

THIRTY THIRD DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, February 12, 2010

The Senate was called to order at 9:30 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 Senators Fairley, Holmquist, McCaslin, Oemig, Parlette and Swecker.

The Sergeant at Arms Color Guard consisting of Pages Jessica Dillon and Jacquelyn Wolfe, presented the Colors. Reverend Jimmie James of Greater Things Ministries offered the prayer.

MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

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

MESSAGE FROM THE HOUSE

February 11, 2010

MR. PRESIDENT

The House has passed:

- HOUSE BILL 1080
- HOUSE BILL 2528
- SUBSTITUTE HOUSE BILL 2546
- HOUSE BILL 2638
- HOUSE BILL 2720
- HOUSE BILL 2748
- SUBSTITUTE HOUSE BILL 2768
- SUBSTITUTE HOUSE BILL 2801
- SUBSTITUTE HOUSE BILL 2804
- HOUSE BILL 2858
- HOUSE BILL 2918
- HOUSE BILL 2973

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 11, 2010

MR. PRESIDENT

The House has passed:

- SUBSTITUTE HOUSE BILL 2409
- HOUSE BILL 2460
- SUBSTITUTE HOUSE BILL 2486
- SUBSTITUTE HOUSE BILL 2534
- SUBSTITUTE HOUSE BILL 2589
- SUBSTITUTE HOUSE BILL 2593
- SUBSTITUTE HOUSE BILL 2596
- SUBSTITUTE HOUSE BILL 2620
- HOUSE BILL 2629
- HOUSE BILL 2681

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 11, 2010

MR. PRESIDENT

The House has passed:

- ENGROSSED SUBSTITUTE HOUSE BILL 2499
- SUBSTITUTE HOUSE BILL 2517
- ENGROSSED SUBSTITUTE HOUSE BILL 2564
- SUBSTITUTE HOUSE BILL 2706
- ENGROSSED SUBSTITUTE HOUSE BILL 2875
- ENGROSSED SUBSTITUTE HOUSE BILL 3072

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6855

by Senators McDermott and Kohl-Welles

AN ACT Relating to exempting community centers from property taxation and imposing leasehold excise taxes on such property; amending RCW 84.36.010, 82.29A.010, and 82.29A.030; and creating a new section.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

2SHB 1357

by House Committee on Health Care & Wellness (originally sponsored by Representatives Pettigrew, Dickerson, Orwall, Walsh, Moeller, Kenney and Wood)

AN ACT Relating to protecting consumers by assuring persons using the title of social worker have graduated with a degree in social work from an educational program accredited by the council on social work education; amending RCW 10.77.010, 13.34.260, 26.09.191, 26.10.160, 28A.170.080, 70.96A.037, 70.96B.010, 70.97.010, 70.126.020, 70.127.010, 71.32.020, 71.34.020, 74.34.020, and 74.42.010; reenacting and amending RCW 71.05.020; adding a new chapter to Title 18 RCW; and providing an effective date.

Referred to Committee on Human Services & Corrections.

E2SHB 1560

by House Committee on Ways & Means (originally sponsored by Representatives Conway, Wood and Simpson)

AN ACT Relating to collective bargaining for employees of institutions of higher education; and amending RCW 41.80.010.

Referred to Committee on Labor, Commerce & Consumer Protection.

ESHB 1714 by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Morrell, Green and Moeller)

AN ACT Relating to association health plans; amending RCW 42.56.400; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

HB 1830 by Representative Santos

AN ACT Relating to business definitions for public contracting; and amending RCW 39.04.010, 39.04.155, and 39.29.006.

Referred to Committee on Economic Development, Trade & Innovation.

SHB 1831 by House Committee on Local Government & Housing (originally sponsored by Representatives Short, Williams, Johnson, Campbell, Blake, Warnick, McCune, Kretz and Kristiansen)

AN ACT Relating to the rights of pet and livestock owners residing in unincorporated areas subject to annexation by a city or town; adding a new section to chapter 35.10 RCW; and adding a new section to chapter 35A.14 RCW.

Referred to Committee on Government Operations & Elections.

2EHB 1876 by Representatives McCune, Miloscia, Haler, Klippert, Campbell, Rodne, Schmick, O'Brien, Roach, Warnick, Short, Conway, Cox and Orcutt

AN ACT Relating to providing funds for disabled veterans through voluntary donations; adding a new section to chapter 46.16 RCW; and adding new sections to chapter 43.60A RCW.

Referred to Committee on Government Operations & Elections.

SHB 1913 by House Committee on Judiciary (originally sponsored by Representatives Warnick, Flannigan and Simpson)

AN ACT Relating to process servers; and amending RCW 18.180.010.

Referred to Committee on Judiciary.

ESHB 1956 by House Committee on Local Government & Housing (originally sponsored by Representatives Williams, Chase, Ormsby, Darneille, Van De Wege, Dickerson and Simpson)

AN ACT Relating to the housing of homeless persons on property owned or controlled by a church; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; and creating new sections.

Referred to Committee on Human Services & Corrections.

HB 1966 by Representatives McCoy, Ormsby and Simpson

AN ACT Relating to adding wheelchair users to the types of individuals for whom drivers must take additional precautions; amending RCW 70.84.040; and providing an effective date.

Referred to Committee on Transportation.

SHB 2224 by House Committee on Local Government & Housing (originally sponsored by Representative Simpson)

AN ACT Relating to installation of residential fire sprinkler systems; amending RCW 18.160.050, 82.02.100, and 70.119A.180; adding a new section to chapter 70.119A RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 2271 by Representatives Liias, Rodne, Sells, Clibborn, Johnson, Takko, Van De Wege, Springer, Williams, Finn, Nelson, Seaquist and Simpson

AN ACT Relating to work performed by state forces on ferry vessels or terminals; and amending RCW 47.28.030.

Referred to Committee on Transportation.

SHB 2404 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Santos, Bailey and Kirby)

AN ACT Relating to group life insurance; amending RCW 48.24.030 and 48.21.010; and adding a new section to chapter 48.24 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

HB 2428 by Representatives Takko, Warnick, Springer, Parker, Eddy, Morrell, Kelley, O'Brien, Bailey and Ormsby

AN ACT Relating to fees for locating surplus funds from county governments, real estate property taxes, assessments, and other government lien foreclosures or charges; amending RCW 63.29.350; and reenacting and amending RCW 63.29.020.

Referred to Committee on Government Operations & Elections.

SHB 2429 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Condotta, Williams, Takko, Eddy, Morrell, O'Brien, Conway and Ormsby)

AN ACT Relating to the resale of motor vehicles previously determined as having nonconformities; and amending RCW 19.118.061.

Referred to Committee on Labor, Commerce & Consumer Protection.

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HB 2437 by Representatives Moeller, Hudgins and Ormsby

AN ACT Relating to the authority of counties, cities, and towns to request criminal background checks from the Washington state patrol; adding a new section to chapter 36.01 RCW; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.21 RCW.

Referred to Committee on Government Operations & Elections.

SHB 2457 by House Committee on Judiciary (originally sponsored by Representatives Williams, Campbell, Chase, Simpson, Ormsby and Moeller)

AN ACT Relating to pro se defendants in criminal cases questioning victims of sex offenses; adding new sections to chapter 9A.44 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2461 by Representatives Blake, Chandler, Van De Wege and Moeller

AN ACT Relating to the dairy inspection program; amending RCW 15.36.551; and providing an expiration date.

Referred to Committee on Agriculture & Rural Economic Development.

HB 2470 by Representative Haigh

AN ACT Relating to veterinary technician licenses; amending RCW 18.92.128 and 18.92.128; and providing an effective date.

Referred to Committee on Agriculture & Rural Economic Development.

SHB 2497 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives White, Orwall, Goodman, Kenney, Kessler and Darneille)

AN ACT Relating to victimization of homeless persons; amending RCW 9.94A.030; and reenacting and amending RCW 9.94A.535.

Referred to Committee on Human Services & Corrections.

SHB 2514 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Bailey, Kirby and Chandler)

AN ACT Relating to crop adjusters; amending RCW 48.17.010, 48.17.060, 48.17.110, 48.17.150, 48.17.390, and 48.17.420; reenacting and amending RCW 48.14.010; and providing an effective date.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 2515 by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Chase, Kenney and Hudgins)

AN ACT Relating to biodiesel fuel labeling requirements; and amending RCW 19.112.020.

Referred to Committee on Environment, Water & Energy.

SHB 2516 by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Chase, Hudgins and Morrell)

AN ACT Relating to small facility siting; amending RCW 80.50.020, 80.50.040, 80.50.060, 80.50.071, and 80.50.100; reenacting and amending RCW 80.50.090; adding new sections to chapter 80.50 RCW; and providing an effective date.

Referred to Committee on Environment, Water & Energy.

ESHB 2518 by House Committee on Judiciary (originally sponsored by Representatives Goodman, Rodne and Kelley)

AN ACT Relating to oath requirements for interpreters; and amending RCW 2.43.050 and 2.43.020.

Referred to Committee on Judiciary.

SHB 2524 by House Committee on Commerce & Labor (originally sponsored by Representatives O'Brien and Angel)

AN ACT Relating to prohibited practices of collection agencies; and reenacting and amending RCW 19.16.250.

Referred to Committee on Judiciary.

SHB 2533 by House Committee on Human Services (originally sponsored by Representatives Pearson, Hurst, Kelley and Morrell)

AN ACT Relating to adopting the interstate compact on mental health; adding a new chapter to Title 7 RCW; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SHB 2555 by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Simpson, Ormsby and Moeller)

AN ACT Relating to authorizing the department of labor and industries to issue subpoenas, but only with respect to enforcement of chapter 19.28 RCW; and adding a new section to chapter 19.28 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 2556 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Fagan and Chandler)

AN ACT Relating to financial security requirements under chapter 22.09 RCW; and amending RCW 22.09.060 and 22.09.090.

Referred to Committee on Agriculture & Rural Economic Development.

HB 2575 by Representative Upthegrove

AN ACT Relating to the expansion of the membership of the capital projects advisory review board; and amending RCW 39.10.220 and 43.131.408.

Referred to Committee on Government Operations & Elections.

HB 2592 by Representatives Hunt and Hasegawa

AN ACT Relating to prohibiting incentive towing programs for private property impounds; and amending RCW 46.55.035.

Referred to Committee on Transportation.

HB 2598 by Representatives Takko, Blake and Herrera

AN ACT Relating to disposal of dredged riverbed materials from the Mount St. Helen's eruption; amending RCW 79.140.210; and creating a new section.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 2636 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Santos, Kirby, Nelson and Kenney)

AN ACT Relating to money transmitters; and amending RCW 19.230.010, 19.230.020, 19.230.050, 19.230.060, 19.230.070, 19.230.110, 19.230.170, 19.230.180, 19.230.200, 19.230.210, 19.230.320, and 19.230.330.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 2651 by House Committee on Community & Economic Development & Trade (originally sponsored by Representatives Upthegrove, Orwall, Simpson, Nelson, Hudgins and Hasegawa)

AN ACT Relating to the authority of port districts to participate in activities related to job training and placement; and amending RCW 53.08.245.

Referred to Committee on Economic Development, Trade & Innovation.

SHB 2657 by House Committee on Judiciary (originally sponsored by Representative Pedersen)

AN ACT Relating to the dissolution of limited liability companies; amending RCW 25.15.070, 25.15.085, 25.15.095, 25.15.270, 25.15.290, 25.15.293, 25.15.295, 25.15.303, 25.15.340, and 25.15.805; adding new sections to chapter 25.15 RCW; and repealing RCW 25.15.080.

Referred to Committee on Judiciary.

SHB 2661 by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Hudgins, Hunt, Kenney and Morrell)

AN ACT Relating to the plant operations support program; adding a new section to chapter 28B.30 RCW; and repealing RCW 43.82.160.

Referred to Committee on Environment, Water & Energy.

EHB 2667 by Representatives Chandler, Simpson, Kelley and Warnick

AN ACT Relating to communications during a forest fire response; and amending RCW 76.04.015 and 43.43.963.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 2684 by House Committee on Higher Education (originally sponsored by Representatives Kenney, Sullivan, Liias, Hasegawa, Simpson, Nelson, Goodman and Chase)

AN ACT Relating to establishing opportunity centers at community colleges; and adding a new section to chapter 28B.50 RCW.

Referred to Committee on Higher Education & Workforce Development.

SHB 2686 by House Committee on Health Care & Wellness (originally sponsored by Representatives Driscoll, Hinkle, Condotta, Moeller and Goodman)

AN ACT Relating to fees for dental services that are not covered services under dental insurance or dental health care service contracts; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; and adding a new section to chapter 48.44 RCW.

Referred to Committee on Health & Long-Term Care.

HB 2707 by Representatives Simpson, Angel, Finn and Kretz

AN ACT Relating to the method of calculating public utility district commissioner compensation; and amending RCW 54.12.080.

Referred to Committee on Government Operations & Elections.

SHB 2717 by House Committee on Human Services (originally sponsored by Representatives Shea, Parker, Ross, Haler, Klippert, Taylor, McCune, Short, Kristiansen, Kretz, Crouse, Hinkle, Johnson, Rodne, Bailey, Orcutt, Angel, Fagan, Smith, Condotta, Pearson and Warnick)

AN ACT Relating to restricting outings from state facilities; amending RCW 10.77.010; and adding a new section to chapter 10.77 RCW.

Referred to Committee on Human Services & Corrections.

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ESHB 2753 by House Committee on Capital Budget (originally sponsored by Representatives Orwall, Springer, Maxwell, Jacks, Nelson, Simpson, Conway, Ormsby, Chase and Santos)

AN ACT Relating to the creation of a workforce housing program; amending RCW 43.180.160, 39.86.100, 39.86.120, 39.86.130, 39.86.140, 39.86.150, 39.86.170, and 39.86.190; reenacting and amending RCW 39.86.110; adding a new section to chapter 39.86 RCW; creating a new section; and repealing RCW 39.86.200.

Referred to Committee on Ways & Means.

SHB 2775 by House Committee on Local Government & Housing (originally sponsored by Representatives Dammeier, Hasegawa, Hunt, Armstrong, Short, Kristiansen, Springer, Kelley, Morrell, Pearson, Chase and Kretz)

AN ACT Relating to membership on the state building code council; and amending RCW 19.27.070.

Referred to Committee on Government Operations & Elections.

HB 2817 by Representatives O'Brien, Pearson and Kelley

AN ACT Relating to a person's identifying information submitted in the course of using the electronic statewide unified sex offender notification and registration program for the purpose of receiving notification regarding registered sex offenders; and amending RCW 36.28A.040.

Referred to Committee on Human Services & Corrections.

SHB 2841 by House Committee on Health Care & Wellness (originally sponsored by Representatives Hinkle, Cody, Kristiansen, Morrell and Pearson)

AN ACT Relating to the standard health questionnaire; and amending RCW 48.43.018.

Referred to Committee on Health & Long-Term Care.

HB 2848 by Representative Alexander

AN ACT Relating to repealing RCW 36.32.210; and repealing RCW 36.32.210.

Referred to Committee on Government Operations & Elections.

HB 2861 by Representatives Rodne, Pedersen and Wallace

AN ACT Relating to state certified court reporters; and amending RCW 5.28.010.

Referred to Committee on Judiciary.

ESHB 2876 by House Committee on Health Care & Wellness (originally sponsored by Representatives Moeller, Green and Morrell)

AN ACT Relating to pain management; adding a new section to chapter 18.22 RCW; adding a new section to chapter 18.32 RCW; adding a new section to chapter 18.57 RCW; adding a new section to chapter 18.57A RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.71A RCW; adding a new section to chapter 18.79 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

HB 2888 by Representatives Herrera, Cody, Orcutt, Wallace and Conway

AN ACT Relating to requiring continuing education for pharmacy technicians; and amending RCW 18.64A.020.

Referred to Committee on Health & Long-Term Care.

HB 2904 by Representatives Kagi, Santos and Kenney

AN ACT Relating to powers and duties of the office of the education ombudsman; and amending RCW 43.06B.020.

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

HB 2942 by Representatives O'Brien, Pearson, Dickerson, Goodman, Ericks, Roberts, Kelley, Finn, Appleton, McCoy, Springer, Darneille, Hurst, Priest, Hinkle, Clibborn, Liias, Hope, Klippert, Herrera, Ormsby, Morrell, Conway, Santos, Johnson, Kenney, Hasegawa and McCune

AN ACT Relating to human trafficking training for criminal justice and correctional personnel, and other public safety employees; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 2947 by Representatives Wood, Conway, Condotta and Ormsby

AN ACT Relating to special occasion licenses; and amending RCW 66.28.310.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 2996 by Representatives Quall and Priest

AN ACT Relating to record check information; and amending RCW 28A.400.305.

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

SHB 2997 by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Ericksen, Morrell and Wallace)

AN ACT Relating to determining the appropriate date of a small employer group's composition for purposes of setting health benefit plan premium rates; amending RCW 48.44.010, 48.44.023, 48.46.020, 48.46.066, 48.21.045, and 48.21.047; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SHB 3001 by House Committee on Transportation (originally sponsored by Representatives Klippert, Lias, Wallace, Campbell and Simpson)

AN ACT Relating to bicycle and pedestrian safety education in traffic schools; adding a new section to chapter 46.83 RCW; and creating a new section.

Referred to Committee on Transportation.

SHB 3003 by House Committee on Commerce & Labor (originally sponsored by Representatives Hunter, Conway, Wood, Carlyle, Williams, Morrell, Moeller, Ormsby, Van De Wege, Kenney, Simpson and Santos)

AN ACT Relating to placing symphony musicians under the jurisdiction of the public employment relations commission for purposes of collective bargaining; and adding a new chapter to Title 49 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 3016 by House Committee on Judiciary (originally sponsored by Representative Pedersen)

AN ACT Relating to updating provisions concerning the modification, review, and adjustment of child support orders to improve access to justice and to ensure compliance with federal requirements; and amending RCW 26.09.170 and 26.09.175.

Referred to Committee on Human Services & Corrections.

SHB 3036 by House Committee on Education (originally sponsored by Representatives Quall, Kenney and Santos)

AN ACT Relating to nonvoter-approved school district debt; amending RCW 28A.530.080; and creating a new section.

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

SHB 3039 by House Committee on Judiciary (originally sponsored by Representatives Pedersen, Ross, Darneille, Rodne and Johnson)

AN ACT Relating to streamlining the truancy process to reduce the costs to courts and school districts; amending RCW 28A.225.015, 28A.225.020, 28A.225.025, 28A.225.030, and 28A.225.151; creating a new section; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SHB 3046 by House Committee on Judiciary (originally sponsored by Representatives Driscoll, Rodne, Kretz, Ormsby, Wood, Johnson and Parker)

AN ACT Relating to dissolving the assets and affairs of a nonprofit corporation; amending RCW 24.03.265, 24.03.270, and 24.03.290; and creating a new section.

Referred to Committee on Judiciary.

HB 3061

by Representative Condotta

AN ACT Relating to claims of insolvent self-insurers under industrial insurance; and amending RCW 51.16.120 and 51.14.060.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 3066

by House Committee on Finance (originally sponsored by Representatives Parker, Springer, Eddy, Condotta and Wallace)

AN ACT Relating to creating uniformity among annual tax reporting survey provisions; amending RCW 82.04.240, 82.04.2404, 82.04.250, 82.04.2909, 82.04.294, 82.04.426, 82.04.4266, 82.04.4268, 82.04.4269, 82.04.4452, 82.04.4461, 82.04.4463, 82.04.448, 82.04.4481, 82.04.4483, 82.04.4484, 82.04.449, 82.08.805, 82.08.965, 82.08.9651, 82.08.970, 82.08.980, 82.12.022, 82.12.805, 82.12.965, 82.12.9651, 82.12.970, 82.12.980, 82.16.0421, 82.29A.137, 82.32.590, 82.32.600, 82.32.710, 82.60.020, 82.60.070, 82.63.020, 82.63.045, 82.74.040, 82.74.050, 82.75.010, 82.75.020, 82.75.040, 82.82.020, 82.82.040, 84.36.645, and 84.36.655; amending 2009 c 461 s 9 (uncodified); reenacting and amending RCW 82.04.260; adding new sections to chapter 82.32 RCW; adding a new section to chapter 82.75 RCW; creating new sections; repealing RCW 82.32.535, 82.32.5351, 82.32.545, 82.32.560, 82.32.570, 82.32.610, 82.32.620, 82.32.630, 82.32.632, 82.32.645, 82.32.650, and 82.16.140; repealing 2005 c 301 s 5 (uncodified); providing a contingent effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 3095

by Representatives Blake, Chandler and Wallace

AN ACT Relating to the Washington tree fruit research commission; and amending RCW 15.26.110.

Referred to Committee on Agriculture & Rural Economic Development.

SHB 3105

by House Committee on Ecology & Parks (originally sponsored by Representatives Rolfes, Wallace, Kenney and Ormsby)

AN ACT Relating to including alternative fuel vehicles in a strategy to reduce fuel consumption and emissions from state agency fleets; and amending RCW 43.41.130.

Referred to Committee on Environment, Water & Energy.

SHB 3145

by House Committee on Commerce & Labor (originally sponsored by Representatives McCoy, Roberts, Simpson, Goodman, Kenney, Conway and Ormsby)

AN ACT Relating to improving administration of wage complaints by defining the limitations period for administrative wage claims through the department of labor and industries, clarifying the requirements for the department to extend the time period for wage complaint investigations, revising the department's bond authority, tolling the civil statute of limitations, increasing minimum penalties for violators, creating and affecting waiver of penalties for repeat

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willful violators, and providing for wage law violation liability for successor businesses; amending RCW 49.48.082, 49.48.083, 49.48.084, 49.48.086, and 49.48.060; adding a new section to chapter 49.48 RCW; and prescribing penalties.

Referred to Committee on Labor, Commerce & Consumer Protection.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

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

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator McDermott moved that Gubernatorial Appointment No. 9267, Mary Jean Ryan, as a member of the State Board of Education, be confirmed.

Senators McDermott and McAuliffe spoke in favor of passage of the motion.

MOTION

On motion of Senator Brandland, Senators Benton, McCaslin, Parlette and Swecker were excused.

MOTION

On motion of Senator Marr, Senators Fairley, Hargrove, Murray, Oemig and Tom were excused.

APPOINTMENT OF MARY JEAN RYAN

The President Pro Tempore declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9267, Mary Jean Ryan as a member of the State Board of Education.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9267, Mary Jean Ryan as a member of the State Board of Education and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 1; Excused, 5.

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

Absent: Senator Holmquist

Excused: Senators Fairley, McCaslin, Oemig, Parlette and Swecker

Gubernatorial Appointment No. 9267, Mary Jean Ryan, having received the constitutional majority was declared confirmed as a member of the State Board of Education.

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SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kauffman moved that Gubernatorial Appointment No. 9203, Bette Hyde, as a member of the Washington State Department of Early Learning, be confirmed.

Senator Kauffman spoke in favor of the motion.

APPOINTMENT OF BETTE HYDE

The President Pro Tempore declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9203, Bette Hyde as a member of the Washington State Department of Early Learning.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9203, Bette Hyde as a member of the Washington State Department of Early Learning and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 2; Excused, 5.

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

Absent: Senators Hargrove and Holmquist

Excused: Senators Fairley, McCaslin, Oemig, Parlette and Swecker

Gubernatorial Appointment No. 9203, Bette Hyde, having received the constitutional majority was declared confirmed as a member of the Washington State Department of Early Learning.

MOTION

At 9:51 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 10:30 a.m. by the President Pro Tempore.

MOTION

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

MOTION

Senator Shin moved adoption of the following resolution:

SENATE RESOLUTION

8670

By Senators Shin, Roach, Delvin, Schoesler, Kline, Eide, McDermott, Hobbs, Kastama, Berkey, Franklin, Hatfield, Holmquist, King, Pridemore, Rockefeller, Marr, McAuliffe, Sheldon, and Carrell

WHEREAS, The United States holds as its highest ideals freedom, democracy, and self-determination and strives to spread these ideals to every man, woman, and child on earth; and

WHEREAS, The United States entered the Vietnam War to prevent a Communist takeover of our friends in South Vietnam and more than three million American troops fought bravely in the cause of freedom and democracy; and

WHEREAS, 58,193 American soldiers were killed, more than 300,000 were wounded, and 2,000 American troops are missing in action; and

WHEREAS, Vietnam veterans faced a harsh, unwelcoming, and angry public when they returned to American soil despite their valiant and heroic service; and

WHEREAS, The American soldier strives to be a symbol of freedom, democracy, and kindness around the world; and

WHEREAS, Korean soldiers were sent to the Vietnam War to support American troops and the cause of freedom at the request of the United States; and

WHEREAS, 325,517 Korean soldiers were in Vietnam from 1964 until the last soldier left Saigon on March 23, 1973; and

WHEREAS, 5,099 Korean soldiers were killed and 10,962 Korean soldiers were injured; and

WHEREAS, Korean troops were known throughout the conflict for their effectiveness and fought alongside American troops in all areas of the theater; and

WHEREAS, It is estimated that 20 percent of Korean veterans of the Vietnam War suffer significant injuries including PTSD, total disability, and effects of Agent Orange; and

WHEREAS, 98 Korean Vietnam veterans currently live in Washington and 1,300 are estimated to live in the United States; and

WHEREAS, Approximately 95 percent of Korean Vietnam veterans in the United States are American citizens; and

WHEREAS, The citizens of Washington owe their appreciation to all veterans who have fought for our liberty, many paying the ultimate sacrifice; and

WHEREAS, Korean veterans of the Vietnam War are especially dedicated to the ideals of freedom and democracy;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the Korean veterans of the Vietnam War for their service to the American people and the citizens of Washington; and

BE IT FURTHER RESOLVED, That the Washington State Senate honor American veterans who fought in the Vietnam War; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Northwest Korean Vietnam Veterans Group and the Korean Consulate in Seattle.

Senators Shin and Swecker spoke in favor of the adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8670.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced members of the Northwest Korean Vietnam Veterans Group who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Hewitt: "Thank you Madam President. I just had the opportunity to go up and visit with Senator McCaslin a few minutes ago and I'm here to report to you that he's firing on all eight cylinders. All eight, well it'll be twelve if you like but his color is back. The doctors, his specialist here is talking with the

specialist in Spokane where he wanted to go and they're trying to decide whether to do the operation here or send him back to Spokane. So, we'll keep you updated but, I'm telling you, a young lady walked into the room and I'm not going to repeat what he said but, trust me, he's firing on all twelve cylinders."

MOTION

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

SECOND READING

SENATE BILL NO. 6205, by Senators Haugen and Shin

Concerning portions of state highways better served by merged districts under certain circumstances.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 6205 was substituted for Senate Bill No. 6205 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. 6205 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 Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6205.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6205 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, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator McCaslin

SUBSTITUTE SENATE BILL NO. 6205, 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. 6208, by Senators Haugen, Hatfield and Shin

Concerning temporary agricultural directional signs on state highway rights-of-way. Revised for 1st Substitute: Concerning temporary agricultural directional signs.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 6208 was substituted for Senate Bill No. 6208 and the substitute bill was placed on the second reading and read the second time.

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2010 REGULAR SESSION

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 6208 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Marr, Senator Shin was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6208.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6208 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

Absent: Senator Murray

Excused: Senators McCaslin and Shin

SUBSTITUTE SENATE BILL NO. 6208, 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, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTION

On motion of Senator Marr, Senator Murray was excused.

SECOND READING

SENATE BILL NO. 6577, by Senators Kastama, Berkey, Swecker, Haugen, Kilmner and Shin

Modifying the statewide transportation system policy goals. Revised for 1st Substitute: Modifying the transportation system policy goals.

MOTION

On motion of Senator Kastama, Substitute Senate Bill No. 6577 was substituted for Senate Bill No. 6577 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Pflug moved that the following striking amendment by Senator Pflug be adopted: Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 47.04.280 and 2007 c 516 s 3 are each amended to read as follows:

(1) It is the intent of the legislature to establish policy goals for the planning, operation, performance of, and investment in, the state's transportation system. The policy goals established under this section are deemed consistent with the benchmark categories adopted by the state's blue ribbon commission on transportation on November 30, 2000. Public investments in transportation should support achievement of these policy goals:

(a) Economic vitality: To promote and develop transportation systems that stimulate, support, and enhance the movement of people and goods to ensure a prosperous economy;

(b) Congestion: To reduce congestion and thereby improve the predictable movement of goods and people throughout Washington state;

(c) Preservation: To maintain, preserve, and extend the life and utility of prior investments in transportation systems and services;

~~((b))~~ (d) Safety: To provide for and improve the safety and security of transportation customers and the transportation system;

~~((c))~~ Mobility: To improve the predictable movement of goods and people throughout Washington state;

~~((d))~~ (e) Environment: To enhance Washington's quality of life through transportation investments that promote energy conservation, enhance healthy communities, and protect the environment; and

~~((e))~~ (f) Stewardship: To continuously improve the quality, effectiveness, and efficiency of the transportation system.

(2) The powers, duties, and functions of state transportation agencies must be performed in a manner consistent with the policy goals set forth in subsection (1) of this section.

(3) These policy goals are intended to be the basis for establishing detailed and measurable objectives and related performance measures.

(4) It is the intent of the legislature that the office of financial management establish objectives and performance measures for the department of transportation and other state agencies with transportation-related responsibilities to ensure transportation system performance at local, regional, and state government levels progresses toward the attainment of the policy goals set forth in subsection (1) of this section. The office of financial management shall submit initial objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during the 2008 legislative session. The office of financial management shall submit objectives and performance measures to the legislature for its review and shall provide copies of the same to the commission during each regular session of the legislature during an even-numbered year thereafter.

(5) This section does not create a private right of action."

On page 1, line 2 of the title, after "goals;" strike the remainder of the title and insert "and amending RCW 47.04.280."

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

Senators Kastama and Haugen spoke against adoption of the striking amendment.

Senator Schoesler demanded a roll call.

The President Pro Tempore declared that one-sixth of the members supported the demand and the demand was sustained.

MOTION

On motion of Senator Marr, Senator Brown was excused.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senator Pflug to Substitute Senate Bill No. 6577.

ROLL CALL

The Secretary called the roll on the adoption of the striking amendment by Senator Pflug and the striking amendment was not adopted by the following vote: Yeas, 18; Nays, 27; Absent, 0; Excused, 4.

Voting yea: Senators Becker, Benton, Brandland, Carrell, Delvin, Hewitt, Holmquist, Honeyford, Kauffman, King, Morton, Parlette, Pflug, Roach, Schoesler, Stevens, Swecker and Zarelli

Voting nay: Senators Berkey, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hobbs, Jacobsen, Kastama, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Oemig, Prentice, Pridemore, Ranker, Regala, Rockefeller, Sheldon and Tom

Excused: Senators Brown, McCaslin, Murray and Shin

MOTION

On motion of Senator Kastama, the rules were suspended, Substitute Senate Bill No. 6577 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Delvin, Senators Brandland and Carrell were excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6577.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6577 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Brandland, Brown, Carrell, McCaslin, Murray and Shin

SUBSTITUTE SENATE BILL NO. 6577, 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 12:03 p.m., on motion of Senator Eide, the Senate was recessed until 1:00 pm.

AFTERNOON SESSION

The Senate was called to order at 1:00 p.m. by President Pro Tempore.

SECOND READING

SENATE BILL NO. 5548, by Senators Haugen, Jarrett, Fraser and Shin

Requiring project improvements, including public transportation infrastructure improvements, to be credited against the imposition of impact fees. Revised for 1st Substitute: Expanding certain public facilities eligible to be credited against the imposition of impact fees.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5548 was substituted for Senate Bill No. 5548 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. 5548 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 passage of the bill.

MOTION

On motion of Senator Fraser, Senator Murray was excused.

MOTION

On motion of Senator Marr, Senators Fairley and McAuliffe were excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5548.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5548 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.

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

Absent: Senator Kline

Excused: Senators Brandland, Carrell, Fairley, McAuliffe, McCaslin and Murray

SUBSTITUTE SENATE BILL NO. 5548, 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. 6826, by Senator Swecker

Increasing certain fees of licensing subagents.

The measure was read the second time.

MOTION

THIRTY THIRD DAY, FEBRUARY 12, 2010

2010 REGULAR SESSION

On motion of Senator Swecker, the rules were suspended, Senate Bill No. 6826 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Marr, Senators Kline and Oemig were excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6826.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6826 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 3; Absent, 0; Excused, 7.

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

Voting nay: Senators Hatfield, Kauffman and Keiser

Excused: Senators Brandland, Carrell, Fairley, Kline, McAuliffe, McCaslin and Murray

SENATE BILL NO. 6826, 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. 6363, by Senators Marr, King, Haugen, Brandland, Kauffman, Delvin, Eide, Shin and McAuliffe

Concerning the enforcement of certain school or playground crosswalk violations.

MOTIONS

On motion of Senator Marr, Substitute Senate Bill No. 6363 was substituted for Senate Bill No. 6363 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Marr, the rules were suspended, Substitute Senate Bill No. 6363 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Marr, King and Kauffman spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6363.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6363 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Benton, Berkey, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford,

Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Brandland, Carrell and McCaslin

SUBSTITUTE SENATE BILL NO. 6363, 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. 6379, by Senators Swecker, Hatfield, Marr, Haugen, Berkey, Ranker, Sheldon and Kauffman

Streamlining and making technical corrections to vehicle and vessel registration and title provisions.

The measure was read the second time.

MOTION

On motion of Senator Swecker, the rules were suspended, Senate Bill No. 6379 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Swecker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6379.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6379 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Brandland, Carrell and McCaslin

SENATE BILL NO. 6379, 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 Marr, Senator Keiser was excused.

MOTION

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

THIRD READING

SUBSTITUTE SENATE BILL NO. 5780, by Senate Committee on Transportation (originally sponsored by Senators Tom and Brandland).

Establishing chapter 46.55 RCW as the exclusive remedy for any claims resulting from the impoundment of a motor vehicle. Revised for 1st Substitute: Establishing chapter 46.55 RCW as the exclusive remedy for certain claims resulting from the impoundment of a motor vehicle.

The bill was read on Third Reading.

Senator Haugen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5780.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5780 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Brandland, Carrell, Keiser and McCaslin
SUBSTITUTE SENATE BILL NO. 5780, 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. 6603, by Senators Marr, Haugen, Swecker, Eide and Keiser

Concerning land uses adjacent to general aviation airports.

MOTION

On motion of Senator Marr, Substitute Senate Bill No. 6603 was substituted for Senate Bill No. 6603 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Marr moved that the following amendment by Senator Keiser and others be adopted. On page 17, after line 35, strike all material through "activities" on page 18, line 2, and insert the following:

"(23) "General aviation airport" means any public use airport with general aviation facilities and where general aviation activities exceed five percent of the total annual operations"

Senators Marr and Keiser spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Senator Sheldon: "Would Senator Keiser yield to a question? Thank you Senator Keiser. By annual operations does

this mean flights in and out? Are operations synonymous with flights?"

Senator Keiser: "I cannot say for certainty that it means flights because it could mean other events as well."

Senator Sheldon: "I was just trying to get an idea of the scope of your amendment."

Senator Keiser: "The scope of the amendment as I understand it and intended to me is limited to the airport that I represent which is known as Sea Tac International Airport."

Senator Sheldon: "Well, thank you, I was just wondering how it might effect a small airport in rural areas, do you have any idea about that or the..."

Senator Keiser: "As it was explained to me Senator it will not affect small airports in rural areas."

POINT OF INQUIRY

Senator Honeyford: "Would Senator Marr yield to a question? You said that commercial operations, does that include crop dusting?"

Senator Marr: "My understanding is that whatever would be qualified as a for hire commercial for takeoff or landing although I'm not aware that Sea Tac Airport has much in the way of crop duster takeoff and landings. My understanding is that that is a definition of commercial takeoff and landings is the definition that's specific to each airport."

Senator Benton spoke against adoption of the amendment.

MOTION

On motion of Senator Eide, further consideration of Substitute Senate Bill No. 6603 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 6558, by Senator Haugen

Addressing timelines for the issuance of final orders applicable to railroad crossing petitions. Revised for 1st Substitute: Concerning petitions for administrative review of railroad crossing closures.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 6558 was substituted for Senate Bill No. 6558 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. 6558 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 Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6558.

ROLL CALL

THIRTY THIRD DAY, FEBRUARY 12, 2010

2010 REGULAR SESSION

SENATE BILL NO. 6815, by Senator Haugen

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6558 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6558, 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. 6580, by Senators Swecker and Haugen

Creating the local bridge restoration and replacement account.

MOTIONS

On motion of Senator Swecker, Substitute Senate Bill No. 6580 was substituted for Senate Bill No. 6580 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. 6580 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Swecker spoke in favor of passage of the bill.

MOTION

On motion of Senator Marr, Senator Prentice was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6580.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6580 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Brandland, McCaslin and Prentice

SUBSTITUTE SENATE BILL NO. 6580, 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

Concerning health care benefits for marine employees of the department of transportation.

The measure was read the second time.

MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 6815 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 Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6815.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6815 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Brandland, McCaslin and Prentice

SENATE BILL NO. 6815, 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. 6649, by Senators King, Marr, Swecker, Haugen, Tom and Shin

Streamlining the content and release requirements of driving record abstracts.

MOTIONS

On motion of Senator King, Substitute Senate Bill No. 6649 was substituted for Senate Bill No. 6649 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator King, the rules were suspended, Substitute Senate Bill No. 6649 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

MOTION

On motion of Senator Kauffman, Senator Keiser was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6649.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6649 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Brandland, Keiser, McCaslin and Prentice
SUBSTITUTE SENATE BILL NO. 6649, 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. 6271, by Senators Murray and Haugen

Concerning annexations by cities and code cities located within the boundaries of a regional transit authority.

MOTIONS

On motion of Senator Murray, Substitute Senate Bill No. 6271 was substituted for Senate Bill No. 6271 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Murray, the rules were suspended, Substitute Senate Bill No. 6271 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Murray spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6271.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6271 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Brandland, Keiser, McCaslin and Prentice
SUBSTITUTE SENATE BILL NO. 6271, 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. 6555, by Senators Tom and Haugen

Removing state route number 908 from the state highway system.

The measure was read the second time.

MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 6555 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 Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6555.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6555 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Brandland, Keiser, McCaslin and Prentice
SENATE BILL NO. 6555, 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. 6570, by Senators Haugen, Swecker, Becker, Sheldon, Delvin and Hatfield

Accommodating certain private transportation providers at designated transit only lanes on public highways. Revised for 1st Substitute: Allowing certain private transportation providers to use certain public transportation facilities.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 6570 was substituted for Senate Bill No. 6570 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. 6570 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 passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6570.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6570 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

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

Voting nay: Senator Murray

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6570, 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.

The Senate resumed consideration of Substitute Senate Bill No. 6603 which had been deferred earlier in the day.

Senators Marr and Honeyford spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Keiser and others on page 17, after line 35 to Substitute Senate Bill No. 6603.

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

MOTION

On motion of Senator Marr, the rules were suspended, Engrossed Substitute Senate Bill No. 6603 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Marr, Keiser and Benton spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6603.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6603 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

ENGROSSED SUBSTITUTE SENATE BILL NO. 6603, 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. 6355, by Senators Kilmer, Becker, Rockefeller and Shin

Expanding the higher education system upon proven demand.

MOTIONS

On motion of Senator Kilmer, Substitute Senate Bill No. 6355 was substituted for Senate Bill No. 6355 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. 6355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kilmer and Becker spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6355.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6355 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6355, 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. 6269, by Senators Keiser and Rockefeller

Addressing conversion rights upon termination of eligibility for health plan coverage.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 6269 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6269.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6269 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

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

Excused: Senators Brandland and McCaslin

SENATE BILL NO. 6269, 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. 6647, by Senators Honeyford, Swecker and Morton

Addressing the employment status of members of the civil air patrol while acting in an emergency service operation. Revised for 1st Substitute: Protecting jobs of members of the civil air patrol while acting in an emergency service operation.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 6647 was substituted for Senate Bill No. 6647 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 6647 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6647.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6647 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6647, 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 3:01 p.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 5:08 p.m. by the President Pro Tempore.

SECOND READING

SENATE BILL NO. 6350, by Senators Ranker, Hargrove, Jacobsen, Rockefeller, Swecker, Marr, Fraser, Murray and Kline

Concerning marine waters management that includes marine spatial planning.

MOTIONS

On motion of Senator Ranker, Substitute Senate Bill No. 6350 was substituted for Senate Bill No. 6350 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Ranker, the rules were suspended, Substitute Senate Bill No. 6350 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ranker and Morton spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6350.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6350 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 2; Absent, 1; Excused, 2.

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

Voting nay: Senators Honeyford and Stevens

Absent: Senator Jacobsen

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6350, 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 Marr, Senator Jacobsen was excused.

SECOND READING

SENATE BILL NO. 6289, by Senators Pridemore, Brandland, Marr, Rockefeller, Brown, Kohl-Welles and Kline

Protecting lake water quality by reducing phosphorus from lawn fertilizers.

The measure was read the second time.

PARLIAMENTARY INQUIRY

Senator Pridemore: "We had a striking amendment that was just put on the bar. I just wanted... we may want to delay consideration."

MOTION

On motion of Senator Eide, further consideration of Senate Bill No. 6289 was deferred and the bill held its place on the second reading calendar.

PERSONAL PRIVILEGE

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Senator Hewitt: "Thank you Madam President. I want to thank the Majority Floor Leader for allowing us to look at strikers. Strikers are very important. They come out sometimes very, very large. We don't often have time to look at them, so, thank you again for doing that Senator."

SECOND READING

SENATE BILL NO. 6373, by Senators Ranker, Rockefeller, Swecker, Pridemore, Marr, Kline and Fraser

Directing the department of ecology to adopt rules requiring entities to report the emissions of greenhouse gases.

MOTIONS

On motion of Senator Ranker, Substitute Senate Bill No. 6373 was substituted for Senate Bill No. 6373 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Ranker, the rules were suspended, Substitute Senate Bill No. 6373 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ranker and Honeyford spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6373.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6373 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

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

Voting nay: Senator Morton

Excused: Senators Brandland, Jacobsen and McCaslin

SUBSTITUTE SENATE BILL NO. 6373, 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. 6468, by Senators Kauffman, Rockefeller, Pridemore, Berkey and Kline

Coordinating the weatherization and structural rehabilitation of residential structures.

MOTION

On motion of Senator Rockefeller, Substitute Senate Bill No. 6468 was substituted for Senate Bill No. 6468 and the substitute bill was placed on the second reading and read the second time.

MOTION

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Senator Kauffman moved that the following amendment by Senators Kauffman and Rockefeller be adopted. On page 2, on line 18 after "projects.", insert "The legislature further intends to allocate future distributions of energy-related federal jobs stimulus funding to strengthen these programs, and to coordinate energy retrofit and rehabilitation improvements as authorized by this act to increase the number of structures qualifying for assistance under these multiple state and federal energy efficiency programs."

Senator Kauffman spoke in favor of adoption of the amendment.

MOTION

On motion of Senator McDermott, Senator Brown was excused.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Kauffman and Rockefeller on page 2, line 18 to Substitute Senate Bill No. 6468.

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

MOTION

On motion of Senator Kauffman, the rules were suspended, Engrossed Substitute Senate Bill No. 6468 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman and Honeyford spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6468.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6468 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

ENGROSSED SUBSTITUTE SENATE BILL NO. 6468, 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.

The Senate resumed consideration of Senate Bill No. 6289 which had been deferred earlier in the day.

MOTION

On motion of Senator Pridemore, Substitute Senate Bill No. 6289 was substituted for Senate Bill No. 6289 and the substitute bill was placed on the second reading and read the second time.

WITHDRAWAL OF AMENDMENT

On motion of Senator Pridemore, the amendment by Senators Pridemore and Marr on page 2, line 14 to Substitute Senate Bill No. 6289 was withdrawn.

WITHDRAWAL OF AMENDMENT

On motion of Senator Pridemore, the amendment by Senator Pridemore on page 3, line 12 to Substitute Senate Bill No. 6289 was withdrawn.

MOTION

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

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Phosphorus loading of surface waters can stimulate the growth of weeds and algae and that this growth can have adverse environmental, health, and aesthetic effects;

(b) Lawn fertilizers contribute to phosphorus loading. Limits on turf fertilizer containing phosphorus can significantly reduce the discharge of phosphorus into the state's ground and surface waters;

(c) Turf fertilizers containing no or very low amounts of phosphorus are readily available and maintaining established turf in a healthy and green condition is not dependent upon the addition of phosphorus fertilizers; and

(d) While significant reductions of phosphorus from laundry detergent and dishwashing detergent have been achieved, similar progress in reducing phosphorus contributions from turf fertilizer has not been accomplished.

(2) It is the intent of the legislature that this chapter significantly limit the use of fertilizers containing the plant nutrient phosphorus.

NEW SECTION. Sec. 2. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Department" means the department of ecology.

(2) "Director" means the director of the department of ecology.

(3)(a) "Fertilizer" includes any substance containing one or more recognized plant nutrients, and that is either used for its plant nutrient content or is designated for use or claimed to have value in promoting plant growth, or both. "Fertilizer" includes gypsum and manipulated animal and vegetable manures.

(b) "Fertilizer" does not include:

(i) Unmanipulated animal and vegetable material, organic waste- derived materials, and other products exempted by the department by rule;

(ii) Calcium carbonate (lime) and anhydrous ammonia;

(iii) Materials including, but not limited to, compost biosolids, municipal sewage sludge, or slow release fertilizer used in compliance with best practices developed by the Washington State University extension service, or products derived therefrom, that are regulated under chapter 70.95 or 70.95J RCW or rules adopted under those chapters; and

(iv) Materials using waste manure from confined animal feeding operations as the primary feedstock and manufactured as a biotic fertilizer in a manner that balances the pH of the material and reduces the leaching of phosphorus.

(4) "Impervious surface" means a highway, street, sidewalk, parking lot, driveway, or other artificial surface that prevents infiltration of water into the soil.

(5) "Turf" means noncrop land planted in closely mowed, managed grasses on residential property. Turf does not include managed pasture, hayland, hay, turf grown on turf farms, home or commercial vegetable production, horticultural beds, flower beds, general landscaping, or any other form of agricultural production.

NEW SECTION. Sec. 3. (1) Except as provided in subsection (2) of this section, after January 1, 2012, a person may not apply to turf a fertilizer containing the plant nutrient phosphorus.

(2) Subsection (1) of this section does not apply when:

(a) Applying a solid fertilizer containing less than 0.67 percent phosphate by weight or a liquid fertilizer applied at a rate not greater than 0.3 pounds of phosphate per one thousand square feet of turf;

(b) Laboratory test results or other certifications by a turf specialist performed within the three years previous to the application indicates that the level of available phosphorus in the soils is insufficient to support healthy turf growth. The level of phosphorous needed to support healthy turf and the agronomic application rate must be determined by Washington State University; or

(c) The property owner or an agent of the property owner is first establishing turf via seed or sod procedures and only during the first growing season.

(3)(a) This section does not apply to the application of turf fertilizer for agricultural uses.

(b) This section does not apply to the application of turf fertilizer for golf courses.

NEW SECTION. Sec. 4. A person may not apply a fertilizer to an impervious surface. Fertilizer released on an impervious surface must be immediately contained and either legally applied to turf or another legal site or returned to the original container or another appropriate container.

NEW SECTION. Sec. 5. (1) The department may issue a notice of corrective action to a person in violation of section 3 or 4 of this act.

(2) A city or county may adopt an ordinance providing for enforcement of the requirements of sections 3 and 4 of this act. A city or county adopting an ordinance has jurisdiction concurrent with the department to enforce this section.

NEW SECTION. Sec. 6. The department may produce consumer information on the application restrictions under section 3 of this act and on recommended best practices for turf fertilizer and other residential landscaping uses. The consumer information must be produced in consultation with the Washington State University extension service, fertilizer industry representatives, lakes health organizations, and other interested parties. The consumer information must be in a format and of a content suitable for posting and distribution at retail points of sale of fertilizer that contains phosphorus for use on turf.

NEW SECTION. Sec. 7. Sections 1 through 6 of this act constitute a new chapter in Title 90 RCW."

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

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senator Pridemore to Substitute Senate Bill No. 6289.

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

MOTION

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

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On page 1, line 2 of the title, after "fertilizers;" strike the remainder of the title and insert "and adding a new chapter to Title 90 RCW."

On motion of Senator Hatfield, Senator Murray was excused.

MOTION

On motion of Senator Pridemore, the rules were suspended, Engrossed Substitute Senate Bill No. 6289 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pridemore, Marr, Rockefeller and Jacobsen spoke in favor of passage of the bill.

Senators Schoesler, Carrell and Honeyford spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6289.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6289 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 11; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Carrell, Delvin, Hatfield, Holmquist, Honeyford, King, Morton, Roach, Schoesler and Stevens

Excused: Senators Brandland and McCaslin

ENGROSSED SUBSTITUTE SENATE BILL NO. 6289, 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. 6611, by Senators Pridemore, Swecker and Shin

Extending the deadlines for the review and evaluation of comprehensive land use plan and development regulations for three years. Revised for 1st Substitute: Extending the deadlines for the review and evaluation of comprehensive land use plan and development regulations for three years and addressing the timing for adopting certain subarea plans.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 6611 was substituted for Senate Bill No. 6611 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pridemore, the rules were suspended, Substitute Senate Bill No. 6611 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pridemore spoke in favor of passage of the bill.

MOTION

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6611 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6611, 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. 6557, by Senators Ranker, Swecker, Rockefeller, Brandland, Brown, Kohl-Welles, Shin, Fraser and Kline

Limiting the use of copper and other substances in vehicle brake pads. Revised for 1st Substitute: Limiting the use of certain substances in brake friction material.

MOTIONS

On motion of Senator Ranker, Substitute Senate Bill No. 6557 was substituted for Senate Bill No. 6557 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Ranker, the rules were suspended, Substitute Senate Bill No. 6557 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Honeyford spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6557.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6557 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

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

Voting nay: Senators Carrell, Delvin, Hatfield, Holmquist, Honeyford, Morton, Schoesler and Stevens

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6557, 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. 6762, by Senators Fraser, Haugen and Kline

Regarding compliance with the state environmental policy act in the consideration of cumulative impacts and the assumption of lead agency status when the same agency is the sponsor of the project.

The measure was read the second time.

MOTION

Senator Fraser moved that the following striking amendment by Senators Fraser, Haugen and Honeyford be adopted: Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 43.21C.031 and 1995 c 347 s 203 are each amended to read as follows:

(1)(a) An environmental impact statement (the detailed statement required by RCW 43.21C.030(2)(c)) shall be prepared on proposals for legislation and other major actions having a probable significant, adverse environmental impact. The environmental impact statement may be combined with the recommendation or report on the proposal or issued as a separate document. The substantive decisions or recommendations shall be clearly identifiable in the combined document. Actions categorically exempt under RCW 43.21C.110(1)(a) do not require environmental review or the preparation of an environmental impact statement under this chapter. This subsection does not impose the requirements of RCW 43.21C.030 or this section upon actions that are statutorily exempt from this chapter's environmental review requirements. Proposals, or parts of proposals, that are so closely related as to be in effect a single course of action must be evaluated in the same environmental document if the:

(i) Proposal, or parts of the proposal, cannot or will not proceed unless implemented simultaneously; or

(ii) Larger proposal is necessary for justification or implementation of parts of the proposal. In a county, city, or town planning under RCW 36.70A.040, a planned action, as provided for in subsection (2) of this section, does not require a threshold determination or the preparation of an environmental impact statement under this chapter, but is subject to environmental review and mitigation as provided in this chapter.

(b) An environmental impact statement is required to analyze only those probable adverse environmental impacts which are significant. Beneficial environmental impacts may be discussed. The responsible official shall consult with agencies and the public to identify such impacts and limit the scope of an environmental impact statement. The subjects listed in RCW 43.21C.030(2)(c) need not be treated as separate sections of an environmental impact statement. Discussions of significant short-term and long-term environmental impacts, including cumulative impacts, significant irrevocable commitments of natural resources, significant alternatives including mitigation measures, and significant environmental impacts which cannot be mitigated should be consolidated or included, as applicable, in those sections of an environmental impact statement where the responsible official decides they logically belong.

(2)(a) For purposes of this section, a planned action means one or more types of project action that:

(i) Are designated planned actions by an ordinance or resolution adopted by a county, city, or town planning under RCW 36.70A.040;

(ii) Have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with (A) a comprehensive plan or subarea plan adopted under chapter 36.70A RCW, or (B) a fully contained community, a master planned resort, a master planned development, or a phased project;

(iii) Are subsequent or implementing projects for the proposals listed in (a)(ii) of this subsection;

(iv) Are located within an urban growth area, as defined in RCW 36.70A.030;

(v) Are not essential public facilities, as defined in RCW 36.70A.200; and

(vi) Are consistent with a comprehensive plan adopted under chapter 36.70A RCW.

(b) A county, city, or town shall limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the county, city, or town and may limit a planned action to a time period identified in the environmental impact statement or the ordinance or resolution adopted under this subsection.

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.21C RCW to read as follows:

(1) When an agency initiates a proposal, that agency is the lead agency for that proposal for purposes of compliance with the environmental review requirements of RCW 43.21C.030 and 43.21C.031. If two or more agencies share in the implementation of a proposal, the agencies shall by agreement determine which agency will be the lead agency. For the purposes of this section, a proposal by an agency does not include proposals to license private activity.

(2) Whenever possible, the agency staff carrying out the environmental review procedures of RCW 43.21C.030 and 43.21C.031 must be different from the agency staff developing the proposal."

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

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senators Fraser, Haugen and Honeyford to Senate Bill No. 6762.

The motion by Senator Fraser 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 2 of the title, after "act;" strike the remainder of the title and insert "amending RCW 43.21C.031; and adding a new section to chapter 43.21C RCW."

MOTION

On motion of Senator Fraser, the rules were suspended, Engrossed Senate Bill No. 6762 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fraser and Honeyford spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6762.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6762 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

ENGROSSED SENATE BILL NO. 6762, 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. 6747, by Senators Jacobsen, Fraser, Ranker, Shin and Kline

Authorizing the department of natural resources to recover costs for data delivery services provided under the natural heritage program.

MOTIONS

On motion of Senator Jacobsen, Substitute Senate Bill No. 6747 was substituted for Senate Bill No. 6747 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Jacobsen, the rules were suspended, Substitute Senate Bill No. 6747 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen spoke in favor of passage of the bill.
Senator Morton spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6747.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6747 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 15; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Benton, Carrell, Delvin, Hatfield, Holmquist, Honeyford, King, Morton, Parlette, Pflug, Roach, Schoesler, Stevens and Zarelli

Excused: Senators Brandland and McCaslin

SUBSTITUTE SENATE BILL NO. 6747, 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 Marr, Senator Ranker was excused.

SECOND READING

SENATE BILL NO. 6720, by Senators Fraser, Delvin and Kline

Providing an optional tool for cities to use for programmatic environmental impact review.

The measure was read the second time.

MOTION

On motion of Senator Fraser, the rules were suspended, Senate Bill No. 6720 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fraser and Honeyford spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6720.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6720 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Benton, Berkey, 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, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Regala, Rockefeller, Schoesler, Sheldon, Shin, Swecker, Tom and Zarelli

Voting nay: Senators Holmquist, Roach and Stevens

Excused: Senators Brandland, McCaslin and Ranker

SENATE BILL NO. 6720, 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. 6692, by Senators Pridemore, Hargrove, Ranker and Haugen

Allowing certain counties to participate and enter into ownership agreements for electric generating facilities powered by biomass.

MOTIONS

On motion of Senator Pridemore, Substitute Senate Bill No. 6692 was substituted for Senate Bill No. 6692 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pridemore, the rules were suspended, Substitute Senate Bill No. 6692 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pridemore and Honeyford spoke in favor of the passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6692.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6692 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Brandland, McCaslin and Ranker

SUBSTITUTE SENATE BILL NO. 6692, 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 and without objection, the rules were suspended and the Senate immediately reconsidered the vote by which Engrossed Substitute Senate Bill No. 6603 passed the Senate.

MOTION

On motion of Senator Eide, the rules were suspended and that Engrossed Substitute Senate Bill No. 6603 was returned to second reading for the purpose of an amendment.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 6603, by Senate Committee on Transportation (originally sponsored by Senators Marr, Haugen, Swecker, Eide and Keiser)

Concerning land uses adjacent to general aviation airports.

The measure was read the second time.

MOTION

On motion of Senator Eide and without objections, the rules were suspended and immediately reconsider the vote by which the amendment by Senator Keiser and others on page 17, after line 35 was adopted.

MOTION

Senator Eide spoke against the adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Keiser and others 94 to Engrossed Substitute Senate Bill No. 6603.

The motion by Senator Eide carried and the amendment was not adopted by voice vote.

MOTION

Senator Eide moved that the following amendment by Senators Keiser and Honeyford be adopted. On page 13, after line 27, strike all material through "activities" on line 31, and insert the following:

"(16) "General aviation airport" means any public use airport with general aviation facilities and where general aviation activities

occur. However, a general aviation airport does not include an airport in a county with a population of greater than one million five hundred thousand persons where general aviation activity is less than five percent of the total annual operations"

On page 17, after line 35, strike all material through "activities" on page 18, line 2, and insert the following:

"(23) "General aviation airport" means any public use airport with general aviation facilities and where general aviation activities occur. However, a general aviation airport does not include an airport in a county with a population of greater than one million five hundred thousand persons where general aviation activity is less than five percent of the total annual operations"

Senator Keiser spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Senator Morton: "Senator Morton: "Madam President, I'm not sure who to direct this to. I'd like to ask a question. Who would yield to a question on this?"

Senator Franklin: "Senator Keiser."

Senator Morton: "I note the phrase here on description of the 'general aviation airport.' I'm wondering if, in the determination of the five percent, is that five percent the amount for the aviation activity of the airport? Of the fix-based operator? Of both? A definition of what the activity is would help me. Thank you."

Senator Keiser: "Thank you Senator. My understanding is that the five percent activity is in regard to general aviation activity at an individual airport."

Senator Morton: "And therefore the five percent is the accumulation of the annual operations? I'm not clear yet what that is against. Is that the ... landing fees? Is that counted? How is it determined? The gross revenue of the fixed-based operator or all of them combined? What's the five percent against? Thank you."

Senator Keiser: "Number of landings is the understanding. Operations are not, it is not about landing fees."

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Keiser and Honeyford on page 13, after line 27 to Engrossed Substitute Senate Bill No. 6603.

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

MOTION

On motion of Senator Eide, the rules were suspended, Engrossed Substitute Senate Bill No. 6603 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Marr spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6603.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6603 and the bill passed

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the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brandland and McCaslin

ENGROSSED SUBSTITUTE SENATE BILL NO. 6603, having received the constitutional majority, was declared passed.

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There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 6:56 p.m., on motion of Senator Eide, the Senate adjourned until 9:00 a.m. Saturday, February 13, 2010.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

Draft

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