime Sponsor, Senator King: Allocating responsibility for court-related costs of involuntary commitment proceedings. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6733 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6740 Prime Sponsor, Senator Hobbs: Concerning a comprehensive K-12 education policy. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6740 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs and McDermott.

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

Passed to Committee on Ways & Means.

February 4, 2010

SB 6743 Prime Sponsor, Senator McDermott: Regarding field investigations on privately owned lands. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6743 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6764 Prime Sponsor, Senator Gordon: Regarding accrual of interest on judgments founded on tortious conduct. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Gordon; Hargrove and Kohl-Welles.

MINORITY recommendation: Do not pass. Signed by Senator Carrell.

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

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6768 Prime Sponsor, Senator Pridemore: Allowing county treasurers to use electronic bill presentment and payment that includes an automatic electronic payment option for property taxes. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6768 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6775 Prime Sponsor, Senator Kohl-Welles: Creating a task force to study and report on the state's workers' compensation system. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6775 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin; King and Kline.

MINORITY recommendation: Do not pass. Signed by Senator Honeyford.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6778 Prime Sponsor, Senator McAuliffe: Establishing an alternative route to a high school diploma. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6778 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Gordon and Roach.

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

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6788 Prime Sponsor, Senator Brown: Addressing the dissolution of the assets and affairs of a nonprofit corporation. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6788 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon; Hargrove; Kohl-Welles and Roach.

Passed to Committee on Rules for second reading.

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SB 6791 Prime Sponsor, Senator Hargrove: Concerning the involuntary treatment act. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6791 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6793 Prime Sponsor, Senator Kohl-Welles: Relating to unemployment benefits and taxes. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and King.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6797 Prime Sponsor, Senator Tom: Concerning voters' pamphlets. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6797 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6800 Prime Sponsor, Senator Kline: Regarding discrimination in public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6800 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Oemig, Vice Chair, K-12; King; Brandland; Gordon; Hobbs; McDermott; Roach and Tom.

MINORITY recommendation: Do not pass. Signed by Senator Kauffman, Vice Chair, Early Learning.

Passed to Committee on Rules for second reading.

February 5, 2010

SB 6803 Prime Sponsor, Senator Rockefeller: Concerning the withdrawal of groundwater for stock watering purposes. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 6803 be substituted therefor, and the substitute bill do

pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Marr; Oemig; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Morton.

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

Passed to Committee on Ways & Means.

February 4, 2010

SB 6808 Prime Sponsor, Senator Kilmer: Concerning private infrastructure development. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 6808 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide and Kilmer.

Passed to Committee Ways & Means.

February 4, 2010

SB 6815 Prime Sponsor, Senator Haugen: Concerning health care benefits for marine employees of the department of transportation. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Benton; Berkey; Delvin; Hatfield; Jacobsen; Kastama; Kauffman; Kilmer; King and Ranker.

Passed to Committee on Rules for second reading.

February 4, 2010

SB 6828 Prime Sponsor, Senator McAuliffe: Concerning the taxation of lodging. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

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

Passed to Committee on Ways & Means.

February 5, 2010

SB 6831 Prime Sponsor, Senator Parlette: Concerning estates and trusts. Reported by Committee on Judiciary

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon; Hargrove; Kohl-Welles and Roach.

Passed to Committee on Ways & Means.

February 4, 2010

SB 6832 Prime Sponsor, Senator Hargrove: Concerning child welfare services. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6832 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2010

SHJM 4004 Prime Sponsor, Committee on Transportation: Naming a certain portion of state route number 110 the "Operations Desert Shield and Desert Storm Memorial Highway." Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Benton; Berkey; Delvin; Hatfield; Jacobsen; Kastama; Kauffman; Kilmer; King and Ranker.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES GUBERNATORIAL APPOINTMENTS

February 4, 2010

SGA 9188 SHARON FOSTER, appointed on August 15, 2009, for the term ending January 15, 2015, as Member of the Liquor Control Board. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin; Honeyford; King and Kline.

Passed to Committee on Rules for second reading.

February 4, 2010

SGA 9213 VALORIA LOVELAND, appointed on August 3, 2009, for the term ending August 2, 2015, as Member of the Lottery Commission. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin; Honeyford; King and Kline.

Passed to Committee on Rules for second reading.

MOTION

On motion of McDermott, all measures listed on the Supplemental Standing Committee report were referred to the committees as designated with the exceptions of Senate Bill No. 6504, Senate Bill No. 6561 and Senate Bill No. 6808 which were referred to the Committee on Ways & Means.

MOTION

At 5:12 p.m., on motion of Senator McDermott, the Senate adjourned until 10:00 a.m. Monday, February 8, 2010.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

<LegDayAndDate/>

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