

SEVENTEENTH DAY, JANUARY 28, 2009

2009 REGULAR SESSION

## SEVENTEENTH DAY

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MORNING SESSION

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Senate Chamber, Olympia, Wednesday, January 28, 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.

The Sergeant at Arms Color Guard consisting of Pages Nicholas Alagna and Emma Wendt, presented the Colors. Senator Morton 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 27, 2009

SB 5107 Prime Sponsor, Senator Honeyford: Addressing renewable resource projects within energy overlay zones. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: Do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford; Delvin; Hatfield; Holmquist; Marr; Morton and Sheldon.

Passed to Committee on Rules for second reading.

January 27, 2009

SB 5199 Prime Sponsor, Senator Fraser: Modifying provisions regarding the operators of public water supply systems. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5199 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford; Delvin; Marr; Morton and Sheldon.

Passed to Committee on Rules for second reading.

January 27, 2009

SB 5290 Prime Sponsor, Senator Franklin: Concerning requests made by a party relating to gas or electrical company discounts for low-income senior customers and low-income customers. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5290 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford; Delvin; Hatfield; Holmquist; Marr; Morton and Sheldon.

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 5630 by Senators Regala, Fairley, Jacobsen and Haugen

AN ACT Relating to real estate excise tax expenditures for parks and capital projects; and reenacting and amending RCW 82.46.035.

Referred to Committee on Ways & Means.

SB 5631 by Senators Becker and Swecker

AN ACT Relating to absentee ballots; amending RCW 29A.40.091, 29A.48.050, 29A.60.190, and 29A.60.190; reenacting and amending RCW 29A.40.110; adding a new section to chapter 29A.40 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

SB 5632 by Senators Swecker, Haugen, Morton, Stevens, Honeyford, Parlette, McCaslin, Pflug, Roach and Shin

AN ACT Relating to permitting retired participants to resume volunteer firefighter, emergency worker, or reserve officer service; amending RCW 41.24.010; and adding a new section to chapter 41.24 RCW.

Referred to Committee on Government Operations & Elections.

SB 5633 by Senators Swecker, Haugen and Stevens

AN ACT Relating to amusement rides; amending RCW 67.42.010, 67.42.020, 67.42.025, 67.42.030, 67.42.040, 67.42.050, 67.42.060, 67.42.070, 67.42.080, 67.42.090, and 19.28.351; adding new sections to chapter 67.42 RCW; and prescribing penalties.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5634 by Senators Swecker, Haugen, Schoesler, King, Stevens, Honeyford and Shin

AN ACT Relating to property tax exemptions on public assembly halls; amending RCW 84.36.037; and creating a new section.

Referred to Committee on Ways & Means.

SB 5635 by Senators Swecker, Haugen, Honeyford, Parlette and Stevens

AN ACT Relating to improving traffic flagger safety; adding a new section to chapter 47.36 RCW; creating a new

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section; making an appropriation; and providing an expiration date.

Referred to Committee on Transportation.

SB 5636 by Senators Swecker, Hobbs, Haugen, Morton, Benton, Carrell, Honeyford, Stevens, McCaslin and Roach

AN ACT Relating to authorizing the civil air patrol to conduct homeland security, disaster relief, and search and rescue operations under the governance of the Washington state patrol; adding a new section to chapter 43.43 RCW; creating a new section; and making appropriations.

Referred to Committee on Government Operations & Elections.

SB 5637 by Senators Swecker, Hobbs, Hewitt, Morton, Zarelli, Carrell, Schoesler, King, Roach, Stevens, McCaslin, Honeyford, Benton and Holmquist

AN ACT Relating to allowing members of the armed forces to submit an application for renewal of a concealed pistol license by mail; and amending RCW 9.41.070.

Referred to Committee on Government Operations & Elections.

SB 5638 by Senators Swecker, Haugen, Hewitt, Schoesler and Shin

AN ACT Relating to fire protection district contracts; and amending RCW 52.12.031.

Referred to Committee on Government Operations & Elections.

SB 5639 by Senators Hargrove, Brandland, Marr, Sheldon, Regala, Stevens, Shin, Kilmer, Parlette, Kohl-Welles and Tom

AN ACT Relating to vulnerable adults; amending RCW 30.22.210, 74.34.020, 74.34.035, 74.34.050, 74.34.063, 74.34.067, 74.34.080, and 74.34.095; reenacting and amending RCW 9.94A.533; adding new sections to chapter 74.34 RCW; creating a new section; repealing RCW 74.34.021 and 74.34.068; and prescribing penalties.

Referred to Committee on Human Services & Corrections.

SB 5640 by Senators Murray, Schoesler, Delvin and Kohl-Welles

AN ACT Relating to intermediate care facilities for persons with developmental disabilities; and amending RCW 70.129.005, 70.129.010, 70.129.105, 70.129.110, 70.129.160, and 70.129.170.

Referred to Committee on Health & Long-Term Care.

SB 5641 by Senators Regala, Swecker and McDermott

AN ACT Relating to removing essential government services as a condition to exempt from taxation property belonging to any federally recognized Indian tribe located in the state; and amending RCW 82.29A.010, 82.29A.020, 84.36.010, 84.36.451, and 84.40.230.

Referred to Committee on Government Operations & Elections.

SB 5642 by Senators Kauffman, Berkey and Sheldon

AN ACT Relating to designating state route number 164 as a highway of statewide significance; and adding a new section to chapter 47.05 RCW.

Referred to Committee on Transportation.

SB 5643 by Senators Franklin, Carrell and Marr

AN ACT Relating to visitation rights for grandparents; amending RCW 26.09.240 and 26.10.160; and adding new sections to chapter 26.10 RCW.

Referred to Committee on Human Services & Corrections.

SB 5644 by Senators Parlette and Kohl-Welles

AN ACT Relating to home inspectors; and amending RCW 18.280.030, 18.280.060, and 18.280.070.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5645 by Senators Parlette and Kohl-Welles

AN ACT Relating to designating counties, cities, and towns as bona fide nonprofit organizations under certain terms and conditions; and amending RCW 9.46.0209.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5646 by Senators McDermott, Carrell and Kline

AN ACT Relating to process servers; and amending RCW 18.180.010 and 46.12.370.

Referred to Committee on Judiciary.

SB 5647 by Senators Hatfield, Hewitt, Delvin and Fraser

AN ACT Relating to establishing a pilot local water management program in one qualified jurisdiction; amending RCW 90.03.380, 90.44.100, and 43.21B.110; reenacting and amending RCW 90.14.140; adding a new chapter to Title 90 RCW; and providing an expiration date.

Referred to Committee on Environment, Water & Energy.

SB 5648 by Senators Berkey, McAuliffe, Kauffman, Carrell and Shin

AN ACT Relating to sex offender residence approval; amending RCW 72.09.340; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5649 by Senators Rockefeller, Hobbs, Pridemore, Kohl-Welles, Keiser, Fraser, Sheldon, Shin, McAuliffe, Kline and Oemig

AN ACT Relating to achieving greater energy efficiency in buildings; amending RCW 70.164.020, 70.164.040, 70.164.050, 70.164.060, 19.285.040, 35.92.360, 54.16.280, 36.94.460, 43.19.675, 43.19.680, and 43.41.170; adding a

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new section to chapter 70.164 RCW; adding a new section to chapter 35.92 RCW; adding a new section to chapter 43.185 RCW; adding a new chapter to Title 70 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Environment, Water & Energy.

SB 5650 by Senators Pridemore and Shin

AN ACT Relating to transfers of accumulated leave of employees of the state school for the blind and the school for the deaf; and amending RCW 28A.310.240 and 28A.400.300.

Referred to Committee on Ways & Means.

SB 5651 by Senators Kohl-Welles, Delvin, Kline and Tom

AN ACT Relating to providing humanitarian requirements for certain dog breeding practices; adding a new section to chapter 16.52 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

SB 5652 by Senators Roach, Swecker, Stevens, Carrell, Zarelli, McCaslin, Delvin, Becker, Parlette and Benton

AN ACT Relating to motorcycle toll rates; and amending RCW 47.56.850.

Referred to Committee on Transportation.

SB 5653 by Senators Roach, McCaslin and Carrell

AN ACT Relating to public access to information about foster parents; and adding a new section to chapter 74.13 RCW.

Referred to Committee on Human Services & Corrections.

SB 5654 by Senators Roach, Swecker, Carrell and Pflug

AN ACT Relating to the creation of a child welfare transparency committee; and adding a new chapter to Title 74 RCW.

Referred to Committee on Human Services & Corrections.

SB 5655 by Senators Roach, Swecker, Stevens, Hobbs, Delvin, Carrell, Parlette and Benton

AN ACT Relating to height restrictions on amateur radio antennas; and amending RCW 35.21.315, 35A.21.260, and 36.32.600.

Referred to Committee on Government Operations & Elections.

SB 5656 by Senators Roach, Delvin and Swecker

AN ACT Relating to state government reorganization; amending RCW 43.17.010, 43.17.020, and 43.70.555; reenacting and amending RCW 42.17.2401 and 69.50.520; adding new sections to chapter 41.06 RCW; adding a new section to chapter 74.04 RCW; adding new chapters to Title 43 RCW; creating new sections; repealing RCW 70.190.005, 70.190.010, 70.190.020, 70.190.030,

70.190.040, 70.190.050, 70.190.060, 70.190.065, 70.190.070, 70.190.075, 70.190.080, 70.190.085, 70.190.090, 70.190.100, 70.190.110, 70.190.120, 70.190.130, 70.190.150, 70.190.160, 70.190.170, 70.190.180, 70.190.190, 70.190.910, and 70.190.920; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5657 by Senators Roach, Holmquist, Hatfield, Swecker, Pflug, Stevens and Carrell

AN ACT Relating to guardians ad litem; and amending RCW 13.34.100 and 13.34.102.

Referred to Committee on Human Services & Corrections.

SB 5658 by Senators Roach, Carrell, Swecker, Hatfield, Holmquist, Oemig, Delvin, Hobbs, Shin and Kline

AN ACT Relating to instruction in Spanish and Chinese languages; creating new sections; providing an expiration date; and declaring an emergency.

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

SB 5659 by Senators Berkey, Benton and Marr

AN ACT Relating to the consideration of mitigating factors for enforcement actions under the mortgage broker practices act; amending RCW 19.146.220; and adding a new section to chapter 19.146 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5660 by Senators Roach, McAuliffe, Swecker, Stevens and Parlette

AN ACT Relating to programs to help students develop saleable skills; adding a new section to chapter 28A.320 RCW; and creating a new section.

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

SB 5661 by Senators Pridemore, Roach, King, Zarelli, Swecker, Hargrove, Fairley, Stevens, Kastama, Oemig, Shin, McAuliffe and Benton

AN ACT Relating to exempting the annual parental declaration of intent to home school from the public disclosure act; and amending RCW 42.56.320.

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

SB 5662 by Senators Benton, Carrell, Pflug, McCaslin, Roach, Swecker, Zarelli, Delvin, Honeyford, Schoesler, King, Parlette, Hewitt, Kilmer and Holmquist

AN ACT Relating to allowing certain health care coverage deductions from the calculation of disposable income for the purpose of qualifying for senior property tax programs; and reenacting and amending RCW 84.36.383.

Referred to Committee on Ways & Means.

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SB 5663 by Senators Benton, Carrell, Roach, Swecker, Morton, Delvin, McCaslin, Honeyford, Schoesler, Hewitt, Shin and Kilmer

AN ACT Relating to property tax exemptions for service-connected disabled veterans and senior citizens; amending RCW 84.36.381 and 84.38.030; and creating a new section.

Referred to Committee on Ways & Means.

SB 5664 by Senators Benton, Carrell, Roach, McCaslin, Swecker, Stevens, Schoesler, Delvin, Honeyford and Hewitt

AN ACT Relating to eminent domain; and adding a new chapter to Title 8 RCW.

Referred to Committee on Judiciary.

SB 5665 by Senators Berkey, Benton, Franklin, Parlette, Hobbs and Shin

AN ACT Relating to a joint self-insurance program for affordable housing and nonprofit entities; amending RCW 48.01.050; adding a new chapter to Title 48 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5666 by Senators Hobbs, Zarelli, Benton and Marr

AN ACT Relating to competitive solicitation requirements for public facilities districts; and amending RCW 36.100.180.

Referred to Committee on Government Operations & Elections.

SB 5667 by Senators Jacobsen, Benton, Schoesler and McCaslin

AN ACT Relating to utility liens against rental property; and amending RCW 35.21.290, 35.67.200, and 36.94.150.

Referred to Committee on Government Operations & Elections.

SB 5668 by Senators Berkey, Schoesler, McCaslin, Benton and Marr

AN ACT Relating to the sale of used manufactured/mobile homes; adding a new section to chapter 46.70 RCW; and creating a new section.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5669 by Senator Berkey

AN ACT Relating to granting the insurance commissioner certain authority when the governor declares a state of emergency; amending RCW 48.02.060; and declaring an emergency.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5670 by Senator Berkey

AN ACT Relating to insurance; and amending RCW 48.02.190, 48.13.450, 48.14.020, 48.14.090, and 48.66.045.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5671 by Senators Berkey, Franklin, Shin and Haugen

AN ACT Relating to the suitability of annuities sold in Washington; adding a new section to chapter 48.23 RCW; and creating a new section.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5672 by Senators Kline and Kohl-Welles

AN ACT Relating to protecting consumers from discrimination based on lawful source of income; amending RCW 49.60.030, 49.60.222, 49.60.223, 49.60.224, and 49.60.225; and reenacting and amending RCW 49.60.040.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5673 by Senators Pridemore, Zarelli, Keiser, Murray, Rockefeller, Hobbs, Regala and Shin

AN ACT Relating to requiring certificates of need for certain hospitals; and amending RCW 70.38.105 and 70.38.111.

Referred to Committee on Health & Long-Term Care.

SB 5674 by Senators Murray, McDermott, Kohl-Welles, Regala, Pridemore, Keiser, Kline and Jacobsen

AN ACT Relating to civil marriage equality, recognizing the right of all citizens of Washington state, including couples of the same gender, to obtain civil marriage licenses; amending RCW 26.04.010 and 26.04.020; and creating a new section.

Referred to Committee on Judiciary.

SB 5675 by Senators Murray, Tom, Fairley, Keiser, Regala, Shin, Kline and Kohl-Welles

AN ACT Relating to protecting consumers in the purchase of motor vehicles; amending RCW 46.70.011, 46.70.070, and 46.70.180; and adding a new section to chapter 46.70 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5676 by Senators McAuliffe, Rockefeller, Jarrett, Fairley, Hobbs, Schoesler and Shin

AN ACT Relating to middle school career and technical education; amending RCW 28A.230.130; adding a new section to chapter 28A.660 RCW; creating a new section; and providing an effective date.

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

SB 5677 by Senator Hatfield

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AN ACT Relating to compliance with the dairy nutrient management program; amending RCW 90.64.010; adding a new section to chapter 90.64 RCW; and prescribing penalties.

29A.20.201, 29A.24.030, 29A.24.210, 29A.24.211, 29A.28.011, 29A.28.021, 29A.32.036, 29A.36.010, 29A.36.104, 29A.36.106, 29A.36.171, 29A.36.191, 29A.52.106, 29A.52.111, 29A.52.116, 29A.52.141, 29A.52.151, and 29A.80.011.

Referred to Committee on Agriculture & Rural Economic Development.

Referred to Committee on Government Operations & Elections.

SB 5678 by Senator Hatfield

AN ACT Relating to the use of milk products for animal food consumption; amending RCW 15.37.040, 15.37.120, and 15.53.901; adding new sections to chapter 15.37 RCW; prescribing penalties; and providing an effective date.

SB 5682 by Senators Haugen and Marr

AN ACT Relating to the realignment of transportation regions; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5683 by Senator Haugen

AN ACT Relating to toll penalties for violations of high occupancy toll lane restrictions; and amending RCW 47.56.403 and 47.66.090.

Referred to Committee on Transportation.

SB 5679 by Senators Keiser, Kohl-Welles, McDermott, Murray, Pridemore, Kauffman, Hatfield, Franklin, McAuliffe, Kline and Oemig

AN ACT Relating to the family security act; amending RCW 49.86.005, 49.86.010, 49.86.020, 49.86.030, 49.86.050, 49.86.060, 49.86.070, 49.86.080, 49.86.090, 49.86.100, 49.86.110, 49.86.120, 49.86.130, 49.86.140, 49.86.160, 49.86.170, 49.86.180, 49.86.190, 49.86.210, and 50.29.021; reenacting and amending RCW 43.79A.040; adding new sections to chapter 49.86 RCW; adding a new section to chapter 82.04 RCW; creating a new section; repealing RCW 49.86.040; providing an effective date; and providing an expiration date.

SB 5684 by Senators Haugen, Swecker, Ranker, Hatfield, Jarrett and Kline

AN ACT Relating to environmental mitigation in highway construction; and adding a new section to chapter 47.01 RCW.

Referred to Committee on Transportation.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5685 by Senator Haugen

AN ACT Relating to the use of automated traffic safety cameras in ferry zones; and amending RCW 46.63.170.

Referred to Committee on Transportation.

SB 5680 by Senators Jarrett, Zarelli, Shin, Kohl-Welles and Oemig

AN ACT Relating to the property tax exemption for nonprofit artistic, scientific, historical, and performing arts organizations; and amending RCW 84.36.060.

Referred to Committee on Ways & Means.

SB 5686 by Senators Murray, Kohl-Welles, McDermott, Jacobsen and Jarrett

AN ACT Relating to the regulation of certain limousine carriers; amending RCW 46.72.010, 46.72A.010, 46.72A.030, and 46.72A.040; and adding a new section to chapter 46.72A RCW.

Referred to Committee on Transportation.

SB 5681 by Senators Hargrove, Fairley, Roach, Hatfield, Pridemore, McCaslin, Sheldon, Holmquist and Shin

AN ACT Relating to updating election laws with a top two primary election system; amending RCW 29A.04.008, 29A.04.086, 29A.04.097, 29A.04.128, 29A.04.133, 29A.04.216, 29A.04.311, 29A.08.161, 29A.12.080, 29A.20.021, 29A.20.121, 29A.20.131, 29A.20.141, 29A.24.031, 29A.24.081, 29A.24.101, 29A.24.141, 29A.24.151, 29A.24.161, 29A.24.171, 29A.24.181, 29A.24.191, 29A.24.311, 29A.28.041, 29A.28.061, 29A.28.071, 29A.32.031, 29A.32.032, 29A.32.121, 29A.32.241, 29A.36.011, 29A.36.071, 29A.36.101, 29A.36.121, 29A.36.131, 29A.36.151, 29A.36.161, 29A.36.201, 29A.40.091, 29A.44.201, 29A.44.221, 29A.48.020, 29A.52.011, 29A.52.210, 29A.52.231, 29A.52.321, 29A.52.351, 29A.56.040, 29A.60.021, 29A.60.221, 29A.64.011, 29A.64.021, 29A.64.041, 29A.64.061, 29A.64.081, 29A.68.011, 29A.80.020, 29A.80.041, 29A.80.051, 29A.84.261, 29A.84.311, 29A.84.711, 42.17.020, 42.17.040, 42.17.093, and 42.17.510; reenacting and amending RCW 29A.36.170, 29A.52.112, and 42.12.040; adding a new section to chapter 29A.24 RCW; and repealing RCW 29A.04.310,

SB 5687 by Senators Marr, Pridemore, McDermott, Regala, Franklin, Kohl-Welles, Murray, Fairley, Jacobsen, Kauffman, McAuliffe and Kline

AN ACT Relating to reducing greenhouse gas emissions through land use and transportation requirements; amending RCW 36.70A.020, 36.70A.070, 36.70A.100, 36.70A.108, 36.70A.190, 36.70A.210, 36.70A.490, 36.70A.500, 47.80.030, 43.21C.240, 81.104.015, and 82.14.0455; adding a new section to chapter 36.70A RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 81.112 RCW; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5688 by Senators Murray, McDermott, Kohl-Welles, Fairley, Hobbs, Ranker, Pridemore, Kauffman, Kline, Keiser,

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Regala, Fraser, Prentice, Oemig, Franklin, McAuliffe, Jarrett, Brown, Kilmer and Tom

AN ACT Relating to further expanding the rights and responsibilities of state registered domestic partners; amending RCW 2.10.030, 6.27.140, 9A.44.010, 10.77.205, 11.88.030, 26.60.040, 26.60.090, 41.05.066, 41.16.010, 41.18.010, 49.78.020, 65.12.035, 71.05.425, 72.09.015, 72.09.712, 72.36.115, 77.36.010, 83.100.046, 83.100.047, and 84.04.050; adding a new section to chapter 26.60 RCW; adding a new section to chapter 34.05 RCW; adding a new section to chapter 2.10 RCW; adding a new section to chapter 2.12 RCW; adding a new section to chapter 2.14 RCW; adding a new section to chapter 2.56 RCW; adding a new section to chapter 4.24 RCW; adding a new section to chapter 4.28 RCW; adding a new section to chapter 5.44 RCW; adding a new section to chapter 6.15 RCW; adding a new section to chapter 6.27 RCW; adding a new section to chapter 7.08 RCW; adding a new section to chapter 7.68 RCW; adding a new section to chapter 9.58 RCW; adding a new section to chapter 9.68 RCW; adding a new section to chapter 9.68A RCW; adding a new section to chapter 9.94A RCW; adding a new section to chapter 9A.16 RCW; adding a new section to chapter 9A.40 RCW; adding a new section to chapter 9A.44 RCW; adding a new section to chapter 10.77 RCW; adding a new section to chapter 10.95 RCW; adding a new section to chapter 10.99 RCW; adding a new section to chapter 10.101 RCW; adding a new section to chapter 11.40 RCW; adding a new section to chapter 11.42 RCW; adding a new section to chapter 11.68 RCW; adding a new section to chapter 11.88 RCW; adding a new section to chapter 11.94 RCW; adding a new section to chapter 11.95 RCW; adding a new section to chapter 11.98 RCW; adding a new section to chapter 11.104A RCW; adding a new section to chapter 11.108 RCW; adding a new section to chapter 13.40 RCW; adding a new section to chapter 13.64 RCW; adding a new section to chapter 18.20 RCW; adding a new section to chapter 18.35 RCW; adding a new section to chapter 18.51 RCW; adding a new section to chapter 18.96 RCW; adding a new section to chapter 18.118 RCW; adding a new section to chapter 18.120 RCW; adding a new section to chapter 19.09 RCW; adding a new section to chapter 19.16 RCW; adding a new section to chapter 19.36 RCW; adding a new section to chapter 19.40 RCW; adding a new section to chapter 19.120 RCW; adding a new section to chapter 19.205 RCW; adding a new section to chapter 19.220 RCW; adding a new section to chapter 19.225 RCW; adding a new section to chapter 21.20 RCW; adding a new section to chapter 21.35 RCW; adding a new section to chapter 23B.08 RCW; adding a new section to chapter 23B.19 RCW; adding a new section to chapter 26.09 RCW; adding a new section to chapter 26.18 RCW; adding a new section to chapter 26.21A RCW; adding a new section to chapter 26.26 RCW; adding a new section to chapter 26.27 RCW; adding a new section to chapter 26.33 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.15 RCW; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 30.22 RCW; adding a new section to chapter 31.12 RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35.54 RCW; adding a new section to chapter 35A.01 RCW; adding a new section to chapter 36.17 RCW; adding a new section to chapter 36.88 RCW; adding a new section to chapter 38.42 RCW; adding a new section to chapter 38.52 RCW; adding a new section to chapter 41.04 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 41.06 RCW; adding a new section to chapter 41.16 RCW; adding a new section to chapter 41.18 RCW; adding a new section to chapter 41.20 RCW;

adding a new section to chapter 41.24 RCW; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.28 RCW; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.34 RCW; adding a new section to chapter 41.35 RCW; adding a new section to chapter 41.37 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.44 RCW; adding a new section to chapter 41.50 RCW; adding a new section to chapter 41.54 RCW; adding a new section to chapter 41.68 RCW; adding a new section to chapter 42.23 RCW; adding a new section to chapter 42.52 RCW; adding a new section to chapter 43.20B RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 43.56 RCW; adding a new section to chapter 43.180 RCW; adding a new section to chapter 43.215 RCW; adding a new section to chapter 43.235 RCW; adding a new section to chapter 46.04 RCW; adding a new section to chapter 48.17 RCW; adding a new section to chapter 48.18 RCW; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.21A RCW; adding a new section to chapter 48.22 RCW; adding a new section to chapter 48.23 RCW; adding a new section to chapter 48.24 RCW; adding a new section to chapter 48.25 RCW; adding a new section to chapter 48.29 RCW; adding a new section to chapter 48.30 RCW; adding a new section to chapter 48.41 RCW; adding a new section to chapter 48.43 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; adding a new section to chapter 48.66 RCW; adding a new section to chapter 48.76 RCW; adding a new section to chapter 49.12 RCW; adding a new section to chapter 49.48 RCW; adding a new section to chapter 49.74 RCW; adding a new section to chapter 49.77 RCW; adding a new section to chapter 49.78 RCW; adding a new section to chapter 49.86 RCW; adding a new section to chapter 50.04 RCW; adding a new section to chapter 51.08 RCW; adding a new section to chapter 59.18 RCW; adding a new section to chapter 59.20 RCW; adding a new section to chapter 59.21 RCW; adding a new section to chapter 59.22 RCW; adding a new section to chapter 62A.1 RCW; adding a new section to chapter 65.12 RCW; adding a new section to chapter 66.24 RCW; adding a new section to chapter 67.70 RCW; adding a new section to chapter 68.04 RCW; adding a new section to chapter 70.02 RCW; adding a new section to chapter 70.24 RCW; adding a new section to chapter 70.47 RCW; adding a new section to chapter 70.47A RCW; adding a new section to chapter 70.122 RCW; adding a new section to chapter 70.128 RCW; adding a new section to chapter 70.190 RCW; adding a new section to chapter 71.05 RCW; adding a new section to chapter 71.09 RCW; adding a new section to chapter 71.12 RCW; adding a new section to chapter 71.32 RCW; adding a new section to chapter 71A.20 RCW; adding a new section to chapter 72.01 RCW; adding a new section to chapter 72.09 RCW; adding a new section to chapter 72.23 RCW; adding a new section to chapter 72.36 RCW; adding a new section to chapter 72.64 RCW; adding a new section to chapter 73.16 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 74.08A RCW; adding a new section to chapter 74.09 RCW; adding a new section to chapter 74.09A RCW; adding a new section to chapter 74.13 RCW; adding a new section to chapter 74.15 RCW; adding a new section to chapter 74.20 RCW; adding a new section to chapter 74.20A RCW; adding a new section to chapter 74.34 RCW; adding a new section to chapter 74.41 RCW; adding a new section to chapter 77.08 RCW; adding a new section to chapter 79A.05 RCW; adding a new section to chapter 80.28 RCW; adding a new section to chapter 81.28 RCW;

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adding a new section to chapter 81.80 RCW; adding a new section to chapter 82.08 R

Referred to Committee on Government Operations & Elections.

## 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 Eide moved adoption of the following resolution:

SENATE RESOLUTION  
8611

By Senators Eide, Kohl-Welles, Shin, Keiser, McDermott, Fraser, Delvin, Tom, Kastama, Pridemore, King, McAuliffe, Marr, Franklin, Pflug, Brown, Murray, Carrell, Jarrett, Kilmer, Hobbs, and Regala

WHEREAS, January 11th has been designated a National Day of Human Trafficking Awareness by the United States Congress; and

WHEREAS, Washington state has been in the forefront, nationally, in the fight against human trafficking; and

WHEREAS, In 2002, the Washington state task force against the trafficking of persons was created, the first of its kind in the nation, and that same year Washington was the first state in the nation to pass the mail-order bride act, which requires international matchmaking agencies to provide, upon request, criminal and marital background information on Washington state residents using the agency to meet prospective brides in other countries; and

WHEREAS, In 2003, Washington became the first state to criminalize human trafficking and to extend protections to mail-order brides; and

WHEREAS, In 2005, Washington again led all other states in establishing protocols for providing services to victims of trafficking, and in providing funds for legal aid to noncitizens who are victims of sexual assault, domestic violence, or human trafficking; and

WHEREAS, in 2006, Washington became only the second state to place restrictions on sex tourism, and it provided funding for the Washington State Task Force Against the Trafficking of Persons to resume its work leading to the creation of a Comprehensive Response to Human Trafficking; and

WHEREAS, In 2008, the Washington State Legislature enacted Senate Bill 6339 that passed into law and added victims of trafficking to the list of victims eligible for the address confidentiality program; and

WHEREAS, Victims of human trafficking needs support in order to escape and recover from the physical, mental, emotional, and spiritual trauma associated with their victimization; and

WHEREAS, Human traffickers use many physical and psychological techniques to control their victims, including the use of violence or threats of violence against the victim or the victim's family, isolation from the public, isolation from the victim's family and religious or ethnic communities, language and cultural barriers, shame, control of the victim's possessions, confiscation of passports and other identification documents,

and threats of arrest, deportation, or imprisonment if the victim attempts to reach out for assistance or leave;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize those people and organizations that fight daily against the scourge of human trafficking, and encourage others to observe the National Day of Trafficking Awareness with appropriate ceremonies and activities to combat human trafficking; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the department of community, trade, and economic development office of crime victims advocacy, to Dr. Sutapa Basu, Executive Director of the University of Washington Center for Research on Women, to the Washington state task force against the trafficking of persons, and to Trong and Rani Hong and the Tronie Foundation.

Senators Eide and Kohl-Welles spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8611.

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

## INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Sister Mary Buttimer, Sister Catherine Prendergast, Sister Kathleen Reilly and Sister Mary Pat Murphy, opponents of human trafficking from the Tacoma Dominican Community, who were seated in the gallery.

The President welcomed and introduced members of the Federal Way Soroptimists Club of Federal Way who were seated in the gallery.

## MOTION

At 10:18 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:13 a.m. by President Owen.

## MOTION

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

## SECOND READING

SENATE BILL NO. 5460, by Senators Tom, Zarelli, Prentice, Hewitt and Kline

Reducing the administrative cost of state government during the 2007-2009 and 2009-2011 fiscal biennia.

## MOTION

On motion of Senator Tom, Substitute Senate Bill No. 5460 was substituted for Senate Bill No. 5460 and the substitute bill was placed on the second reading and read the second time.

## MOTION

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

On page 11, after line 2, insert the following:

"(n) In institutions of higher education, positions not funded from state funds or tuition;"

Re-letter the subsections consecutively.

On page 11, line 20, after "grants" and before the period,

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insert "or, in institutions of higher education, where the costs are not funded from state funds or tuition"

On page 11, line 31, after "department" and before the period, insert "or, in institutions of higher education, where the cost is not funded from state funds or tuition"

On page 12, line 8, after "department" and before the period, insert "or, in institutions of higher education, where the cost is not funded from state funds or tuition"

Senator Murray spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Murray on page 11, after line 2 to Substitute Senate Bill No. 5460.

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

## MOTION

Senator Hobbs moved that the following amendment by Senators Hobbs and Carrell be adopted.

On page 11, line 17, after "emergency" and before the period, insert "or other catastrophic event that requires government action to protect life or public safety"

On page 11, line 28, after "dollars" and before the period, insert "and is not related to an emergency or other catastrophic event that requires government action to protect life or public safety"

On page 12, line 2, strike "an emergency or direct service delivery" and insert "(a) an emergency or other catastrophic event that requires government action to protect life or public safety, or (b) direct service delivery,"

Senator Hobbs spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Hobbs and Carrell on page 11, line 17 to Substitute Senate Bill No. 5460.

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

## MOTION

On motion of Senator Tom, the rules were suspended, Engrossed Substitute Senate Bill No. 5460 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Tom and Zarelli spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5460.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5460 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5460, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5102, by Senators Hewitt, Delvin and Kline

Adding two district court judges in Benton county.

The measure was read the second time.

## MOTION

On motion of Senator Kline, the rules were suspended, Senate Bill No. 5102 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kline, Delvin and Benton spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5102.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5102 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5102, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

## MOTION

At 11:31 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, January 29, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate



5102	Second Reading. . . . .	8	5659	Introduction & 1st Reading. . . . .	3
	Third Reading Final Passage. . . . .	8	5660	Introduction & 1st Reading. . . . .	3
5107	Committee Report. . . . .	1	5661	Introduction & 1st Reading. . . . .	3
5199	Committee Report. . . . .	1	5662	Introduction & 1st Reading. . . . .	3
5290	Committee Report. . . . .	1	5663	Introduction & 1st Reading. . . . .	4
5460	Second Reading. . . . .	7	5664	Introduction & 1st Reading. . . . .	4
5460-S	Second Reading. . . . .	7, 8	5665	Introduction & 1st Reading. . . . .	4
	Third Reading Final Passage. . . . .	8	5666	Introduction & 1st Reading. . . . .	4
5630	Introduction & 1st Reading. . . . .	1	5667	Introduction & 1st Reading. . . . .	4
5631	Introduction & 1st Reading. . . . .	1	5668	Introduction & 1st Reading. . . . .	4
5632	Introduction & 1st Reading. . . . .	1	5669	Introduction & 1st Reading. . . . .	4
5633	Introduction & 1st Reading. . . . .	1	5670	Introduction & 1st Reading. . . . .	4
5634	Introduction & 1st Reading. . . . .	1	5671	Introduction & 1st Reading. . . . .	4
5635	Introduction & 1st Reading. . . . .	1	5672	Introduction & 1st Reading. . . . .	4
5636	Introduction & 1st Reading. . . . .	2	5673	Introduction & 1st Reading. . . . .	4
5637	Introduction & 1st Reading. . . . .	2	5674	Introduction & 1st Reading. . . . .	4
5638	Introduction & 1st Reading. . . . .	2	5675	Introduction & 1st Reading. . . . .	4
5639	Introduction & 1st Reading. . . . .	2	5676	Introduction & 1st Reading. . . . .	4
5640	Introduction & 1st Reading. . . . .	2	5677	Introduction & 1st Reading. . . . .	4
5641	Introduction & 1st Reading. . . . .	2	5678	Introduction & 1st Reading. . . . .	5
5642	Introduction & 1st Reading. . . . .	2	5679	Introduction & 1st Reading. . . . .	5
5643	Introduction & 1st Reading. . . . .	2	5680	Introduction & 1st Reading. . . . .	5
5644	Introduction & 1st Reading. . . . .	2	5681	Introduction & 1st Reading. . . . .	5
5645	Introduction & 1st Reading. . . . .	2	5682	Introduction & 1st Reading. . . . .	5
5646	Introduction & 1st Reading. . . . .	2	5683	Introduction & 1st Reading. . . . .	5
5647	Introduction & 1st Reading. . . . .	2	5684	Introduction & 1st Reading. . . . .	5
5648	Introduction & 1st Reading. . . . .	2	5685	Introduction & 1st Reading. . . . .	5
5649	Introduction & 1st Reading. . . . .	2	5686	Introduction & 1st Reading. . . . .	5
5650	Introduction & 1st Reading. . . . .	3	5687	Introduction & 1st Reading. . . . .	5
5651	Introduction & 1st Reading. . . . .	3	5688	Introduction & 1st Reading. . . . .	5
5652	Introduction & 1st Reading. . . . .	3	8611	Adopted. . . . .	7
5653	Introduction & 1st Reading. . . . .	3		Introduced. . . . .	7
5654	Introduction & 1st Reading. . . . .	3		PRESIDENT OF THE SENATE	
5655	Introduction & 1st Reading. . . . .	3		Intro. Special Guest, Federal Way Soroptimists.. . . .	7
5656	Introduction & 1st Reading. . . . .	3			
5657	Introduction & 1st Reading. . . . .	3			
5658	Introduction & 1st Reading. . . . .	3			