

FIFTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Monday, March 1, 2010

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Haugen, Holmquist, McCaslin, Murray and Regala.

The Sergeant at Arms Color Guard consisting of Pages Shell Gordon and Andrew Forrest, presented the Colors. Senator Shin 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

There being no objection, the Senate advanced to the first order of business.

REPORTS OF STANDING COMMITTEES

February 27, 2010

HB 1541 Prime Sponsor, Representative Seaquist: Granting half-time service credit for half-time educational employment prior to January 1, 1987, in plans 2 and 3 of the school employees' retirement system and the public employees' retirement system. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

February 27, 2010

SHB 1545 Prime Sponsor, Committee on Ways & Means: Authorizing the higher education coordinating board to offer higher education annuities and retirement income plans. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

February 27, 2010

SHB 2196 Prime Sponsor, Committee on Ways & Means: Including service credit transferred from the law enforcement officers' and firefighters' retirement system plan 1 in the determination of eligibility for military service credit. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

February 25, 2010

2SHB 2551 Prime Sponsor, Committee on Ways & Means: Establishing the Washington vaccine association. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Honeyford; McDermott; Parlette; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

February 27, 2010

HB 2823 Prime Sponsor, Representative Kristiansen: Permitting retired participants to resume volunteer firefighter, emergency worker, or reserve officer service. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

February 27, 2010

HB 2987 Prime Sponsor, Representative Simpson: Addressing the impact on the firefighters' pension fund when a city or town enters a regional fire protection service authority. Reported by Committee on Ways & Means

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

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

February 28, 2010

MR. PRESIDENT:

The House has passed:

ENGROSSED SENATE BILL 5041,
SECOND ENGROSSED SENATE BILL 5617,
SENATE BILL 6227,
SUBSTITUTE SENATE BILL 6239,
SUBSTITUTE SENATE BILL 6251,
SUBSTITUTE SENATE BILL 6271,
SUBSTITUTE SENATE BILL 6273,
SENATE BILL 6275,
ENGROSSED SENATE BILL 6287,
SENATE BILL 6288,
SENATE BILL 6297,
SUBSTITUTE SENATE BILL 6337,
SENATE BILL 6365,
SUBSTITUTE SENATE BILL 6395,
SUBSTITUTE SENATE BILL 6398,
SENATE BILL 6450,
SUBSTITUTE SENATE BILL 6524,
SENATE BILL 6543,
SUBSTITUTE SENATE BILL 6591,
SUBSTITUTE SENATE BILL 6674,
SUBSTITUTE SENATE BILL 6749,
SENATE JOINT MEMORIAL 8026,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 28, 2010

MR. PRESIDENT:

The House has passed:

SUBSTITUTE SENATE BILL 5046,
ENGROSSED SENATE BILL 5516,
SENATE BILL 5582,
SUBSTITUTE SENATE BILL 6197,
SUBSTITUTE SENATE BILL 6211,
SUBSTITUTE SENATE BILL 6213,
SENATE BILL 6229,
ENGROSSED SUBSTITUTE SENATE BILL 6286,
SUBSTITUTE SENATE BILL 6298,
SUBSTITUTE SENATE BILL 6299,
ENGROSSED SUBSTITUTE SENATE BILL 6306,
SUBSTITUTE SENATE BILL 6367,
SUBSTITUTE SENATE BILL 6371,
SENATE BILL 6467,
SUBSTITUTE SENATE BILL 6544,
SENATE BILL 6546,
SUBSTITUTE SENATE BILL 6584,
SUBSTITUTE SENATE BILL 6634,

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 6879

by Senators Keiser, Tom and Kline

AN ACT Relating to transferring the functions of the home care quality authority to the department of social and health services; amending RCW 41.56.030, 43.105.340, 74.39A.095, 74.39A.220, 74.39A.240, 74.39A.260, and 74.39A.250; reenacting and amending RCW 74.39A.270; creating new sections; decodifying RCW 74.39A.290; repealing RCW 70.127.041, 74.39A.230, and 74.39A.280; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6880

by Senator Keiser

AN ACT Relating to emergency medical technicians and paramedics; amending RCW 18.71.010, 18.73.030, 18.73.081, 43.70.110, and 43.70.250; reenacting and amending RCW 18.71.205; and providing an effective date.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 2935

by House Committee on General Government

Appropriations (originally sponsored by Representatives Van De Wege, Sells, Blake, Takko, Darneille, Walsh, Hinkle and Kessler)

AN ACT Relating to environmental and land use hearings boards; amending RCW 43.21B.001, 43.21B.010, 43.21B.010, 43.21B.180, 43.21B.230, 43.21B.320, 36.70A.270, 70.95.094, 76.06.180, 76.09.050, 76.09.080, 76.09.090, 76.09.170, 76.09.310, 77.55.011, 77.55.021, 77.55.141, 77.55.181, 77.55.241, 77.55.291, 78.44.270, 78.44.380, 79.100.120, 84.33.0775, 90.58.140, 90.58.180, 90.58.190, 90.58.210, and 90.58.560; reenacting and amending RCW 43.21B.005, 43.21B.005, 43.21B.110, 43.21B.110, 43.21B.300, 43.21B.310, and 76.09.020; adding a new section to chapter 43.21B RCW; adding new sections to chapter 36.70A RCW; adding a new section to chapter 76.09 RCW; creating new sections; repealing RCW 43.21B.190, 76.09.210, 76.09.220, 76.09.230, 77.55.301, 77.55.311, 43.21L.005, 43.21L.010, 43.21L.020, 43.21L.030, 43.21L.040, 43.21L.050, 43.21L.060, 43.21L.070, 43.21L.080, 43.21L.090, 43.21L.100, 43.21L.110, 43.21L.120, 43.21L.130, 43.21L.140, 43.21L.900, and 43.21L.901; providing effective dates; and providing expiration dates.

Referred to Committee on Ways & Means.

SHB 2941

by House Committee on Transportation

(originally sponsored by Representatives Clibborn, O'Brien, Maxwell, Liias, Eddy, Springer, Hunter and Goodman)

AN ACT Relating to the use of express toll lanes in the Interstate 405 corridor; amending RCW 47.56.810; adding new sections to chapter 47.56 RCW; creating a new section; and prescribing penalties.

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Referred to Committee on Transportation.

ESHB 2954 by House Committee on Health & Human Services Appropriations (originally sponsored by Representative Cody)

AN ACT Relating to license fees for nursing homes, boarding homes, and adult family homes; amending RCW 18.51.050, 18.20.050, and 70.128.060; and adding a new section to chapter 43.20A RCW.

Referred to Committee on Ways & Means.

EHB 2969 by Representative Hudgins

AN ACT Relating to promoting efficiencies in the services provided by the office of the public printer; amending RCW 43.78.080, 43.78.030, 43.78.070, 43.78.090, 43.78.100, 43.78.105, 43.78.110, 43.78.170, 43.105.041, 1.08.039, 15.24.085, 15.62.190, 16.67.170, 28A.300.040, 28B.10.029, 40.04.030, 40.06.030, 40.07.050, and 43.08.061; reenacting and amending RCW 43.105.020 and 41.06.070; adding new sections to chapter 43.105 RCW; adding a new section to chapter 41.56 RCW; creating new sections; recodifying RCW 43.78.030, 43.78.070, 43.78.090, 43.78.100, 43.78.105, 43.78.110, 43.78.130, 43.78.140, 43.78.150, 43.78.160, and 43.78.170; repealing RCW 43.78.010, 43.78.020, 43.78.040, 43.78.050, and 43.78.080; and providing effective dates.

Referred to Committee on Ways & Means.

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 Oemig moved that Gubernatorial Appointment No. 9180, Sang Chae, as a member of the Board of Trustees, Lake Washington Technical College District No. 26, be confirmed.

Senator Oemig spoke in favor of the motion.

MOTION

On motion of Senator Brandland, Senator McCaslin was excused.

MOTION

On motion of Senator Marr, Senators Brown, Haugen and Murray were excused.

APPOINTMENT OF SANG CHAE

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9180, Sang

Chae as a member of the Board of Trustees, Lake Washington Technical College District No. 26.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9180, Sang Chae as a member of the Board of Trustees, Lake Washington Technical College District No. 26 and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 3; Excused, 4.

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

Absent: Senators Hargrove, Holmquist and Regala

Excused: Senators Brown, Haugen, McCaslin and Murray

Gubernatorial Appointment No. 9180, Sang Chae, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Lake Washington Technical College District No. 26.

MOTION

On motion of Senator Brandland, Senator Holmquist was excused.

MOTION

On motion of Senator McDermott, Senators Hargrove and Regala were excused.

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Swecker moved that Gubernatorial Appointment No. 9246, Tony Tortorice, as a member of the Department of Information Services, be confirmed.

Senators Swecker and Tom spoke in favor of passage of the motion.

APPOINTMENT OF TONY TORTORICE

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9246, Tony Tortorice as a member of the Department of Information Services.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9246, Tony Tortorice as a member of the Department of Information Services and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

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

Excused: Senators Brown, Hargrove, Holmquist, McCaslin, Murray and Regala

Gubernatorial Appointment No. 9246, Tony Tortorice, having received the constitutional majority was declared

confirmed as a member of the Department of Information Services.

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Kohl-Welles moved that Gubernatorial Appointment No. 9213, Valoria Loveland, as a member of the Lottery Commission, be confirmed.

Senator Kohl-Welles spoke in favor of the motion.

APPOINTMENT OF VALORIA LOVELAND

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9213, Valoria Loveland as a member of the Lottery Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9213, Valoria Loveland as a member of the Lottery Commission and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Brown, Holmquist, McCaslin and Murray

Gubernatorial Appointment No. 9213, Valoria Loveland, having received the constitutional majority was declared confirmed as a member of the Lottery Commission.

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Brandland moved that Gubernatorial Appointment No. 9060, Roshni A. Jokhi, as a member of the Professional Educator Standards Board, be confirmed.

Senator Brandland spoke in favor of the motion.

APPOINTMENT OF ROSHNI A. JOKHI

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9060, Roshni A. Jokhi as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9060, Roshni A. Jokhi as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hatfield, Haugen, Hewitt, Hobbs, 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

Absent: Senator Hargrove
Excused: Senators Brown, Holmquist and McCaslin
Gubernatorial Appointment No. 9060, Roshni A. Jokhi, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fraser moved that Gubernatorial Appointment No. 9177, Judy Blinn, as a member of the Board of Trustees, South Puget Sound Community College District No. 24, be confirmed.

Senator Fraser spoke in favor of the motion.

APPOINTMENT OF JUDY BLINN

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9177, Judy Blinn as a member of the Board of Trustees, South Puget Sound Community College District No. 24.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9177, Judy Blinn as a member of the Board of Trustees, South Puget Sound Community College District No. 24 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Holmquist and McCaslin

Gubernatorial Appointment No. 9177, Judy Blinn, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, South Puget Sound Community College District No. 24.

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Prentice moved that Gubernatorial Appointment No. 9258, Michael L. Reichert, as a member of the Gambling Commission, be confirmed.

Senator Prentice spoke in favor of the motion.

APPOINTMENT OF MICHAEL L. REICHERT

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9258, Michael L. Reichert as a member of the Gambling Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9258, Michael L. Reichert as a member of the Gambling Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon,

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

Excused: Senators Holmquist and McCaslin

Gubernatorial Appointment No. 9258, Michael L. Reichert, having received the constitutional majority was declared confirmed as a member of the Gambling Commission.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator McDermott moved that Gubernatorial Appointment No. 9176, Michael Blakely, as a member of the Board of Trustees, Big Bend Community College District No. 18, be confirmed.

Senator McDermott spoke in favor of the motion.

APPOINTMENT OF MICHAEL BLAKELY

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9176, Michael Blakely as a member of the Board of Trustees, Big Bend Community College District No. 18.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9176, Michael Blakely as a member of the Board of Trustees, Big Bend Community College District No. 18 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Holmquist and McCaslin

Gubernatorial Appointment No. 9176, Michael Blakely, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Big Bend Community College District No. 18.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fraser moved that Gubernatorial Appointment No. 9077, Darryl-Jean Mark, as a member of the Personnel Resources Board, be confirmed.

Senator Fraser spoke in favor of the motion.

APPOINTMENT OF DARRYL-JEAN MARK

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9077, Darryl-Jean Mark as a member of the Personnel Resources Board.

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The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9077, Darryl-Jean Mark as a member of the Personnel Resources Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Holmquist and McCaslin

Gubernatorial Appointment No. 9077, Darryl-Jean Mark, having received the constitutional majority was declared confirmed as a member of the Personnel Resources Board.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Haugen moved that Gubernatorial Appointment No. 9234, Donald B. Sehlin, as a member of the Public Disclosure Commission, be confirmed.

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

APPOINTMENT OF DONALD B. SEHLIN

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9234, Donald B. Sehlin as a member of the Public Disclosure Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9234, Donald B. Sehlin as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Holmquist and McCaslin

Gubernatorial Appointment No. 9234, Donald B. Sehlin, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fraser moved that Gubernatorial Appointment No. 9188, Sharon Foster, as a member of the Liquor Control Board, be confirmed.

Senator Fraser spoke in favor of the motion.

APPOINTMENT OF SHARON FOSTER

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9188, Sharon Foster as a member of the Liquor Control Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9188, Sharon Foster as a member of the Liquor Control Board and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Holmquist and McCaslin

Gubernatorial Appointment No. 9188, Sharon Foster, having received the constitutional majority was declared confirmed as a member of the Liquor Control Board.

SECOND READING

HOUSE BILL NO. 2465, by Representatives Hurst, Rodne, Kelley, Roberts and Ericks

Concerning breath test instruments approved by the state toxicologist.

The measure was read the second time.

MOTION

On motion of Senator Kline, the rules were suspended, House Bill No. 2465 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kline and Carrell spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 2465.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 2465 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Holmquist and McCaslin

HOUSE BILL NO. 2465, 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

SUBSTITUTE HOUSE BILL NO. 2466, by House Committee on Judiciary (originally sponsored by Representatives

Goodman, Rodne, Kelley, Roberts, Johnson, Ericks, Hudgins and Hurst)

Concerning the regulation of ignition interlock devices by the Washington state patrol.

The measure was read the second time.

MOTION

Senator Kline moved that the following committee striking amendment by the Committee on Judiciary be adopted:

Strike everything after the enacting clause and insert the following: "**Sec. 1.** RCW 46.04.215 and 2005 c 200 s 1 are each amended to read as follows:

"Ignition interlock device" means breath alcohol analyzing ignition equipment or other biological or technical device certified in conformance with section 2 of this act and rules adopted by the state patrol and designed to prevent a motor vehicle from being operated by a person who has consumed an alcoholic beverage. ~~((The state patrol shall by rule provide standards for the certification, installation, repair, and removal of the devices.))~~

NEW SECTION. **Sec. 2.** A new section is added to chapter 43.43 RCW to read as follows:

(1) The state patrol shall by rule provide standards for the certification, installation, repair, maintenance, monitoring, inspection, and removal of ignition interlock devices, as defined under RCW 46.04.215, and equipment as outlined under this section, and may inspect the records and equipment of manufacturers and vendors during regular business hours for compliance with statutes and rules and may suspend or revoke certification for any noncompliance. The state patrol may only inspect ignition interlock devices in the vehicles of customers for proper installation and functioning when installation is being done at the vendors' place of business.

(2)(a) When a certified service provider or individual installer of ignition interlock devices is found to be out of compliance, the installation privileges of that certified service provider or individual installer may be suspended or revoked until the certified service provider or individual installer comes into compliance. During any suspension or revocation period, the certified service provider or individual installer is responsible for notifying affected customers of any changes in their service agreement.

(b) A certified service provider or individual installer whose certification is suspended or revoked for noncompliance has a right to an administrative hearing under chapter 34.05 RCW to contest the suspension or revocation, or both. For the administrative hearing, the procedure and rules of evidence are as specified in chapter 34.05 RCW, except as otherwise provided in this chapter. Any request for an administrative hearing must be made in writing and must be received by the state patrol within twenty days after the receipt of the notice of suspension or revocation.

(3)(a) An ignition interlock device must employ fuel cell technology. For the purposes of this subsection, "fuel cell technology" consists of the following electrochemical method: An electrolyte designed to oxidize the alcohol and release electrons to be collected by an active electrode; a current flow is generated within the electrode proportional to the amount of alcohol oxidized on the fuel cell surface; and the electrical current is measured and reported as breath alcohol concentration. Fuel cell technology is highly specific for alcohols.

(b) To be certified, an ignition interlock device must:

(i) Meet or exceed the minimum test standards according to rules adopted by the state patrol. Only a notarized statement from a laboratory that is certified by the international organization of standardization and is capable of performing the tests specified will

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be accepted as proof of meeting or exceeding the standards. The notarized statement must include the name and signature of the person in charge of the tests under the following statement:

"Two samples of (model name), manufactured by (manufacturer) were tested by (laboratory), certified by the Internal Organization of Standardization. They do meet or exceed all specifications listed in the Federal Register, Volume 71, Number 31 (57 FR 11772), Breath Alcohol Ignition Interlock Devices (BAIID), NHTSA 2005-23470."; and

(ii) Be maintained in accordance with the rules and standards adopted by the state patrol.

NEW SECTION. Sec. 3. A new section is added to chapter 43.43 RCW to read as follows:

For the purposes of section 2 of this act, companies not using ignition interlock devices that employ fuel cell technology as of the effective date of this act shall have five years from the effective date of this act to begin using ignition interlock devices that employ fuel cell technology."

Senator Kline spoke in favor of adoption of the committee striking amendment.

MOTION

On motion of Senator Marr, Senator McAuliffe was excused.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Judiciary to Substitute House Bill No. 2466.

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

MOTION

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

On page 1, line 1 of the title, after "devices;" strike the remainder of the title and insert "amending RCW 46.04.215; and adding new sections to chapter 43.43 RCW."

MOTION

On motion of Senator Kline, the rules were suspended, Substitute House Bill No. 2466 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kline spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2466 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2466 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

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

Excused: Senators Holmquist, McAuliffe and McCaslin

SUBSTITUTE HOUSE BILL NO. 2466 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND ENGROSSED HOUSE BILL NO. 1876, by Representatives McCune, Miloscia, Haler, Klippert, Campbell, Rodne, Schmick, O'Brien, Roach, Warnick, Short, Conway, Cox and Orcutt

Providing funds for disabled veterans through voluntary donations.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Second Engrossed House Bill No. 1876 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed House Bill No. 1876.

ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed House Bill No. 1876 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Holmquist, McAuliffe and McCaslin

SECOND ENGROSSED HOUSE BILL NO. 1876, 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

ENGROSSED HOUSE BILL NO. 2519, by Representatives Green, Hope, Ericks, Maxwell, Sullivan, Upthegrove, Carlyle, Conway, Simpson, Van De Wege, Kenney, Morrell, Hurst, Campbell and Kelley

Addressing duty-related death benefits for public safety employees.

The measure was read the second time.

MOTION

Senator Prentice moved that the following committee striking amendment by the Committee on Ways & Means be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 41.26.510 and 2009 c 523 s 7 and 2009 c 226 s 2 are each reenacted and amended to read as follows:

(1) Except as provided in RCW 11.07.010, if a member or a vested member who has not completed at least ten years of service dies, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid to the member's estate, or such person or persons, trust, or organization as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid to the member's surviving spouse or domestic partner as if in fact such spouse or domestic partner had been nominated by written designation, or if there be no such surviving spouse or domestic partner, then to such member's legal representatives.

(2) ~~((#))~~ Except as provided in subsection (4) of this section, if a member who is killed in the course of employment or a member who is eligible for retirement or a member who has completed at least ten years of service dies, the surviving spouse, domestic partner, or eligible child or children shall elect to receive either:

(a) A retirement allowance computed as provided for in RCW 41.26.430, actuarially reduced by the amount of any lump sum benefit identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670 and actuarially adjusted to reflect a joint and one hundred percent survivor option under RCW 41.26.460 and if the member was not eligible for normal retirement at the date of death a further reduction as described in RCW 41.26.430; if a surviving spouse or domestic partner who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse or domestic partner, share and share alike, until such child or children reach the age of majority; if there is no surviving spouse or domestic partner eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance share and share alike calculated as herein provided making the assumption that the ages of the spouse or domestic partner and member were equal at the time of the member's death; or

(b)(i) The member's accumulated contributions, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670; or

(ii) If the member dies on or after July 25, 1993, one hundred fifty percent of the member's accumulated contributions, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670. Any accumulated contributions attributable to restorations made under RCW 41.50.165(2) shall be refunded at one hundred percent.

(3) If a member who is eligible for retirement or a member who has completed at least ten years of service dies after October 1, 1977, and is not survived by a spouse, domestic partner, or an eligible child, then the accumulated contributions standing to the member's credit, less any amount identified as owing to an obligee

upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid:

(a) To an estate, a person or persons, trust, or organization as the member shall have nominated by written designation duly executed and filed with the department; or

(b) If there is no such designated person or persons still living at the time of the member's death, then to the member's legal representatives.

(4) The retirement allowance of a member who is killed in the course of employment, as determined by the director of the department of labor and industries, or the retirement allowance of a member who has left the employ of an employer due to service in the national guard or military reserves and dies while honorably serving in the national guard or military reserves during a period of war as defined in RCW 41.04.005, is not subject to an actuarial reduction for early retirement as provided in RCW 41.26.430 or an actuarial reduction to reflect a joint and one hundred percent survivor option under RCW 41.26.460. The member's retirement allowance is computed under RCW 41.26.420, except that the member shall be entitled to a minimum retirement allowance equal to ten percent of such member's final average salary. The member shall additionally receive a retirement allowance equal to two percent of such member's average final salary for each year of service beyond five.

(5) The retirement allowance paid to the spouse or domestic partner and dependent children of a member who is killed in the course of employment, as set forth in RCW 41.05.011(~~((44))~~) (16), shall include reimbursement for any payments of premium rates to the Washington state health care authority pursuant to RCW 41.05.080.

Sec. 2. RCW 41.26.048 and 2009 c 523 s 4 are each amended to read as follows:

(1) A ~~((one hundred fifty))~~ two hundred fourteen thousand dollar death benefit shall be paid to the member's estate, or such person or persons, trust or organization as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's death benefit shall be paid to the member's surviving spouse or domestic partner as if in fact such spouse or domestic partner had been nominated by written designation, or if there be no such surviving spouse or domestic partner, then to such member's legal representatives.

(2) The benefit under this section shall be paid only when death occurs: (a) As a result of injuries sustained in the course of employment; or (b) as a result of an occupational disease or infection that arises naturally and proximately out of employment covered under this chapter. The determination of eligibility for the benefit shall be made consistent with Title 51 RCW by the department of labor and industries. The department of labor and industries shall notify the department of retirement systems by order under RCW 51.52.050.

(3)(a) Beginning July 1, 2010, and every year thereafter, the department shall determine the following information:

(i) The index for the 2008 calendar year, to be known as "index A;"

(ii) The index for the calendar year prior to the date of determination, to be known as "index B;" and

(iii) The ratio obtained when index B is divided by index A.

(b) The value of the ratio obtained shall be the annual adjustment to the original death benefit and shall be applied beginning every July 1st. In no event, however, shall the annual adjustment:

(i) Produce a benefit which is lower than two hundred fourteen thousand dollars;

(ii) Exceed three percent in the initial annual adjustment; or

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(iii) Differ from the previous year's annual adjustment by more than three percent.

(c) For the purposes of this section, "index" means, for any calendar year, that year's average consumer price index -- Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

Sec. 3. RCW 51.32.050 and 2007 c 284 s 1 are each amended to read as follows:

(1) Where death results from the injury the expenses of burial not to exceed two hundred percent of the average monthly wage in the state as defined in RCW 51.08.018 shall be paid.

(2)(a) Where death results from the injury, a surviving spouse of a deceased worker eligible for benefits under this title shall receive monthly for life or until remarriage payments according to the following schedule:

(i) If there are no children of the deceased worker, sixty percent of the wages of the deceased worker;

(ii) If there is one child of the deceased worker and in the legal custody of such spouse, sixty-two percent of the wages of the deceased worker;

(iii) If there are two children of the deceased worker and in the legal custody of such spouse, sixty-four percent of the wages of the deceased worker;

(iv) If there are three children of the deceased worker and in the legal custody of such spouse, sixty-six percent of the wages of the deceased worker;

(v) If there are four children of the deceased worker and in the legal custody of such spouse, sixty-eight percent of the wages of the deceased worker; or

(vi) If there are five or more children of the deceased worker and in the legal custody of such spouse, seventy percent of the wages of the deceased worker.

(b) Where the surviving spouse does not have legal custody of any child or children of the deceased worker or where after the death of the worker legal custody of such child or children passes from such surviving spouse to another, any payment on account of such child or children not in the legal custody of the surviving spouse shall be made to the person or persons having legal custody of such child or children. The amount of such payments shall be five percent of the monthly benefits payable as a result of the worker's death for each such child but such payments shall not exceed twenty-five percent. Such payments on account of such child or children shall be subtracted from the amount to which such surviving spouse would have been entitled had such surviving spouse had legal custody of all of the children and the surviving spouse shall receive the remainder after such payments on account of such child or children have been subtracted. Such payments on account of a child or children not in the legal custody of such surviving spouse shall be apportioned equally among such children.

(c) Payments to the surviving spouse of the deceased worker shall cease at the end of the month in which remarriage occurs: PROVIDED, That a monthly payment shall be made to the child or children of the deceased worker from the month following such remarriage in a sum equal to five percent of the wages of the deceased worker for one child and a sum equal to five percent for each additional child up to a maximum of five such children. Payments to such child or children shall be apportioned equally among such children. Such sum shall be in place of any payments theretofore made for the benefit of or on account of any such child or children. If the surviving spouse does not have legal custody of any child or children of the deceased worker, or if after the death of the worker, legal custody of such child or children passes from such surviving spouse to another, any payment on account of such child or children not in the legal custody of the surviving spouse shall be

made to the person or persons having legal custody of such child or children.

(d) In no event shall the monthly payments provided in subsection (2) of this section:

(i) Exceed the applicable percentage of the average monthly wage in the state as computed under RCW 51.08.018 as follows:

AFTER	PERCENTAGE
June 30, 1993	105%
June 30, 1994	110%
June 30, 1995	115%
June 30, 1996	120%

(ii) For dates of injury or disease manifestation after July 1, 2008, be less than fifteen percent of the average monthly wage in the state as computed under RCW 51.08.018 plus an additional ten dollars per month for a surviving spouse and an additional ten dollars per month for each child of the worker up to a maximum of five children. However, if the monthly payment computed under this subsection (2)(d)(ii) is greater than one hundred percent of the wages of the deceased worker as determined under RCW 51.08.178, the monthly payment due to the surviving spouse shall be equal to the greater of the monthly wages of the deceased worker or the minimum benefit set forth in this section on June 30, 2008.

(e) In addition to the monthly payments provided for in subsection (2)(a) through (c) of this section, a surviving spouse or child or children of such worker if there is no surviving spouse, or dependent parent or parents, if there is no surviving spouse or child or children of any such deceased worker shall be forthwith paid a sum equal to one hundred percent of the average monthly wage in the state as defined in RCW 51.08.018, any such children, or parents to share and share alike in said sum.

(f) Upon remarriage of a surviving spouse the monthly payments for the child or children shall continue as provided in this section, but the monthly payments to such surviving spouse shall cease at the end of the month during which remarriage occurs. However, after September 8, 1975, an otherwise eligible surviving spouse of a worker who died at any time prior to or after September 8, 1975, shall have an option of:

(i)(A) Receiving, once and for all, a lump sum of twenty-four times the monthly compensation rate in effect on the date of remarriage allocable to the spouse for himself or herself pursuant to subsection (2)(a)(i) of this section and subject to any modifications specified under subsection (2)(d) of this section and RCW 51.32.075(3) or fifty percent of the then remaining annuity value of his or her pension, whichever is the lesser: PROVIDED, That if the injury occurred prior to July 28, 1991, the remarriage benefit lump sum available shall be as provided in the remarriage benefit schedules then in effect; ((~~or~~))

(B) If a surviving spouse is the surviving spouse of a member of the law enforcement officers' and firefighters' retirement system under chapter 41.26 RCW or the state patrol retirement system under chapter 43.43 RCW, the surviving spouse may receive a lump sum of thirty-six times the monthly compensation rate in effect on the date of remarriage allocable to the spouse for himself or herself pursuant to subsection (2)(a)(i) of this section and RCW 51.32.075(3) or fifty percent of the remaining annuity value of his or her pension provided under this chapter, whichever is the lesser: PROVIDED, That if the injury occurred prior to July 28, 1991, the lump sum benefit shall be as provided in the remarriage benefit schedules then in effect; or

(ii) If a surviving spouse does not choose the option specified in subsection (2)(f)(i) of this section to accept the lump sum payment, the remarriage of the surviving spouse of a worker shall not bar him or her from claiming the lump sum payment authorized in subsection (2)(f)(i) of this section during the life of the remarriage, or shall not prevent subsequent monthly payments to him or to her if the remarriage has been terminated by death or has been dissolved or annulled by valid court decree provided he or she has not previously accepted the lump sum payment.

(g) If the surviving spouse during the remarriage should die without having previously received the lump sum payment provided in subsection (2)(f)(i) of this section, his or her estate shall be entitled to receive the sum specified under subsection (2)(f)(i) of this section or fifty percent of the then remaining annuity value of his or her pension whichever is the lesser.

(h) The effective date of resumption of payments under subsection (2)(f)(ii) of this section to a surviving spouse based upon termination of a remarriage by death, annulment, or dissolution shall be the date of the death or the date the judicial decree of annulment or dissolution becomes final and when application for the payments has been received.

(i) If it should be necessary to increase the reserves in the reserve fund or to create a new pension reserve fund as a result of the amendments in chapter 45, Laws of 1975-'76 2nd ex. sess., the amount of such increase in pension reserve in any such case shall be transferred to the reserve fund from the supplemental pension fund.

(3) If there is a child or children and no surviving spouse of the deceased worker or the surviving spouse is not eligible for benefits under this title, a sum equal to thirty-five percent of the wages of the deceased worker shall be paid monthly for one child and a sum equivalent to fifteen percent of such wage shall be paid monthly for each additional child, the total of such sum to be divided among such children, share and share alike: PROVIDED, That benefits under this subsection or subsection (4) of this section shall not exceed the lesser of sixty-five percent of the wages of the deceased worker at the time of his or her death or the applicable percentage of the average monthly wage in the state as defined in RCW 51.08.018, as follows:

AFTER	PERCENTAGE
June 30, 1993	105%
June 30, 1994	110%
June 30, 1995	115%
June 30, 1996	120%

(4) In the event a surviving spouse receiving monthly payments dies, the child or children of the deceased worker shall receive the same payment as provided in subsection (3) of this section.

(5) If the worker leaves no surviving spouse or child, but leaves a dependent or dependents, a monthly payment shall be made to each dependent equal to fifty percent of the average monthly support actually received by such dependent from the worker during the twelve months next preceding the occurrence of the injury, but the total payment to all dependents in any case shall not exceed the lesser of sixty-five percent of the wages of the deceased worker at the time of his or her death or the applicable percentage of the average monthly wage in the state as defined in RCW 51.08.018 as follows:

AFTER	PERCENTAGE
June 30, 1993	105%

June 30, 1994	110%
June 30, 1995	115%
June 30, 1996	120%

If any dependent is under the age of eighteen years at the time of the occurrence of the injury, the payment to such dependent shall cease when such dependent reaches the age of eighteen years except such payments shall continue until the dependent reaches age twenty-three while permanently enrolled at a full time course in an accredited school. The payment to any dependent shall cease if and when, under the same circumstances, the necessity creating the dependency would have ceased if the injury had not happened.

(6) For claims filed prior to July 1, 1986, if the injured worker dies during the period of permanent total disability, whatever the cause of death, leaving a surviving spouse, or child, or children, the surviving spouse or child or children shall receive benefits as if death resulted from the injury as provided in subsections (2) through (4) of this section. Upon remarriage or death of such surviving spouse, the payments to such child or children shall be made as provided in subsection (2) of this section when the surviving spouse of a deceased worker remarries.

(7) For claims filed on or after July 1, 1986, every worker who becomes eligible for permanent total disability benefits shall elect an option as provided in RCW 51.32.067.

Sec. 4. RCW 28B.15.380 and 2005 c 249 s 2 are each amended to read as follows:

Subject to the limitations of RCW 28B.15.910, the governing boards of the state universities, the regional universities, and The Evergreen State College ~~((may))~~ shall exempt the following students from the payment of all ~~((or a portion of))~~ tuition fees and services and activities fees:

(1) Children of any law enforcement officer ~~((or))~~ as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state: PROVIDED, That such persons may receive the exemption only if they begin their course of study at a state-supported college or university within ten years of their graduation from high school; and

(2) Surviving spouses of any law enforcement officer as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

(3) The governing boards of the state universities, the regional universities, and The Evergreen State College shall report to the higher education coordinating board on the annual cost of tuition fees and services and activities fees waived for surviving spouses and children under this section. The higher education coordinating board shall consolidate the reports of the waived fees and annually report to the appropriate fiscal and policy committees of the legislature.

Sec. 5. RCW 28B.15.520 and 2007 c 355 s 6 are each amended to read as follows:

Subject to the limitations of RCW 28B.15.910, the governing boards of the community colleges may:

(1)(a) Waive all or a portion of tuition fees and services and activities fees for:

~~((a))~~ (i) Students nineteen years of age or older who are eligible for resident tuition and fee rates as defined in RCW 28B.15.012 through 28B.15.015, who enroll in a course of study or program which will enable them to finish their high school

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education and obtain a high school diploma or certificate, but who are not eligible students as defined by RCW 28A.600.405; and shall waive all of tuition fees and services and activities fees for:

~~((b))~~ (ii) Children of any law enforcement officer ~~((e))~~ as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state: PROVIDED, That such persons may receive the waiver only if they begin their course of study at a community college within ten years of their graduation from high school; and

(iii) Surviving spouses of any law enforcement officer as defined in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or Washington state patrol officer who lost his or her life or became totally disabled in the line of duty while employed by any public law enforcement agency or full time or volunteer fire department in this state.

(b) The governing boards of the community colleges shall report to the state board for community and technical colleges on the annual cost of tuition fees and services and activities fees waived for surviving spouses and children under parts (a)(ii) and (iii) of this subsection. The state board for community and technical colleges shall consolidate the reports of the waived fees and annually report to the appropriate fiscal and policy committees of the legislature;

(2) Waive all or a portion of the nonresident tuition fees differential for:

(a) Nonresident students enrolled in a community college course of study or program which will enable them to finish their high school education and obtain a high school diploma or certificate but who are not eligible students as defined by RCW 28A.600.405. The waiver shall be in effect only for those courses which lead to a high school diploma or certificate; and

(b) Up to forty percent of the students enrolled in the regional education program for deaf students, subject to federal funding of such program.

Sec. 6. RCW 43.43.295 and 2009 c 522 s 8 and 2009 c 226 s 4 are each reenacted and amended to read as follows:

(1) For members commissioned on or after January 1, 2003, except as provided in RCW 11.07.010, if a member or a vested member who has not completed at least ten years of service dies, the amount of the accumulated contributions standing to such member's credit in the retirement system at the time of such member's death, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid to the member's estate, or such person or persons, trust, or organization as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still living at the time of the member's death, such member's accumulated contributions standing to such member's credit in the retirement system, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid to the member's surviving spouse or domestic partner as if in fact such spouse or domestic partner had been nominated by written designation, or if there be no such surviving spouse or domestic partner, then to such member's legal representatives.

(2) If a member who is killed in the course of employment or a member who is eligible for retirement or a member who has completed at least ten years of service dies, the surviving spouse or domestic partner or eligible child or children shall elect to receive either:

(a) A retirement allowance computed as provided for in RCW 43.43.260, actuarially reduced, except under subsection (4) of this

section, by the amount of any lump sum benefit identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670 and actuarially adjusted to reflect a joint and one hundred percent survivor option under RCW 43.43.278 and if the member was not eligible for normal retirement at the date of death a further reduction from age fifty-five or when the member could have attained twenty-five years of service, whichever is less; if a surviving spouse or domestic partner who is receiving a retirement allowance dies leaving a child or children of the member under the age of majority, then such child or children shall continue to receive an allowance in an amount equal to that which was being received by the surviving spouse or domestic partner, share and share alike, until such child or children reach the age of majority; if there is no surviving spouse or domestic partner eligible to receive an allowance at the time of the member's death, such member's child or children under the age of majority shall receive an allowance share and share alike calculated under this section making the assumption that the ages of the spouse or domestic partner and member were equal at the time of the member's death; or

(b)(i) The member's accumulated contributions, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670; or

(ii) If the member dies, one hundred fifty percent of the member's accumulated contributions, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670. Any accumulated contributions attributable to restorations made under RCW 41.50.165(2) shall be refunded at one hundred percent.

(3) If a member who is eligible for retirement or a member who has completed at least ten years of service dies, and is not survived by a spouse or domestic partner or an eligible child, then the accumulated contributions standing to the member's credit, less any amount identified as owing to an obligee upon withdrawal of accumulated contributions pursuant to a court order filed under RCW 41.50.670, shall be paid:

(a) To an estate, a person or persons, trust, or organization as the member shall have nominated by written designation duly executed and filed with the department; or

(b) If there is no such designated person or persons still living at the time of the member's death, then to the member's legal representatives.

(4) The retirement allowance of a member who is killed in the course of employment, as determined by the director of the department of labor and industries, or the retirement allowance of a member who has left the employ of an employer due to service in the national guard or military reserves and dies while honorably serving in the national guard or military reserves during a period of war as defined in RCW 41.04.005, is not subject to an actuarial reduction for early retirement if the member was not eligible for normal retirement or an actuarial reduction to reflect a joint and one hundred percent survivor option under RCW 43.43.278. The member is entitled to a minimum retirement allowance equal to ten percent of such member's final average salary. The member shall additionally receive a retirement allowance equal to two percent of such member's average final salary for each year of service beyond five.

Sec. 7. RCW 43.43.285 and 2009 c 522 s 7 are each amended to read as follows:

(1) A ~~((one hundred fifty))~~ two hundred fourteen thousand dollar death benefit shall be paid to the member's estate, or such person or persons, trust or organization as the member shall have nominated by written designation duly executed and filed with the department. If there be no such designated person or persons still

living at the time of the member's death, such member's death benefit shall be paid to the member's surviving spouse or domestic partner as if in fact such spouse or domestic partner had been nominated by written designation, or if there be no such surviving spouse or domestic partner, then to such member's legal representatives.

(2)(a) The benefit under this section shall be paid only where death occurs as a result of (i) injuries sustained in the course of employment; or (ii) an occupational disease or infection that arises naturally and proximately out of employment covered under this chapter. The determination of eligibility for the benefit shall be made consistent with Title 51 RCW by the department of labor and industries. The department of labor and industries shall notify the department of retirement systems by order under RCW 51.52.050.

(b) The retirement allowance paid to the spouse or domestic partner and dependent children of a member who is killed in the course of employment, as set forth in RCW 41.05.011(~~((44))~~) (16), shall include reimbursement for any payments of premium rates to the Washington state health care authority under RCW 41.05.080.

(3)(a) Beginning July 1, 2010, and every year thereafter, the department shall determine the following information:

(i) The index for the 2008 calendar year, to be known as "index A";

(ii) The index for the calendar year prior to the date of determination, to be known as "index B"; and

(iii) The ratio obtained when index B is divided by index A.

(b) The value of the ratio obtained shall be the annual adjustment to the original death benefit and shall be applied beginning every July 1st. In no event, however, shall the annual adjustment:

(i) Produce a benefit which is lower than two hundred fourteen thousand dollars;

(ii) Exceed three percent in the initial annual adjustment; or

(iii) Differ from the previous year's annual adjustment by more than three percent.

(c) For the purposes of this section, "index" means, for any calendar year, that year's average consumer price index -- Seattle, Washington area for urban wage earners and clerical workers, all items, compiled by the bureau of labor statistics, United States department of labor.

NEW SECTION. Sec. 8. Section 1 of this act applies prospectively to the benefits of all members killed in the course of employment since October 1, 1977.

NEW SECTION. Sec. 9. Sections 2 and 7 of this act apply to the benefits of all members killed in the course of employment since January 1, 2009.

NEW SECTION. Sec. 10. Section 6 of this act applies prospectively to the benefits of all members killed in the course of employment since January 1, 2003."

Senator Prentice spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Ways & Means to Engrossed House Bill No. 2519.

The motion by Senator Prentice carried and the committee 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 "employees;" strike the remainder of the title and insert "amending RCW 41.26.048, 51.32.050, 28B.15.380, 28B.15.520, and 43.43.285; reenacting and

amending RCW 41.26.510 and 43.43.295; and creating new sections."

MOTION

On motion of Senator Prentice, the rules were suspended, Engrossed House Bill No. 2519 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Prentice spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed House Bill No. 2519 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 2519 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Holmquist, McAuliffe and McCaslin

ENGROSSED HOUSE BILL NO. 2519 as amended by the Senate, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2828, by House Committee on Health Care & Wellness (originally sponsored by Representatives Campbell and Morrell)

Requiring hospitals to report certain health care data.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 2828 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 passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 2828.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2828 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Gordon, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline,

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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 Holmquist and McCaslin

SUBSTITUTE HOUSE BILL NO. 2828, 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 fourth order of business.

MESSAGE FROM THE HOUSE

February 28, 2010

MR. PRESIDENT:

The House has passed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2630, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

At 11:28 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 6:57 p.m. by Senator McDermott.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

March 1, 2010

E2SHB 1096 Prime Sponsor, Committee on General Government Appropriations: Enhancing small business participation in state purchasing. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Pridemore; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

March 1, 2010

E2SHB 1418 Prime Sponsor, Committee on Education: Establishing a statewide dropout reengagement system. Reported by Committee on Ways & Means

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

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

Passed to Committee on Rules for second reading.

March 1, 2010

2SHB 1591 Prime Sponsor, Committee on Transportation: Concerning the use of certain transportation benefit district funds. Reported by Committee on Transportation

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

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

Passed to Committee on Rules for second reading.

March 1, 2010

E2SHB 1597 Prime Sponsor, Committee on Finance: Improving the administration of state and local tax programs without impacting tax collections by providing greater consistency in numerous tax incentive programs, revising provisions relating to the confidentiality and disclosure of tax information, and amending statutes to improve clarity and consistency, eliminate obsolete provisions, and simplify administration. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 1679 Prime Sponsor, Committee on Ways & Means: Reimbursing medical expenses for certain totally disabled public safety personnel. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

March 1, 2010

ESHB 1714 Prime Sponsor, Committee on Health Care & Wellness: Concerning association health plans. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Health & Long-Term Care. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

March 1, 2010

ESHB 1775 Prime Sponsor, Committee on Transportation: Regulating certain limousine carriers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Hatfield; Jacobsen; Kastama; Kilmer; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Berkey; Kauffman and King.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Delvin and Eide.

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2138 Prime Sponsor, Committee on Local Government & Housing: Concerning the use of surplus property for the development of affordable housing. Reported by Committee on Ways & Means

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

MINORITY recommendation: Do not pass. Signed by Senators Tom, Vice Chair, Operating Budget; Zarelli; Carrell; Honeyford and Schoesler.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brandland; Hewitt and Parlette.

Passed to Committee on Rules for second reading.

March 1, 2010

HB 2271 Prime Sponsor, Representative Lias: Authorizing state forces to perform work on ferry vessels or terminals when estimated costs are less than one hundred twenty thousand dollars. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Berkey; Eide; Hatfield; Jacobsen; Kastama; Kauffman; Kilmer; King; Ranker and Sheldon.

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2402 Prime Sponsor, Committee on Finance: Concerning a property tax exemption for property owned by a nonprofit organization and used for the purpose of a farmers market. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Rural Economic Development. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

March 1, 2010

2SHB 2481 Prime Sponsor, Committee on General Government Appropriations: Authorizing the department of natural resources to enter into forest biomass supply agreements. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Hewitt; Hobbs; Keiser; Kline; McDermott; Pridemore; Regala; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2525 Prime Sponsor, Committee on Community & Economic Development & Trade: Concerning public facilities districts created by at least two city or county legislative authorities. (REVISED FOR PASSED LEGISLATURE: Concerning public facilities districts.) Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Pridemore; Regala; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

March 1, 2010

ESHB 2565 Prime Sponsor, Committee on Judiciary: Mandating a twelve-hour impound hold on motor vehicles used by persons arrested for driving under the influence. Reported by Committee on Transportation

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

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

Passed to Committee on Rules for second reading.

March 1, 2010

HB 2621 Prime Sponsor, Representative Orwall: Designating resource programs for science, technology, engineering, and mathematics instruction in K-12 schools. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended by Committee on Early Learning & K-12 Education. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Oemig; Parlette; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

March 1, 2010

HB 2625 Prime Sponsor, Representative Kelley: Addressing bail for felony offenses. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

March 1, 2010

E2SHB 2658 Prime Sponsor, Committee on Ways & Means: Refocusing the department of commerce, including transferring programs. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

March 1, 2010

2SHB 2670 Prime Sponsor, Committee on Ways & Means: Restoring the school district levy base. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford;

Keiser; Kline; Kohl-Welles; McDermott; Oemig; Parlette; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

March 1, 2010

3SHB 2687 Prime Sponsor, Committee on Ways & Means: Creating the home visiting services account. Reported by Committee on Ways & Means

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Pridemore; Regala and Rockefeller.

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

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

Passed to Committee on Rules for second reading.

March 1, 2010

ESHB 2716 Prime Sponsor, Committee on Transportation: Providing a right of first repurchase for surplus transportation property. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2721 Prime Sponsor, Committee on Transportation: Concerning commute trip reduction programs. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

March 1, 2010

2SHB 2731 Prime Sponsor, Committee on Ways & Means: Creating an early learning program for educationally at-risk children. Reported by Committee on Ways & Means

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

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

Passed to Committee on Rules for second reading.

March 1, 2010

HB 2734 Prime Sponsor, Representative Kagi: Allowing federally qualified community health centers to buy surplus real property from the department of transportation. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2739 Prime Sponsor, Committee on Transportation: Concerning the enforcement of certain school or playground crosswalk violations. Reported by Committee on Transportation

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

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

Passed to Committee on Rules for second reading.

March 1, 2010

ESHB 2753 Prime Sponsor, Committee on Capital Budget: Creating a workforce housing program. (REVISED FOR ENGROSSED: Creating the Washington works housing program.) Reported by Committee on Ways & Means

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

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Tom, Vice Chair, Operating Budget; Brandland; Hewitt and Parlette.

Passed to Committee on Rules for second reading.

March 1, 2010

2SHB 2759 Prime Sponsor, Committee on Ways & Means: Adjusting local school finance related to nonresident students enrolled in online learning. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2776 Prime Sponsor, Committee on Education Appropriations: Regarding funding distribution formulas for K-12 education. Reported by Committee on Ways & Means

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

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Brandland; Hewitt and Parlette.

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2801 Prime Sponsor, Committee on Education: Regarding antiharassment strategies in public schools. Reported by Committee on Ways & Means

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

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zarelli; Brandland; Hewitt; Honeyford and Parlette.

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2852 Prime Sponsor, Committee on Education: Concerning college-level online learning by high school students. Reported by Committee on Ways & Means

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

Passed to Committee on Rules for second reading.

March 1, 2010

2ESHB 2912 Prime Sponsor, Committee on Finance: Modifying local excise taxes in counties that have pledged lodging tax revenues for the payment of bonds prior to June 26, 1975. Reported by Committee on Ways & Means

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

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MINORITY recommendation: Do not pass. Signed by Senators Zarelli; Hewitt and Schoesler.

MINORITY recommendation: Do not pass. Signed by Senators Swecker; Becker; Delvin and King.

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

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 1, 2010

ESHB 2913 Prime Sponsor, Committee on Education Appropriations: Authorizing innovative interdistrict cooperative high school programs. Reported by Committee on Ways & Means

SHB 2990 Prime Sponsor, Committee on Local Government & Housing: Addressing alternative city assumption and tax authority provisions pertaining to water-sewer districts. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Zarelli; Brandland; Hewitt; Hobbs; Honeyford; Keiser; Kline; McDermott; Parlette; Pridemore; Regala; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2935 Prime Sponsor, Committee on General Government Appropriations: Regarding environmental and land use hearings boards and making more uniform the timelines for filing appeals with those boards. (REVISED FOR PASSED LEGISLATURE: Regarding environmental and land use hearings boards.) Reported by Committee on Ways & Means

March 1, 2010

HB 3007 Prime Sponsor, Representative Upthegrove: Authorizing airport operators to make airport property available at less than fair market rental value for public recreational or other community uses. Reported by Committee on Transportation

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

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

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

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 1, 2010

E2SHB 3026 Prime Sponsor, Committee on Ways & Means: Regarding school district compliance with state and federal civil rights laws. Reported by Committee on Ways & Means

March 1, 2010

SHB 2939 Prime Sponsor, Committee on Transportation: Concerning notations on driver abstracts that a person was not at fault in a motor vehicle accident. Reported by Committee on Transportation

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

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

MINORITY recommendation: Do not pass. Signed by Senators Zarelli; Hewitt and Schoesler.

Passed to Committee on Rules for second reading.

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

Passed to Committee on Rules for second reading.

March 1, 2010

SHB 2941 Prime Sponsor, Committee on Transportation: Authorizing the use of express toll lanes in the Interstate 405 corridor. Reported by Committee on Transportation

March 1, 2010

2SHB 3076 Prime Sponsor, Committee on Ways & Means: Concerning the involuntary treatment act. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended. Signed by Senators Haugen, Chair; Marr, Vice Chair; Berkey; Eide; Hatfield; Jacobsen; Kastama; Kauffman; Kilmer; Ranker and Sheldon.

MAJORITY recommendation: Do pass as amended. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget;

Zarelli; Brandland; Carrell; Fairley; Hewitt; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Parlette; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

March 1, 2010

E2SHB 3141 Prime Sponsor, Committee on Ways & Means:
Regarding delivery of temporary assistance to needy families.
Reported by Committee on Ways & Means

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

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

Passed to Committee on Rules for second reading.

March 1, 2010

ESHB 3179 Prime Sponsor, Committee on Finance:
Concerning local excise tax provisions for counties and cities.
Reported by Committee on Ways & Means

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

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

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Supplemental Committee report were referred to the committees as designated.

MOTION

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING

SB 6881 by Senators Fraser, Honeyford and Prentice

AN ACT Relating to a new surcharge on certain recorded documents for preservation of local archive documents and the Washington state heritage center; and adding a new section to chapter 36.22 RCW.

Referred to Committee on Ways & Means.

SB 6882 by Senator Carrell

AN ACT Relating to pretrial release or detention; adding a new chapter to Title 10 RCW; providing a contingent effective date; and providing an expiration date.

Referred to Committee on Judiciary.

SUPPLEMENTAL INTRODUCTION AND FIRST READING
OF HOUSE BILLS

E2SHB 2630 by House Committee on Education Appropriations (originally sponsored by Representatives Probst, Kenney, Conway, Maxwell, Jacks, White, Simpson, Seaquist, Sells, Goodman, Ormsby and Santos)

AN ACT Relating to creating the opportunity express program; amending RCW 28C.04.390 and 28C.18.164; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 50.24 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

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

MOTION

At 6:59 p.m., on motion of Senator Eide, the Senate adjourned until 10:30 a.m. Tuesday, March 2, 2010.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

1096-S2	Committee Report	13	2731-S2	Committee Report	16
1418-S2	Committee Report	13	2734	Committee Report	16
1541	Committee Report	1	2739-S	Committee Report	16
1545-S	Committee Report	1	2753-S	Committee Report	16
1591-S2	Committee Report	14	2759-S2	Committee Report	16
1597-S2	Committee Report	14	2776-S	Committee Report	17
1679-S	Committee Report	14	2801-S	Committee Report	17
1714-S	Committee Report	14	2823	Committee Report	1
1775-S	Committee Report	14	2828-S	Second Reading	13
1876	Second Reading	7		Third Reading Final Passage	13
	Third Reading Final Passage	8	2852-S	Committee Report	17
2138-S	Committee Report	14	2912-S	Committee Report	17
2196-S	Committee Report	1	2913-S	Committee Report	17
2271	Committee Report	14	2935-S	Committee Report	17
2402-S	Committee Report	14		Introduction & 1 st Reading	2
2465	Second Reading	6	2939-S	Committee Report	17
	Third Reading Final Passage	6	2941-S	Committee Report	18
2466-S	Other Action	7		Introduction & 1 st Reading	3
	Second Reading	6	2954-S	Introduction & 1 st Reading	3
	Third Reading Final Passage	7	2969	Introduction & 1 st Reading	3
2481-S2	Committee Report	15	2987	Committee Report	1
2519	Other Action	12	2990-S	Committee Report	18
	Second Reading	8	3007	Committee Report	18
	Third Reading Final Passage	13	3026-S2	Committee Report	18
2525-S	Committee Report	15	3076-S2	Committee Report	18
2551-S2	Committee Report	1	3141-S2	Committee Report	18
2565-S	Committee Report	15	3179-S	Committee Report	18
2621	Committee Report	15	5041	Messages	2
2625	Committee Report	15	5046-S	Messages	2
2630-S2	Introduction & 1 st Reading	19	5516	Messages	2
	Messages	13	5582	Messages	2
2658-S2	Committee Report	15	5617	Messages	2
2670-S2	Committee Report	15	6197-S	Messages	2
2687-S3	Committee Report	16	6211-S	Messages	2
2716-S	Committee Report	16			
2721-S	Committee Report	16			

6213-S	6524-S
Messages2	Messages2
6227	6543
Messages2	Messages2
6229	6544-S
Messages2	Messages2
6239-S	6546
Messages2	Messages2
6251-S	6584-S
Messages2	Messages2
6271-S	6591-S
Messages2	Messages2
6273-S	6674-S
Messages2	Messages2
6275	6749-S
Messages2	Messages2
6286-S	6879
Messages2	Introduction & 1 st Reading2
6287	6880
Messages2	Introduction & 1 st Reading2
6288	6881
Messages2	Introduction & 1 st Reading19
6297	6882
Messages2	Introduction & 1 st Reading19
6298-S	8026
Messages2	Messages2
6299-S	9060 Roshni A. Jokhi
Messages2	Confirmed4
6306-S	9077 Darryl-Jean Mark
Messages2	Confirmed5
6337-S	9176 Michael Blakely
Messages2	Confirmed5
6365	9177 Judy Blinn
Messages2	Confirmed4
6367-S	9180 Sang Chae
Messages2	Confirmed3
6371-S	9188 Sharon Foster
Messages2	Confirmed6
6395-S	9213 Valoria Loveland
Messages2	Confirmed4
6398-S	9234 Donald B. Sehlin
Messages2	Confirmed6
6450	9246 Tony Tortorice
Messages2	Confirmed4
6467	9258 Michael L. Reichert
Messages2	Confirmed5