

**THIRTY-SECOND DAY**

**MORNING SESSION**

Senate Chamber, Olympia, Thursday, February 12, 2009

The Senate was called to order at 8:00 a.m. by the President Pro Tempore. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exception of Senator Fairley.

The Sergeant at Arms Color Guard consisting of Pages Stephanie Thomas and Riley Tinney, presented the Colors. Senator Shin offered the prayer.

**MOTION**

On motion of Senator Regala, Senator Fairley was excused.

The President assumed the chair.

**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 11, 2009

**SB 5071** Prime Sponsor, Senator Jacobsen: Designating the Olympic marmot the official endemic mammal of the state of Washington. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Stevens and Swecker.

Passed to Committee on Rules for second reading.

February 10, 2009

**SB 5120** Prime Sponsor, Senator Fairley: Regarding agricultural structures. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: 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 10, 2009

**SB 5130** Prime Sponsor, Senator Carrell: Regarding prisoner access to public records. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5130 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Kauffman.

Passed to Committee on Rules for second reading.

February 10, 2009

**SB 5141** Prime Sponsor, Senator Hargrove: Creating a pilot program to increase family participation in juvenile offender programs. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5141 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Kauffman.

Passed to Committee on Rules for second reading.

February 10, 2009

**SB 5167** Prime Sponsor, Senator Regala: Allowing a certificate of discharge to be issued when an existing order excludes or prohibits an offender from having contact with a specified person or business, or coming within a set distance of any specified location. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5167 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Kauffman.

Passed to Committee on Rules for second reading.

February 10, 2009

**SB 5209** Prime Sponsor, Senator Regala: Concerning counseling for witnesses in civil commitment proceedings under chapter 71.09 RCW. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5209 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Kauffman.

Passed to Committee on Rules for second reading.

February 10, 2009

**SB 5212** Prime Sponsor, Senator Kilmer: Modifying parenting plans based on the military service of a parent. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5212 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Kauffman.

Passed to Committee on Rules for second reading.

February 10, 2009

**SB 5261** Prime Sponsor, Senator Regala: Creating an electronic statewide unified sex offender registry program. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5261 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Kauffman.

Passed to Committee on Rules for second reading.

February 10, 2009

THIRTY-SECOND DAY, FEBRUARY 12, 2009

2009 REGULAR SESSION

SB 5286 Prime Sponsor, Senator Regala: Regarding exemptions from the WorkFirst program. Reported by Committee on Human Services & Corrections

Senators Fairley, Chair; Oemig, Vice Chair; McDermott; Pridemore and Swecker.

MAJORITY recommendation: That Substitute Senate Bill No. 5286 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Kauffman.

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

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 10, 2009

SB 5305 Prime Sponsor, Senator Schoesler: Repealing certain obsolete state retirement system statutes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

February 10, 2009  
SB 5438 Prime Sponsor, Senator Rockefeller: Allowing crime victims to submit input to the department of corrections regarding an offender's placement in work release. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 10, 2009

SB 5319 Prime Sponsor, Senator Kohl-Welles: Providing economic stimulus through the unemployment insurance program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5319 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Fairley; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Murray; Pridemore; Regala and Rockefeller.

SB 5445 Prime Sponsor, Senator McDermott: Concerning facilities for local governments. Reported by Committee on Government Operations & Elections

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

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

Passed to Committee on Ways & Means.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brandland; Carrell; Honeyford; Parlette; Pflug and Schoesler.

Passed to Committee on Rules for second reading.

February 10, 2009

SB 5323 Prime Sponsor, Senator Fairley: Authorizing the substitution of growth management hearings board members in the case of vacancy, disqualification, illness, or injury. Reported by Committee on Government Operations & Elections

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

SB 5511 Prime Sponsor, Senator Prentice: Making changes affecting city-county assistance account distributions in response to the recommendations of the joint legislative audit and review committee. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

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

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

Passed to Committee on Rules for second reading.

February 10, 2009

SB 5354 Prime Sponsor, Senator Haugen: Regarding public hospital capital facility areas. Reported by Committee on Government Operations & Elections

SB 5534 Prime Sponsor, Senator Kohl-Welles: Changing requirements for the restoration of the right to vote for people convicted of felonies. Reported by Committee on Government Operations & Elections

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

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

Passed to Committee on Rules for second reading.

MAJORITY recommendation: Do pass. Signed by

February 11, 2009

SB 5553 Prime Sponsor, Senator Kilmer: Promoting economic development through promoting innovation and the

THIRTY-SECOND DAY, FEBRUARY 12, 2009

2009 REGULAR SESSION

commercialization of technologies. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 5553 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 Rules for second reading.

February 10, 2009  
SB 5567 Prime Sponsor, Senator Fraser: Clarifying prospectively the measure of the taxes imposed on public utility districts as provided in chapter 54.28 RCW. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Pridemore; Regala and Rockefeller.

MINORITY recommendation: Do not pass. Signed by Senators Zarelli; Brandland; Carrell; Honeyford; Parlette and Schoesler.

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

Passed to Committee on Rules for second reading.

February 10, 2009  
SB 5568 Prime Sponsor, Senator Tom: Enhancing tax collection tools for the department of revenue in order to promote fairness and administrative efficiency. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Fairley; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

February 10, 2009  
SB 5570 Prime Sponsor, Senator Prentice: Providing a property tax exemption for real and personal property leased to public hospitals established under chapter 36.62 RCW. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hobbs; Honeyford; Keiser; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

February 10, 2009  
SB 5580 Prime Sponsor, Senator Pridemore: Concerning school impact fees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Fairley; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Murray; Parlette; Pridemore; Regala and Rockefeller.

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

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

Passed to Committee on Rules for second reading.

February 10, 2009  
SB 5587 Prime Sponsor, Senator Pridemore: Authorizing existing city and county real estate excise taxes to be expended on municipally owned heavy rail short lines. Reported by Committee on Government Operations & Elections

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

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

Passed to Committee on Rules for second reading.

February 11, 2009  
SB 5602 Prime Sponsor, Senator Regala: Concerning the conservation of forest lands. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hatfield; Stevens and Swecker.

Passed to Committee on Rules for second reading.

February 11, 2009  
SB 5723 Prime Sponsor, Senator Kastama: Providing support for small business assistance. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 5723 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 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. 5445 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 5987 by Senators Regala, Hargrove and Shin

THIRTY-SECOND DAY, FEBRUARY 12, 2009

2009 REGULAR SESSION

AN ACT Relating to department of corrections training; amending RCW 43.101.220; adding a new section to chapter 43.10 RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5988 by Senator Jacobsen

AN ACT Relating to visitation by caregivers in dependency matters; and amending RCW 13.34.385.

Referred to Committee on Human Services & Corrections.

SB 5989 by Senator Sheldon

AN ACT Relating to the greenhouse gas emissions performance standard under chapter 80.80 RCW; and amending RCW 80.80.060.

Referred to Committee on Environment, Water & Energy.

SB 5990 by Senators Benton and McDermott

AN ACT Relating to campaign contribution limitations prior to and during legislative sessions; and reenacting and amending RCW 42.17.710.

Referred to Committee on Government Operations & Elections.

SB 5991 by Senator Benton

AN ACT Relating to use of public resources by office holders during campaigns; and amending RCW 42.52.180.

Referred to Committee on Government Operations & Elections.

SB 5992 by Senators Honeyford, Schoesler, Hatfield, Holmquist, Delvin, Hewitt and Shin

AN ACT Relating to creating the community agricultural worker safety grant program; adding a new section to chapter 15.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5993 by Senators Tom and Kohl-Welles

AN ACT Relating to licensed child care; and amending RCW 43.215.205.

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

SB 5994 by Senators Pridemore, Schoesler and Honeyford

AN ACT Relating to eliminating boards and commissions on June 30, 2010; amending RCW 28C.18.050, 28C.18.090, 18.106.010, 18.106.040, 18.106.050, 18.106.070, 43.03.027, 43.03.028, 34.12.100, 42.17.370, 43.03.040, 43.63A.760, 18.250.010, 18.250.020, 18.250.060, 70.47.040, 43.70.665, 39.10.210, 39.10.230, 39.10.250, 39.10.270, 39.10.280, 39.10.290, 39.10.320, 39.10.350, 39.10.430, 39.10.460, 43.131.408, 39.04.350, 18.205.020, 18.205.060, 28A.300.520, 43.215.065, 72.09.495,

74.04.800, 74.13.031, 74.15.050, 74.15.060, 41.04.033, 41.04.0331, 41.04.0332, 43.101.380, 43.105.052, 72.23.025, 43.330.280, 43.160.060, 43.330.080, 43.330.250, 43.330.270, 82.33A.020, 39.102.040, 43.160.900, 43.330.050, 43.330.082, 43.330.310, 82.33A.010, 70.168.030, 70.168.050, 70.168.060, 70.168.130, 18.76.050, 38.52.030, 38.52.070, 38.52.240, 38.52.330, 46.48.170, 18.73.030, 18.73.101, 15.76.110, 15.76.150, 70.112.010, 70.112.020, 43.43.934, 43.43.962, 38.52.530, 49.26.120, 48.62.061, 41.05.035, 28B.76.280, 18.280.010, 18.280.030, 18.280.050, 18.280.060, 18.280.070, 18.280.080, 18.280.110, 18.280.120, 18.280.130, 43.330.090, 43.105.020, 43.105.041, 43.105.805, 43.105.820, 18.225.010, 18.225.040, 16.57.353, 18.50.045, 18.50.060, 18.50.105, 77.12.670, 77.08.045, 18.36A.020, 18.36A.080, 18.36A.110, 46.09.020, 43.30.820, 18.210.010, 18.210.050, 18.210.060, 70.118.110, 43.43.866, 43.10.240, 18.200.010, 18.200.050, 18.200.070, 13.60.110, 90.71.010, 90.71.210, 90.71.230, 90.71.240, 90.71.270, 90.71.310, 18.140.010, 18.140.030, 18.140.160, 18.140.170, 77.95.100, 77.95.180, 77.95.190, 82.58.020, 70.95.030, 43.21A.520, 70.105.010, 70.105.160, 46.16.316, 46.16.715, 46.16.725, 46.16.745, 46.16.755, 46.16.775, 46.16.30901, 46.16.30903, 46.16.30905, 46.16.30907, 46.16.30909, 46.16.30911, 46.16.30913, 46.16.30914, 46.16.30916, 46.16.30918, 46.16.30920, 46.16.30922, 46.16.30924, 46.16.30926, 46.16.30928, 70.119A.180, 90.86.030, 18.104.040, 18.104.043, 18.104.049, 18.104.100, 18.104.200, 28C.04.390, 28C.04.420, and 43.15.020; amending 2007 c 465 s 3 (uncodified); amending 2005 c 158 s 3 (uncodified); reenacting and amending RCW 74.15.030, 18.71.205, 77.12.690, and 46.16.233; creating new sections; repealing RCW 28B.50.254, 18.106.110, 18.250.030, 39.10.220, 39.10.240, 39.10.260, 43.34.080, 18.205.080, 43.63A.068, 43.101.310, 43.101.315, 43.101.320, 43.101.325, 43.101.330, 43.101.335, 43.101.340, 43.101.345, 43.105.055, 70.198.010, 43.215.090, 43.162.005, 43.162.010, 43.162.015, 43.162.020, 43.162.025, 43.162.030, 70.168.020, 38.52.040, 18.73.040, 18.73.050, 15.76.170, 70.112.030, 70.112.040, 70.112.050, 43.43.932, 43.43.936, 70.105E.070, 70.105E.090, 48.62.051, 48.62.041, 28B.76.100, 18.280.040, 10.98.200, 10.98.210, 10.98.220, 10.98.230, 10.98.240, 43.105.800, 43.105.810, 18.225.060, 18.225.070, 16.57.015, 71.09.320, 18.50.140, 18.50.150, 77.12.680, 18.36A.070, 46.09.280, 18.210.040, 18.210.070, 70.118.100, 43.43.858, 43.43.860, 43.43.862, 43.43.864, 10.29.030, 10.29.040, 10.29.080, 10.29.090, 18.200.060, 72.09.800, 13.60.120, 42.56.140, 90.71.250, 18.140.230, 18.140.240, 18.140.250, 77.95.110, 77.95.120, 70.95.040, 70.95.050, 70.95.070, 70.105.060, 46.16.705, 50.12.200, 70.119A.160, 18.104.190, 27.34.360, 27.34.365, 27.34.370, 27.34.375, and 27.34.380; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

SB 5995 by Senators Pridemore, Schoesler and Honeyford

AN ACT Relating to eliminating certain boards, committees, and commissions and the transfer of certain duties effective June 30, 2009; amending RCW 18.06.080, 43.121.100, 46.20.100, 46.82.280, 46.82.330, 46.82.420, 70.128.163, 18.44.011, 18.44.195, 18.44.221, 18.44.251, 43.70.056, 13.40.462, 13.40.510, 43.08.250, 43.70.555, 74.14A.060, 74.14C.050, 19.146.225, 46.20.520, 70.149.040, 79A.75.900, 70.14.060, 4.92.130, 18.84.040, 18.84.070,

THIRTY-SECOND DAY, FEBRUARY 12, 2009

2009 REGULAR SESSION

70.104.090, 15.92.070, 17.21.020, 90.56.005, 90.56.060, 70.94.524, 70.94.527, 70.94.528, 70.94.534, 70.94.537, 70.94.541, 70.94.551, 70.94.996, 82.70.060, 47.06.050, 47.60.286, 47.60.290, 47.60.330, 28B.116.020, 28B.12.040, 46.01.325, 46.01.140, and 43.15.020; reenacting and amending RCW 69.50.520; creating new sections; repealing RCW 43.121.010, 43.121.015, 43.121.020, 43.121.030, 43.121.040, 43.121.050, 43.121.060, 43.121.070, 43.121.080, 43.121.110, 43.121.120, 43.121.130, 43.121.140, 43.121.150, 43.121.160, 43.121.170, 43.121.175, 43.121.180, 43.121.910, 28B.04.085, 46.82.300, 70.128.225, 18.20.260, 70.96A.070, 18.44.500, 18.44.510, 70.190.005, 70.190.010, 70.190.020, 70.190.030, 70.190.040, 70.190.050, 70.190.060, 70.190.065, 70.190.070, 70.190.075, 70.190.080, 70.190.085, 70.190.090, 70.190.100, 70.190.110, 70.190.120, 70.190.130, 70.190.150, 70.190.160, 70.190.170, 70.190.180, 70.190.190, 70.190.910, 70.190.920, 79A.25.220, 19.146.280, 43.09.430, 43.09.435, 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, 4.92.230, 21.20.550, 21.20.560, 21.20.570, 21.20.580, 21.20.590, 17.15.040, 17.21.230, 17.21.240, 17.21.250, 17.21.260, 17.21.270, 70.104.070, 70.104.080, 90.56.120, 90.56.130, 70.94.544, 43.360.040, 47.60.310, 28B.116.040, 46.01.320, 18.155.050, 74.32.100, 74.32.110, 74.32.120, 74.32.130, 74.32.140, 74.32.150, 74.32.160, 74.32.170, and 74.32.180; repealing 2008 c 311 s 1 (uncodified); repealing 2008 c 311 s 2 (uncodified); repealing 2008 c 311 s 3 (uncodified); repealing 2008 c 311 s 4 (uncodified); repealing 1997 c 406 s 1 (uncodified); providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SB 5996 by Senators Hobbs, Zarelli, Hewitt, Roach and Holmquist

AN ACT Relating to reducing the business and occupation tax rate for retailers, wholesalers, and service providers of motor vehicles; reenacting and amending RCW 82.04.260; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5997 by Senators Murray, Parlette, Holmquist, Hobbs, Prentice, Schoesler, Hatfield, Hewitt, Shin and Franklin

AN ACT Relating to providing sales and use tax exemptions to eligible data centers located in a rural county as defined in RCW 82.14.370(5); adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

SB 5998 by Senators Keiser, Pflug, Marr, Parlette and Shin

AN ACT Relating to health carrier payment of wellness incentives; and amending RCW 48.30.140 and 48.30.150.

Referred to Committee on Health & Long-Term Care.

SB 5999 by Senator Jacobsen

AN ACT Relating to intercounty rural library districts;

amending RCW 27.12.190, 27.12.355, and 27.12.222; and adding new sections to chapter 27.12 RCW.

Referred to Committee on Government Operations & Elections.

SB 6000 by Senators Fraser, Benton, Tom and Roach

AN ACT Relating to real estate disclosure requirements regarding homeowners' associations; and amending RCW 64.06.015 and 64.06.020.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 6001 by Senators Pridemore and Shin

AN ACT Relating to quality management, accountability, and performance systems; and amending RCW 43.17.380, 43.17.385, and 43.17.390.

Referred to Committee on Economic Development, Trade & Innovation.

SB 6002 by Senators Keiser and Pridemore

AN ACT Relating to the Washington state quality forum; amending RCW 70.56.030; and repealing RCW 41.05.029.

Referred to Committee on Health & Long-Term Care.

SB 6003 by Senator Haugen

AN ACT Relating to claims brought for the injury, illness, or death of seamen occurring from employment with the state; and amending RCW 4.92.090 and 51.12.100.

Referred to Committee on Transportation.

SB 6004 by Senators Ranker, Oemig, Pridemore, Rockefeller and Kline

AN ACT Relating to the consolidation of certain salmon recovery activities and programs within the recreation and conservation office; amending RCW 77.85.030, 77.85.020, 77.85.250, 77.85.140, and 77.85.005; adding new sections to chapter 79A.25 RCW; creating new sections; recodifying RCW 77.85.020, 77.85.030, and 77.85.250; repealing RCW 77.85.100; and providing expiration dates.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6005 by Senators Ranker, Haugen, Kilmer, Marr, Pridemore and Shin

AN ACT Relating to the acquisition of state ferry vessels through the use of certain tourism industry tax revenues; amending RCW 67.28.180; adding a new section to chapter 47.60 RCW; and creating a new section.

Referred to Committee on Transportation.

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.

THIRTY-SECOND DAY, FEBRUARY 12, 2009  
5994 and Senate Bill No. 5995 which were referred to the  
Committee on Government Operations & Elections.

2009 REGULAR SESSION

The Senate was called to order at 9:07 a.m. by President  
Owen.

## MOTION

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

## MOTION

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

## MOTION

Senator Honeyford moved adoption of the following  
resolution:

SENATE RESOLUTION  
8623

By Senator Honeyford

WHEREAS, Abraham Lincoln, the 16th President of the  
United States, embodies the essence of the American Spirit,  
guided his country through a tragic but redemptive period in  
American history that ended slavery and preserved the Union,  
and planned for a post-Civil War peace that would have been  
conducted "with malice toward none and charity for all;" and

WHEREAS, In 1849, Abraham Lincoln was offered the  
governorship of Oregon Territory, of which the state of  
Washington was once a part, but he declined so that he could  
pursue his legal and political career in Illinois; and

WHEREAS, Abraham Lincoln nonetheless contributed to  
the development of the state of Washington, the great  
Northwest, and indeed the entire nation by his support for the  
Homestead Act, the establishment of land grant colleges, and the  
launching of the Northern Pacific Railroad; and

WHEREAS, Abraham Lincoln's territorial appointees,  
especially to the Supreme Court of Washington Territory, were  
noteworthy for their trustworthiness and competence; and

WHEREAS, In previous recognition of his exemplary life  
and commitment to duty, the Washington Territorial Legislature  
created Lincoln County in 1883;

NOW, THEREFORE, BE IT RESOLVED, That the  
Washington State Senate recognize the 200th anniversary of  
Abraham Lincoln's birth and celebrate the life and  
accomplishments of this remarkable citizen, president, and  
inspirational American.

Senators Honeyford, Hewitt, Schoesler, Roach, Parlette,  
Franklin and Brandland spoke in favor of adoption of the  
resolution.

The President declared the question before the Senate to be  
the adoption of Senate Resolution No. 8623.

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

## PERSONAL PRIVILEGE

Senator Honeyford: "Thank you Mr. President. The author  
of this resolution is in the north gallery and I would appreciate it  
if you'd recognize him."

## INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced the Director of the  
Washington State Historical Society, David L. Nicandri who  
was seated in the gallery.

## MOTION

At 8:24 a.m., on motion of Senator Eide, the Senate was  
declared to be at ease subject to the call of the President.

## SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906, by  
House Committee on Commerce & Labor (originally sponsored  
by Representatives Conway, Kenney, Wood, Moeller, Green,  
Hudgins, Williams, Dickerson, Sells, Sullivan, Appleton,  
Morrell, Hasegawa, Darneille, Ormsby, Kagi, Van De Wege,  
Santos, Goodman, McCoy, Cody, Simpson and Nelson)

Improving economic security through unemployment  
compensation.

The measure was read the second time.

## MOTION

Senator Honeyford moved that the following amendment by  
Senator Honeyford be adopted.

On page 5, line 7, after "April 5, 2009" insert ", provided  
that the rate of total unemployment, seasonally adjusted, as  
determined by the United States secretary of labor, continues to  
equal or exceed six percent. Claims with an effective date after  
the first Sunday following the first date on which the rate of  
total unemployment, seasonally adjusted, is less than six  
percent, are subject to RCW 50.22.150, regardless of subsequent  
increases in the rate of total unemployment"

On page 8, line 29, after "April 5, 2009" insert ", and to  
claims with an effective date on or after the first Sunday  
following the first date on which the rate of total unemployment,  
seasonally adjusted, as determined by the United States secretary  
of labor is less than six percent, regardless of subsequent  
increases in the rate of total unemployment"

Senator Honeyford spoke in favor of adoption of the  
amendment.

Senator Kohl-Welles spoke against adoption of the  
amendment.

The President declared the question before the Senate to be  
the adoption of the amendment by Senator Honeyford on page  
5, line 7 to Engrossed Substitute House Bill No. 1906.

The motion by Senator Honeyford failed and the amendment  
was not adopted by voice vote.

## MOTION

Senator Holmquist moved that the following amendment by  
Senator Holmquist and others be adopted.

On page 20, line 23, after (h) , insert "With respect to claims  
where the minimum amount payable weekly is increased to one  
hundred fifty-five dollars pursuant to section 2(3) of this act,  
benefits paid that exceed the benefits that would have been paid  
if the minimum amount payable weekly had been calculated  
pursuant to RCW 50.20.120 shall not be charged to the  
experience rating account of any contribution paying employer.  
(i)"

Senator Holmquist spoke in favor of adoption of the  
amendment.

The President declared the question before the Senate to be  
the adoption of the amendment by Senator Holmquist and others  
on page 20, line 23 to Engrossed Substitute House Bill No.  
1906.

THIRTY-SECOND DAY, FEBRUARY 12, 2009

2009 REGULAR SESSION

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

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Engrossed Substitute House Bill No. 1906 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles, Holmquist, Keiser, Marr, Parlette and Brandland spoke in favor of passage of the bill.

Senators Hewitt and Schoesler spoke against passage of the bill.

Senator Pflug spoke on final passage of the bill.

MOTION

On motion of Senator Brandland, Senator Becker was excused.

MOTION

On motion of Senator Marr, Senator Ranker was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1906 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1906 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 43; Nays, 4; Absent, 0; Excused, 2.

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

Voting nay: Senators Hewitt, Morton, Schoesler and Stevens

Excused: Senators Becker and Fairley

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906, as amended by the Senate 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. 5899, by Senators Kilmer, Franklin, Kastama, Shin, Marr, McAuliffe, Haugen, Brown, Berkey, Prentice, Fairley, Regala, Keiser, Eide, Rockefeller, Murray, Hatfield, Hargrove, Sheldon, Oemig and Kline

Providing a business and occupation tax credit for qualified employment positions.

MOTIONS

On motion of Senator Kilmer, Substitute Senate Bill No. 5899 was substituted for Senate Bill No. 5899 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kilmer, the rules were suspended, Substitute Senate Bill No. 5899 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kilmer spoke in favor of passage of the bill.

MOTION

On motion of Senator Eide, Senator Ranker was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5899.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5899 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Becker, Fairley and Ranker

SUBSTITUTE SENATE BILL NO. 5899, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you Mr. President. Well you know, you and I have a little bit in common. We both of us have this semi new look this year, both of us married wives taller than us, both of our wives are prettier than us, both of our wives are younger than us, both of them have more hair than us as well. Thank you Mr. President. I've been to your home and I've seen you cook, so I'm fairly certain that these cookies before us today did not come from your hand but from your beautiful younger, taller than your wife. So, I would like to personally thank Linda and you because you did deliver them for a nice Valentine and may she have a good time looking down upon you on Valentine's Day. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Eide: "Well, thank you. Well, I too would like to stand and thank your lovely wife Linda for all the cookies that she has delivered throughout the years and she's never failed to make us treats on Valentine's Day. You make sure that you go home and tell her that she's a sweetheart."

PERSONAL PRIVILEGE

Senator Eide: "Not only are we celebrating the birthday of Abe Lincoln, we are also celebrating the birth of Senator Hobbs today. So, we need to make sure that we say Happy Birthday to Senator Hobbs."

PERSONAL PRIVILEGE

Senator Brandland: "Well, I certainly appreciate Senator Hewitt talking about wives because today is my wedding anniversary. Thirty-seven years today so it isn't Valentine's Day, it is my anniversary so thank you for the anniversary cookies. I also would like to thank Senator Benton. He got Valentine's flowers but he's allowed me to share with today so I could have anniversary flowers on my desk. I got to tell you, being in the Legislature and having to celebrate your anniversary on the floor of the legislature when your wife is one hundred fifty miles away, it's just not the same. So, I just want

THIRTY-SECOND DAY, FEBRUARY 12, 2009

you all to know that I love being here but, be very honest with you, I'd rather be about one hundred fifty miles from here. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "If the President may indulge you for a moment, about the cookies. Because, normally, she will, after an impassioned request by Senator McCaslin a few years ago she did start making two different types but after thirteen hours yesterday at working on the cookies I made the mistake of asking her if she made two different types. She said no, but she did ask to share with you that, Senator McCaslin, they were made with love and that even though you may not be able to eat chocolate chip cookies, if you would share them with your staff, the cookies will do as they intended and even though you will not feel the love in your stomach, you will feel it in your heart, if you would share them with somebody else. Thank you."

MOTION

At 9:51 a.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Friday, February 13, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

1906-S	Second Reading. . . . .	6
	Third Reading Final Passage. . . . .	7
5071	Committee Report. . . . .	1
5120	Committee Report. . . . .	1
5130	Committee Report. . . . .	1
5141	Committee Report. . . . .	1
5167	Committee Report. . . . .	1
5209	Committee Report. . . . .	1
5212	Committee Report. . . . .	1
5261	Committee Report. . . . .	1
5286	Committee Report. . . . .	2
5305	Committee Report. . . . .	2
5319	Committee Report. . . . .	2
5323	Committee Report. . . . .	2
5354	Committee Report. . . . .	2
5438	Committee Report. . . . .	2
5445	Committee Report. . . . .	2
	Other Action. . . . .	3
5511	Committee Report. . . . .	2
5534	Committee Report. . . . .	2
5553	Committee Report. . . . .	2
5567	Committee Report. . . . .	3



THIRTY-SECOND DAY, FEBRUARY 12, 2009

2009 REGULAR SESSION

5568  
Committee Report. . . . . 3

5570  
Committee Report. . . . . 3

5580  
Committee Report. . . . . 3

5587  
Committee Report. . . . . 3

5602  
Committee Report. . . . . 3

5723  
Committee Report. . . . . 3

5899  
Second Reading. . . . . 7

5899-S  
Second Reading. . . . . 7  
Third Reading Final Passage. . . . . 7

5987  
Introduction & 1st Reading. . . . . 3

5988  
Introduction & 1st Reading. . . . . 4

5989  
Introduction & 1st Reading. . . . . 4

5990  
Introduction & 1st Reading. . . . . 4

5991  
Introduction & 1st Reading. . . . . 4

5992  
Introduction & 1st Reading. . . . . 4

5993  
Introduction & 1st Reading. . . . . 4

5994  
Introduction & 1st Reading. . . . . 4  
Other Action. . . . . 6

5995  
Introduction & 1st Reading. . . . . 4  
Other Action. . . . . 6

5996  
Introduction & 1st Reading. . . . . 5

5997  
Introduction & 1st Reading. . . . . 5

5998  
Introduction & 1st Reading. . . . . 5

5999  
Introduction & 1st Reading. . . . . 5

6000  
Introduction & 1st Reading. . . . . 5

6001  
Introduction & 1st Reading. . . . . 5

6002  
Introduction & 1st Reading. . . . . 5

6003  
Introduction & 1st Reading. . . . . 5

6004  
Introduction & 1st Reading. . . . . 5

6005  
Introduction & 1st Reading. . . . . 5

8623  
Adopted. . . . . 6  
Introduced. . . . . 6

PRESIDENT OF THE SENATE  
Intro. Special Guest, WA State Historical Society, David  
Nicandri. . . . . 6  
Remarks by the President. . . . . 8

WASHINGTON STATE SENATE  
Personal Privilege, Senator Brandland. . . . . 7  
Personal Privilege, Senator Eide. . . . . 7  
Personal Privilege, Senator Hewitt. . . . . 7  
Personal Privilege, Senator Honeyford. . . . . 6