

SIXTY-FIRST DAY

NOON SESSION

Senate Chamber, Olympia, Friday, March 13, 2009

The Senate was called to order at 10:00 a.m. by President Owen. No roll call was taken.

MOTION

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

MOTION

On motion of Senator McDermott, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

March 12, 2009

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LARRY SANCHEZ, reappointed March 5, 2009, for the term ending September 30, 2013, as Member, Board of Trustees, Community College District No. 16 (Yakima Valley Community College).

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education & Workforce Development.

MOTION

On motion of Senator McDermott, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

MOTION

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

MESSAGE FROM THE HOUSE

March 12, 2009

MR. PRESIDENT:

The House has passed the following bills:
ENGROSSED HOUSE BILL NO. 1836,
ENGROSSED HOUSE BILL NO. 2242
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2261,
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 12, 2009

MR. PRESIDENT:

The House has passed the following bills:

HOUSE BILL NO. 1487,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1571,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2252,
ENGROSSED HOUSE BILL NO. 2299,
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

2SHB 1172 by House Committee on General Government Appropriations (originally sponsored by Representatives Simpson, Nelson and Rolfes)

AN ACT Relating to the implementation of a regional transfer of development rights program; amending RCW 43.362.005 and 43.362.010; and adding new sections to chapter 43.362 RCW.

Referred to Committee on Government Operations & Elections.

HB 1199 by Representatives Haigh, Kristiansen, Hunt and Armstrong

AN ACT Relating to retainage of funds on public works projects; amending RCW 39.04.901, 39.12.040, 39.12.050, 39.12.065, 39.76.020, 60.28.040, and 60.28.080; reenacting and amending RCW 60.28.011; and repealing RCW 39.04.140, 39.76.010, 60.28.010, 60.28.020, and 60.28.050.

Referred to Committee on Government Operations & Elections.

2SHB 1290 by House Committee on Finance (originally sponsored by Representatives Maxwell, Rodne, Kenney, Green, Clibborn, Liias, Anderson and Hunter)

AN ACT Relating to local tourism promotion areas; amending RCW 35.101.010; and adding a new section to chapter 35.101 RCW.

Referred to Committee on Ways & Means.

E2SHB 1393 by House Committee on Ways & Means (originally sponsored by Representatives Springer, Kessler, Eddy, Ormsby, Van De Wege, Liias, Morrell, Roberts, Upthegrove and Sullivan)

AN ACT Relating to improving residential real property construction by creating a home construction consumer education office, strengthening warranty protections applicable to residential real property construction, enhancing contractor registration requirements, and establishing worker certification standards; amending RCW 18.27.075 and 18.27.030; reenacting and amending RCW 43.79A.040; adding new sections to chapter 43.10 RCW; adding new sections to chapter 64.50 RCW; adding a new section to chapter 18.27 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SHB 1402 by House Committee on Commerce & Labor (originally sponsored by Representatives Williams, Campbell, Conway, Moeller and Green)

AN ACT Relating to contact with medical providers after appeals have been filed under industrial insurance; adding a new section to chapter 51.52 RCW; and creating a new section.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 1415 by House Committee on Commerce & Labor (originally sponsored by Representatives Hasegawa, Haler, Hunt, Armstrong, Eddy, Newhouse, Conway, Wood, Williams, Johnson, Chase, Upthegrove, Condotta, Moeller and Ormsby)

AN ACT Relating to sales of wine at the legislative gift center; adding new sections to chapter 44.73 RCW; adding a new section to chapter 66.12 RCW; and adding a new section to chapter 15.88 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

2SHB 1450 by House Committee on Capital Budget (originally sponsored by Representatives Takko and Blake)

AN ACT Relating to modifying the definition of "public facilities"; and reenacting and amending RCW 43.160.020.

Referred to Committee on Ways & Means.

ESHB 1496 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Roberts, Hurst, O'Brien, Simpson, Hinkle, Van De Wege, Ericks and Sells)

AN ACT Relating to changing the membership of the state interoperability executive committee; and amending RCW 43.105.330.

Referred to Committee on Government Operations & Elections.

ESHB 1512 by House Committee on Transportation (originally sponsored by Representatives Haler, Roach and Klippert)

AN ACT Relating to funding rail freight service through grants; and amending RCW 47.76.250.

Referred to Committee on Transportation.

SHB 1663 by House Committee on Judiciary (originally sponsored by Representatives Goodman, Springer, Simpson, Roberts, Miloscia, Nelson, Ormsby and Santos)

AN ACT Relating to creating relocation assistance rights for nontransient residents of hotels, motels, or other places of transient lodging that are shut down by government action; and amending RCW 59.18.085.

Referred to Committee on Financial Institutions, Housing & Insurance.

HB 1722 by Representatives Crouse, Conway, Seaquist and Simpson

AN ACT Relating to plan membership default provisions in the public employees' retirement system; and amending RCW 41.40.785.

Referred to Committee on Ways & Means.

SHB 1774 by House Committee on Ways & Means (originally sponsored by Representatives Haigh, Armstrong, Van De Wege, Morris, Blake, Orcutt and Kristiansen)

AN ACT Relating to state forest land revenues for school districts; and amending RCW 28A.150.250.

Referred to Committee on Ways & Means.

SHB 1778 by House Committee on Agriculture & Natural Resources (originally sponsored by Representative Blake)

AN ACT Relating to modernizing certain provisions in Title 77 RCW regarding fish and wildlife; amending RCW 77.15.050, 77.15.700, 77.15.310, 77.15.320, 77.15.610, 77.32.470, 77.65.010, 77.65.370, 77.65.440, 77.15.510, 77.65.480, 77.15.552, 77.12.870, 77.12.879, 77.60.150, 77.85.230, 77.85.050, 77.120.030, 77.120.110, 77.120.120, 77.95.200, 77.95.310, 77.12.184, 77.12.190, 77.12.210, 77.12.230, 77.12.240, 77.12.323, 77.12.380, 77.12.390, 77.15.100, 77.32.430, 77.32.530, 77.32.560, 77.36.070, and 77.44.050; reenacting and amending RCW 77.12.690; and repealing RCW 77.12.065.

Referred to Committee on Ways & Means.

ESHB 1782 by House Committee on Early Learning & Children's Services (originally sponsored by Representatives Goodman, Roberts, Walsh, Dickerson, Darneille, Kagi and Nelson)

AN ACT Relating to encouraging early and consistent engagement of parents in children's dependency matters; amending RCW 13.34.065, 13.34.145, and 13.34.180; reenacting and amending RCW 13.34.062; adding a new section to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SHB 1793 by House Committee on Transportation (originally sponsored by Representatives Williams, Goodman, Nelson, White, Pedersen, Roberts, Upthegrove and Eddy)

AN ACT Relating to alternative student transportation; and adding new sections to chapter 47.04 RCW.

Referred to Committee on Transportation.

2SHB 1797 by House Committee on General Government Appropriations (originally sponsored by Representatives White, Priest, Springer, Anderson, Miloscia, Nelson, McCoy, Rodne, Simpson and Sullivan)

AN ACT Relating to a rural and resource lands study; adding a new section to chapter 43.79 RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

HB 1822 by Representatives Conway, Wood and Ormsby

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AN ACT Relating to interest arbitration for certain general authority Washington peace officers; and amending RCW 41.56.030.

Referred to Committee on Labor, Commerce & Consumer Protection.

ESHB 1886 by House Committee on Local Government & Housing (originally sponsored by Representative Takko)

AN ACT Relating to flood control districts; amending RCW 86.09.175, 86.09.178, 86.09.181, 86.09.259, 86.09.268, 86.09.271, and 86.09.466; adding new sections to chapter 86.09 RCW; and repealing RCW 86.09.274, 86.09.277, and 86.09.280.

Referred to Committee on Government Operations & Elections.

ESHB 1887 by House Committee on Local Government & Housing (originally sponsored by Representative Takko)

AN ACT Relating to diking districts; and adding a new section to chapter 85.38 RCW.

Referred to Committee on Government Operations & Elections.

SHB 1919 by House Committee on Human Services (originally sponsored by Representatives Kagi, Goodman, Pedersen, Rodne, Roberts, Hinkle, Dickerson, Moeller, Santos and Wood)

AN ACT Relating to drug court funding; and amending RCW 70.96A.350 and 2.28.170.

Referred to Committee on Ways & Means.

ESHB 1954 by House Committee on Human Services (originally sponsored by Representative Dickerson)

AN ACT Relating to sealing juvenile records; and amending RCW 13.40.127.

Referred to Committee on Human Services & Corrections.

EHB 1965 by Representatives Hunt, Uptegrove, Dickerson and Simpson

AN ACT Relating to leave for service animal training; and adding a new chapter to Title 49 RCW.

Referred to Committee on Government Operations & Elections.

E2SHB 2078 by House Committee on Health & Human Services Appropriations (originally sponsored by Representatives Roberts, O'Brien, Walsh, Jacks, Appleton, Goodman, Dickerson, Green, Kagi, Chase, Wood, Kenney and Haler)

AN ACT Relating to persons with developmental disabilities who are in correctional facilities or jails; and adding a new chapter to Title 71A RCW.

Referred to Committee on Human Services & Corrections.

HB 2206 by Representative Darneille

AN ACT Relating to authorized expenditures from the OASI revolving fund and OASI contribution account; and amending RCW 41.48.065 and 41.48.080.

Referred to Committee on Ways & Means.

ESHB 2222 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Blake, Kretz, Short, Eddy, Smith, Takko, Hinkle, Hudgins, Springer, Herrera, Morris, Warnick, Williams and Chandler)

AN ACT Relating to conditioning industrial storm water general discharge permits; amending RCW 90.48.555; adding new sections to chapter 90.48 RCW; and providing an expiration date.

Referred to Committee on Environment, Water & Energy.

ESHB 2245 by House Committee on Ways & Means (originally sponsored by Representative Cody)

AN ACT Relating to clarifying public employees' benefits board eligibility; amending RCW 41.05.008, 41.05.011, 41.05.050, and 41.05.055; reenacting and amending RCW 41.05.021 and 41.05.065; adding a new section to chapter 41.05 RCW; creating a new section; repealing RCW 41.05.053; and providing an effective date.

Referred to Committee on Ways & Means.

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.

EHB 2285 by Representatives Flannigan and Simpson

AN ACT Relating to local improvement districts and utility local improvement districts comprised of property in more than one city or town; amending RCW 35.43.030; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

HB 2313 by Representatives Grant-Herriot, Cox, Ericks, Schmick, Driscoll, Walsh, Short, Kretz, McCune, Linville, Van De Wege, Nelson, Green, Liias, Blake, Darneille, Sells, Wallace, Simpson, Eddy, Carlyle, White, Williams, McCoy, Orwall, Moeller, Chase, Hurst, Hunter, Rolfes, Finn, Sullivan, Springer, Jacks, Kelley, Seaquist, Clibborn, Probst, Cody, Hasegawa, Hudgins, Roberts, Kessler, Ormsby, O'Brien, Dickerson, Takko, Kenney, Morrell, Santos, Hunt, Miloscia and Goodman

AN ACT Relating to extending the length of commercial and farm vehicle permits; and amending RCW 46.16.162 and 46.44.095.

Referred to Committee on Transportation.

MOTION

SIXTY-FIRST DAY, MARCH 13, 2009

2009 REGULAR SESSION

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

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

MOTION

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

MOTION

Senator Haugen moved adoption of the following resolution:

SENATE RESOLUTION
8645

By Senators Haugen, Ranker, and Stevens

WHEREAS, Every April the tulips are in bloom, celebrating the beginning of spring; and

WHEREAS, The beautiful Skagit Valley is the Northwest's tulip capital and the number one producer of tulip bulbs in North America; and

WHEREAS, The Skagit Valley Tulip Festival kicks off the festival season in Washington; and

WHEREAS, Nearly one-half million people visited the Skagit Valley Tulip Festival last year, participating in the joy and excitement of the event and contributing to the economy of the Skagit Valley; and

WHEREAS, This year's 26th annual festival will run from April 1st through 30th, focusing on the communities of Sedro-Woolley, Burlington, Anacortes, La Conner, Mount Vernon, Concrete, and Conway; and

WHEREAS, Visitors will be greeted by more than 700 acres of tulips reflecting all the vibrant colors of the rainbow, by the fullness of life in the valley, and by its wonderful people; and

WHEREAS, This year's Tulip Festival Ambassadors, Veronica Pratt and Christian Lathrom, will ably and personably perform their responsibilities as representatives of the festival; and

WHEREAS, Highlights of the event include the Mount Vernon Street Fair, PACCAR Open House, Air Show and Fly-in, Skagit County Wineries, RoozenGaarde, Tulip Town, art shows, bike rides, foot races, and much more;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate salute all the communities of the Skagit Valley, their Chambers of Commerce, the Skagit Valley Tulip Festival Ambassadors, and the Tulip Festival Committee; and

BE IT FURTHER RESOLVED, That the Senate commend the community leaders and corporate sponsors for the success of this important event and encourage citizens from across Washington to take the time to enjoy this spectacular display; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Skagit Valley Tulip Festival Executive Director, Cindy Verge, and the Tulip Festival Ambassadors.

Senators Haugen and Ranker spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8645.

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

MOTION

At 10:06 a.m., on motion of Senator McDermott, the Senate adjourned until 12:00 noon, Monday, March 16, 2009.

1172-S2		Introduction & 1st Reading.	1	2285	Introduction & 1st Reading.	3
1199		Introduction & 1st Reading.	1	2299	Messages.	1
1290-S2		Introduction & 1st Reading.	1	2313	Introduction & 1st Reading.	3
1393-S2		Introduction & 1st Reading.	1	8645	Adopted.	4
1402-S		Introduction & 1st Reading.	2		Introduced.	4
1415-S		Introduction & 1st Reading.	2	MESSAGE FROM GOVERNOR		
1450-S2		Introduction & 1st Reading.	2	Gubernatorial Appointments.	1	
1487		Messages.	1			
1496-S		Introduction & 1st Reading.	2			
1512-S		Introduction & 1st Reading.	2			
1571-S		Messages.	1			
1663-S		Introduction & 1st Reading.	2			
1722		Introduction & 1st Reading.	2			
1774-S		Introduction & 1st Reading.	2			
1778-S		Introduction & 1st Reading.	2			
1782-S		Introduction & 1st Reading.	2			
1793-S		Introduction & 1st Reading.	2			
1797-S2		Introduction & 1st Reading.	2			
1822		Introduction & 1st Reading.	2			
1836		Messages.	1			
1886-S		Introduction & 1st Reading.	3			
1887-S		Introduction & 1st Reading.	3			
1919-S		Introduction & 1st Reading.	3			
1954-S		Introduction & 1st Reading.	3			
1965		Introduction & 1st Reading.	3			
2078-S2		Introduction & 1st Reading.	3			
2206		Introduction & 1st Reading.	3			
2222-S		Introduction & 1st Reading.	3			
2242		Messages.	1			
2245-S		Introduction & 1st Reading.	3			
2252-S		Messages.	1			
2261-S		Messages.	1			
2271						