

TWELFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, January 23, 2009

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 Becker, Berkey, Brown, Delvin, Fairley, Hargrove, Hatfield, Haugen, Hewitt, Jarrett, Kastama, McAuliffe, McCaslin, Pflug, Prentice, Pridemore, Ranker, Roach, Rockefeller, Stevens, Swecker and Tom.

The Sergeant at Arms Color Guard consisting of Pages Leah Phipps and Austin M. Travers, presented the Colors. Reverend Jimmie James of the Greater Things Ministries of Kent 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

January 21, 2009

SB 5102 Prime Sponsor, Senator Hewitt: Adding two district court judges in Benton county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Carrell; Hargrove; Roach and Tom.

Passed to Committee on Rules for second reading.

January 21, 2009

SB 5135 Prime Sponsor, Senator Kline: Adding five district court judges in King county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Hargrove; Roach and Tom.

Passed to Committee on Rules for second reading.

January 21, 2009

SB 5151 Prime Sponsor, Senator Kline: Authorizing the appointment of court commissioners to assist with criminal cases. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5151 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Hargrove and Tom.

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

Passed to Committee on Rules for second reading.

January 21, 2009

SB 5227 Prime Sponsor, Senator Kline: Revising the definition of "materially false statements." Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Roach and Tom.

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 fifth order of business.

INTRODUCTION AND FIRST READING

SB 5473 by Senators Kastama, Kilmer, Pridemore, McAuliffe and Sheldon

AN ACT Relating to streamlining development through the designation of projects of statewide significance; amending RCW 43.157.005, 43.157.010, 43.157.020, and 43.157.030; and declaring an emergency.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5474 by Senators Kastama, Kilmer and Shin

AN ACT Relating to providing tax incentives for contributions for research and technology development grants; adding a new section to chapter 82.04 RCW; and adding a new section to chapter 82.16 RCW.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5475 by Senators Kastama and Pridemore

AN ACT Relating to economic development planning; amending RCW 43.330.080; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5476 by Senators Murray, McDermott, Kline, Regala and Kohl-Welles

AN ACT Relating to abolition of the death penalty; amending RCW 10.95.030; and repealing RCW 10.95.040, 10.95.050, 10.95.060, 10.95.070, 10.95.080, 10.95.090, 10.95.100, 10.95.110, 10.95.120, 10.95.130, 10.95.140, 10.95.150, 10.95.160, 10.95.170, 10.95.180, 10.95.185, 10.95.190, 10.95.200, and 10.95.900.

Referred to Committee on Judiciary.

TWELFTH DAY, JANUARY 23, 2009

SB 5477 by Senators Shin, Carrell, Marr, Delvin, Sheldon, Fairley, Pridemore, Kastama, Jarrett, Tom and Jacobsen

AN ACT Relating to visitation rights for grandparents; amending RCW 26.09.004 and 26.10.160; adding a new section to chapter 26.09 RCW; creating a new section; and repealing RCW 26.09.240.

Referred to Committee on Human Services & Corrections.

SB 5478 by Senator Hargrove

AN ACT Relating to the definition of a juvenile; and amending RCW 13.40.020.

Referred to Committee on Human Services & Corrections.

SB 5479 by Senator Hargrove

AN ACT Relating to the transfer of juveniles to adult court; amending RCW 13.40.110; and reenacting and amending RCW 13.04.030.

Referred to Committee on Human Services & Corrections.

SB 5480 by Senators Delvin, Franklin, Fairley, Keiser and Shin

AN ACT Relating to creating the Washington health care discount plan organization act; adding a new chapter to Title 48 RCW; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5481 by Senators Marr, Becker, Hobbs, Haugen, Franklin, Parlette, Eide, Rockefeller, Hatfield, Jarrett, Jacobsen, Kilmer, Berkey, Tom, Swecker, King, Kastama, Shin, McDermott, Prentice, Fairley, Holmquist, Brandland, McCaslin, Ranker, McAuliffe, Roach, Honeyford and Kauffman

AN ACT Relating to veterans' burials; and amending RCW 68.50.230.

Referred to Committee on Government Operations & Elections.

SB 5482 by Senators Haugen and Swecker

AN ACT Relating to two-wheeled and three-wheeled vehicles; and amending RCW 46.04.304, 46.04.330, 46.04.336, 46.37.530, 46.44.050, 46.61.610, 46.61.688, and 46.61.710.

Referred to Committee on Transportation.

SB 5483 by Senators Murray, Holmquist, Hewitt, Marr and Honeyford

AN ACT Relating to the reporting requirements of small domestic wineries; and amending RCW 66.24.230.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5484 by Senators Marr, Roach, Keiser, Tom, Hobbs, Kline, Oemig, Franklin, Shin, Kilmer and Kauffman

AN ACT Relating to developmental screening for children; amending RCW 74.09.520; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5485 by Senators Rockefeller, Honeyford, Pridemore and Kilmer

AN ACT Relating to authorizing water-sewer districts to construct, condemn and purchase, add to, maintain, and operate systems for wastewater reclamation; and amending RCW 57.08.005, 57.08.007, 57.08.044, 57.08.047, and 57.16.010.

Referred to Committee on Environment, Water & Energy.

SB 5486 by Senators Fraser, Carrell, Jacobsen, Swecker, Kilmer and Shin

AN ACT Relating to freshwater lakes management; amending RCW 43.21A.662; adding a new section to chapter 43.21A RCW; and creating new sections.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5487 by Senator Brandland

AN ACT Relating to notification of nonrenewal of contracts for certificated employees; amending RCW 28A.405.210, 28A.405.220, 28A.405.230, and 28A.310.250; and declaring an emergency.

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

SB 5488 by Senators Kline, Carrell, Eide and Roach

AN ACT Relating to judicial elections; and amending RCW 29A.36.171, 29A.52.220, and 35.20.150.

Referred to Committee on Judiciary.

SB 5489 by Senators Keiser, Fraser, Marr, Regala, Tom, Hatfield, Carrell and Franklin

AN ACT Relating to participating in insurance plans and contracts by separated plan 2 members of certain retirement systems; amending RCW 41.05.011; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5490 by Senators Fraser, McAuliffe, Regala, Keiser, Hatfield, Carrell and Shin

AN ACT Relating to postretirement employment; and amending RCW 41.32.765, 41.32.875, 41.35.420, 41.35.680, 41.40.630, and 41.40.820.

Referred to Committee on Ways & Means.

SB 5491 by Senators Brandland, Zarelli and Becker

AN ACT Relating to requiring school districts or educational service districts to purchase employee health insurance coverage through the state health care authority; and amending RCW 28A.400.350, 41.05.011, 41.05.022, and 41.05.050.

TWELFTH DAY, JANUARY 23, 2009

2009 REGULAR SESSION

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

SB 5492 by Senators Marr, Swecker, Kohl-Welles, Benton, Keiser and Franklin

AN ACT Relating to applying RCW 41.56.430 through 41.56.490 to employees working under a site certificate issued under chapter 80.50 RCW; and adding a new section to chapter 41.56 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5493 by Senators Murray, Jarrett and Kohl-Welles

AN ACT Relating to creating a regional transportation corridor authority; adding a new section to chapter 82.80 RCW; adding a new chapter to Title 47 RCW; creating a new section; and making an appropriation.

Referred to Committee on Transportation.

SB 5494 by Senators Haugen, Swecker, Marr and Delvin

AN ACT Relating to determining the amount of motor vehicle fuel tax moneys derived from tax on marine fuel; and amending RCW 79A.25.030, 79A.25.040, and 79A.25.070.

Referred to Committee on Transportation.

SB 5495 by Senators Hobbs, Schoesler, McCaslin and Marr

AN ACT Relating to limitations on rental housing inspections; and amending RCW 59.18.150.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5496 by Senators Becker and Swecker

AN ACT Relating to extending the time period for a franchise agreement for a rail line over the Milwaukee Road corridor; amending RCW 79A.05.115, 79A.05.120, 79A.05.125, and 79A.05.130; providing an effective date; providing contingent expiration dates; and declaring an emergency.

Referred to Committee on Transportation.

SB 5497 by Senators Marr, Keiser and Murray

AN ACT Relating to the delivery of home health care services through telemedicine; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5498 by Senators Jarrett, King and McAuliffe

AN ACT Relating to graduation without a certificate of academic achievement or a certificate of individual achievement; amending RCW 28A.655.0611; and declaring an emergency.

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

SB 5499 by Senators Jarrett, Swecker, Haugen, Marr and Shin

AN ACT Relating to bond amounts for department of transportation highway contracts; amending RCW 39.08.030; and providing an expiration date.

Referred to Committee on Transportation.

SB 5500 by Senators Keiser, Pflug, Franklin, Parlette, Murray and Kohl-Welles

AN ACT Relating to the screening for and reporting of methicillin-resistant staphylococcus aureus in Washington hospitals; amending RCW 43.70.056; adding a new section to chapter 70.58 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5501 by Senators Keiser, Pflug, Franklin, Parlette, Murray and Kohl-Welles

AN ACT Relating to the secure exchange of health information; adding new sections to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SB 5502 by Senators Keiser, Pflug, Franklin, Murray, Roach, Marr, Kohl-Welles and Shin

AN ACT Relating to primary care physician training; amending RCW 28B.15.020; adding new sections to chapter 70.112 RCW; adding a new section to chapter 28B.20 RCW; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5503 by Senators Pridemore, Kline, Jacobsen, Kohl-Welles and Murray

AN ACT Relating to protecting lake water quality by reducing phosphorus from lawn fertilizers; and adding a new chapter to Title 90 RCW.

Referred to Committee on Environment, Water & Energy.

SB 5504 by Senators Fraser, Honeyford, Rockefeller, Marr, Kline and Morton

AN ACT Relating to reclaimed water permitting; amending RCW 90.46.010, 90.46.015, 90.46.040, 90.46.080, 90.46.120, 90.48.465, 43.21B.110, 43.21B.300, and 43.21B.310; adding new sections to chapter 90.46 RCW; creating new sections; repealing RCW 90.46.060; and prescribing penalties.

Referred to Committee on Environment, Water & Energy.

SB 5505 by Senators Hatfield, Holmquist, Sheldon, Delvin, Schoesler, Parlette, Hobbs, Murray, Hewitt, Honeyford and Shin

AN ACT Relating to renewable energy; amending RCW

TWELFTH DAY, JANUARY 23, 2009

2009 REGULAR SESSION

19.29A.010 and 19.285.030; reenacting and amending RCW 19.29A.090; and creating a new section.

Referred to Committee on Environment, Water & Energy.

SB 5506 by Senators Hatfield, Delvin, McAuliffe, Fairley, King, Kastama, Shin, Murray, Hobbs and Jacobsen

AN ACT Relating to child care providers; amending RCW 42.56.250 and 70.47.060; adding new sections to chapter 74.08A RCW; creating a new section; providing an effective date; and declaring an emergency.

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

SJM 8004 by Senators Shin, Kastama, Hobbs, Swecker, Schoesler, Morton, Berkey, McDermott, Jarrett, Oemig, Honeyford, Marr, McAuliffe, Tom and Pridemore

Requesting congress take action to maintain and develop a highly-skilled workforce in Washington.

Referred to Committee on Economic Development, Trade & Innovation.

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 eighth order of business.

MOTION

Senator Kline moved adoption of the following resolution:

SENATE RESOLUTION
8609

By Senator Kline

WHEREAS, The cost of tuition makes it difficult for many young people to achieve the dream of a higher education; and

WHEREAS, High school students who have overcome adversity and have exemplified the values of Dr. Martin Luther King, Jr. deserve recognition for their accomplishments and assistance

in their effort to attend college; and

WHEREAS, Twenty-five years ago, the Mount Baker neighborhood in Seattle, Washington organized as a community to honor Dr. Martin Luther King, Jr., by creating a scholarship program for the South Seattle students of color who wish to obtain a higher education; and

WHEREAS, Scholarships are awarded to high school students who, although they may not be at the top of their class, have shown the perseverance and potential to allow them to succeed and contribute to their communities; and

WHEREAS, Many of the scholarship recipients are the first in their families to attend college, and receipt of the scholarship may be pivotal in a student's decision to continue their education; and

WHEREAS, The Mount Baker Martin Luther King, Jr. Scholarship Program is the only grassroots, community-based, all-volunteer scholarship program of its kind today in the United States; and

WHEREAS, Since its inception, the Mount Baker Martin

Luther King, Jr. Scholarship Program has grown in size and scope and remains supported by hundreds of generous Mount Baker neighbors and local businesses; and

WHEREAS, On Friday, January 23, 2009, the Mount Baker Martin Luther King, Jr. Scholarship Program is celebrating its 25th year of awarding college scholarships;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the Mount Baker community for its support of deserving youth, and recognize the Mount Baker Martin Luther King, Jr. Scholarship Program for 25 years of leadership in helping students of color achieve the dream of higher education.

Senator Kline spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8609.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Doug, Judy and Maureen McBroom, representing the Mt. Baker Community Club and guests of Senator Kline who were seated in the gallery.

MOTION

At 10:14 p.m., on motion of Senator Eide, the Senate adjourned until 11:00 a.m. Monday, January 26, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

5102	Committee Report.	1
5135	Committee Report.	1
5151	Committee Report.	1
5227	Committee Report.	1
5473	Introduction & 1st Reading.	1
5474	Introduction & 1st Reading.	1
5475	Introduction & 1st Reading.	1
5476	Introduction & 1st Reading.	1
5477	Introduction & 1st Reading.	2
5478	Introduction & 1st Reading.	2
5479	Introduction & 1st Reading.	2
5480	Introduction & 1st Reading.	2
5481	Introduction & 1st Reading.	2
5482	Introduction & 1st Reading.	2
5483	Introduction & 1st Reading.	2
5484	Introduction & 1st Reading.	2
5485	Introduction & 1st Reading.	2
5486	Introduction & 1st Reading.	2
5487	Introduction & 1st Reading.	2
5488	Introduction & 1st Reading.	2
5489	Introduction & 1st Reading.	2
5490	Introduction & 1st Reading.	2
5491	Introduction & 1st Reading.	2
5492	Introduction & 1st Reading.	3
5493	Introduction & 1st Reading.	3
5494	Introduction & 1st Reading.	3
5495	Introduction & 1st Reading.	3
5496	Introduction & 1st Reading.	3
5497	Introduction & 1st Reading.	3
5498	Introduction & 1st Reading.	3
5499	Introduction & 1st Reading.	3
5500	Introduction & 1st Reading.	3
5501	Introduction & 1st Reading.	3
5502	Introduction & 1st Reading.	3

TWELFTH DAY, JANUARY 23, 2009

5503 Introduction & 1st Reading. 3

5504 Introduction & 1st Reading. 3

5505 Introduction & 1st Reading. 3

5506 Introduction & 1st Reading. 4

8004 Introduction & 1st Reading. 4

8609 Adopted. 4

Introduced. 4

PRESIDENT OF THE SENATE

Intro. Special Guest. 4

