

EIGHTEENTH DAY

NOON SESSION

Senate Chamber, Olympia, Thursday, January 29, 2009

The Senate was called to order at 12:00 noon by President Owen. No roll call was taken.

MOTION

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

MOTION

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

January 27, 2009

SB 5012 Prime Sponsor, Senator Kilmer: Directing the Washington state patrol to develop a plan to assist in the recovery of missing persons. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5012 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Carrell; Hargrove; Kohl-Welles; Roach and Tom.

Passed to Committee on Rules for second reading.

January 27, 2009

SB 5153 Prime Sponsor, Senator Kline: Creating the uniform foreign-country money judgments recognition act. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

January 28, 2009

SB 5164 Prime Sponsor, Senator Berkey: Placing restrictions on check cashers' and sellers' communications when collecting delinquent small loans. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton; Franklin; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

January 27, 2009

SB 5171 Prime Sponsor, Senator Kline: Modifying the Washington principal and income act of 2002. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5171 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Carrell; Hargrove; Kohl-Welles; Roach and Tom.

Passed to Committee on Rules for second reading.

January 27, 2009

SB 5200 Prime Sponsor, Senator Brandland: Concerning marauding dogs. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

January 27, 2009

SB 5298 Prime Sponsor, Senator Regala: Removing the penalty language from natural resource civil infractions. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

January 28, 2009

SB 5452 Prime Sponsor, Senator Kauffman: Increasing the debt limit of the housing finance commission. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair, Franklin and Prentice.

MINORITY recommendation: Do not pass. Signed by Senators Benton; Parlette and Schoesler.

Passed to Committee on Rules for second reading.

POINT OF INQUIRY

Senator Schoesler: "Would Senator McDermott yield to a question? What was the purpose moving Senate Bill No. 5452 directly to Rules rather than to the Committee of Ways & Means?"

Senator McDermott: "It's my understanding that it was the intention of the Committee to move it to Rules in the first place and that Ways & Means would have no jurisdiction on the legislation, Senator."

MOTION

On motion of McDermott, all measures listed on the Standing Committee report were referred to the committees as

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designated with the exception of Senate Bill No. 5452 which
was referred to the Committee on Rules.

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 28, 2009

TO THE HONORABLE, THE SENATE OF THE STATE OF
WASHINGTON
Ladies and Gentlemen:

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

JEFFREY L. THOMPSON, appointed January 22, 2009, for
the term ending December 26, 2012, as Member of the Board of
Pilotage Commissioners.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Transportation.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

January 28, 2009

MR. PRESIDENT:
The House has passed the following bills:
HOUSE BILL NO. 1066,
HOUSE BILL NO. 1113,
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5689 by Senators Ranker, Haugen and Marr

AN ACT Relating to a transportation funding study by the
joint transportation committee; creating new sections; and
providing an expiration date.

Referred to Committee on Transportation.

SB 5690 by Senators Swecker and Jacobsen

AN ACT Relating to alternate harvest restrictions for forest
practices; amending RCW 76.09.368; and creating a new
section.

Referred to Committee on Natural Resources, Ocean &
Recreation.

SB 5691 by Senators Brandland, Jacobsen, Shin and
Parlette

AN ACT Relating to boating safety; and creating new
sections.

Referred to Committee on Natural Resources, Ocean &
Recreation.

SB 5692 by Senators Honeyford, Hatfield, Holmquist,
Morton and Delvin

AN ACT Relating to sufficient cause for the nonuse of
water; and reenacting and amending RCW 90.14.140.

Referred to Committee on Environment, Water & Energy.

SB 5693 by Senators Hobbs, Hewitt, Schoesler, Zarelli,
Berkey, Hatfield, McCaslin, Shin, Carrell, Becker and Benton

AN ACT Relating to removing the requirement to purchase
art for public buildings during the 2009-2011 biennium;
amending RCW 28A.335.210, 28B.10.027, and 43.17.200;
and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5694 by Senators McAuliffe, Oemig, Brandland and
Shin

AN ACT Relating to record checks using fingerprints; and
amending RCW 43.43.838.

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

SB 5695 by Senators Oemig, Swecker, Ranker, Tom,
Shin and Haugen

AN ACT Relating to the authority of the Washington state
patrol to accept donations; and adding a new section to
chapter 43.43 RCW.

Referred to Committee on Transportation.

SB 5696 by Senators Kauffman and McDermott

AN ACT Relating to the appointment of trustees for rural
county library districts located in counties with a population
of one million five hundred thousand or more; amending
RCW 27.12.190; and creating a new section.

Referred to Committee on Government Operations &
Elections.

SB 5697 by Senator Honeyford

AN ACT Relating to the issuance of horseless carriage
plates to trailers more than forty years old; and amending
RCW 46.16.305.

Referred to Committee on Transportation.

SB 5698 by Senators Murray, Kohl-Welles and Delvin

AN ACT Relating to soil and wetland scientists; amending
RCW 18.235.020 and 43.24.150; adding a new chapter to

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Title 18 RCW; creating a new section; and providing an effective date.

Referred to Committee on Government Operations & Elections.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5706 by Senator Swecker

AN ACT Relating to actions presumed unreasonable for purposes of correcting or restraining a child; and amending RCW 9A.16.100.

SB 5699 by Senators Franklin, Kline and Parlette

AN ACT Relating to the office of public guardianship; and amending RCW 2.72.030.

Referred to Committee on Judiciary.

Referred to Committee on Judiciary.

SB 5707 by Senators Keiser, Marr, Kohl-Welles and Parlette

AN ACT Relating to child immunization exemptions; and amending RCW 28A.210.090.

SB 5700 by Senators Hargrove, Carrell, Regala, Brandland, Stevens, Tom and Shin

AN ACT Relating to establishing search and arrest authority provisions of offenders by department of corrections personnel; and amending RCW 9.94A.631.

Referred to Committee on Health & Long-Term Care.

Referred to Committee on Human Services & Corrections.

SB 5708 by Senators Eide, Franklin and Kline

AN ACT Relating to a pay-as-you-drive motor vehicle insurance product; amending RCW 46.29.490; and creating a new section.

SB 5701 by Senators Regala, Carrell, Brandland, Stevens and Tom

AN ACT Relating to allowing the department of corrections to rely upon jail certification in the calculation of release dates for offenders; amending RCW 9.94A.728; and providing an effective date.

Referred to Committee on Financial Institutions, Housing & Insurance.

Referred to Committee on Human Services & Corrections.

SB 5709 by Senators Murray, Honeyford, King and Marr

AN ACT Relating to craft winery development; amending RCW 66.04.010; and adding a new section to chapter 66.24 RCW.

SB 5702 by Senators Hargrove, Brandland, Regala, Stevens and Tom

AN ACT Relating to clarifying certain community custody and drug offender sentencing alternative sentencing provisions; amending RCW 9.94A.505 and 9.94A.660; and providing an effective date.

Referred to Committee on Labor, Commerce & Consumer Protection.

Referred to Committee on Human Services & Corrections.

SB 5710 by Senator Jacobsen

AN ACT Relating to tuition setting authority of state universities; and amending RCW 28B.15.067.

SB 5703 by Senators Hargrove, Carrell, Regala, Brandland, Stevens, Shin and Kohl-Welles

AN ACT Relating to including domestic violence court order violations to the list of offenses eligible for notification; amending RCW 72.09.712 and 72.09.714; and providing an effective date.

Referred to Committee on Higher Education & Workforce Development.

Referred to Committee on Human Services & Corrections.

SB 5711 by Senators Jacobsen and Benton

AN ACT Relating to the performance of Taps at veterans' funerals; adding a new section to chapter 73.24 RCW; and creating a new section.

SB 5704 by Senators Swecker, Becker, Stevens and Roach

AN ACT Relating to creation of a flood district by three or more counties; amending RCW 85.38.090; and adding a new section to chapter 85.38 RCW.

Referred to Committee on Government Operations & Elections.

Referred to Committee on Government Operations & Elections.

SB 5712 by Senator Jacobsen

AN ACT Relating to using traffic safety cameras on certain arterial streets; amending RCW 46.63.170; and creating a new section.

Referred to Committee on Transportation.

SB 5705 by Senator Swecker

AN ACT Relating to voting rights in special districts; amending RCW 85.38.105; and repealing RCW 85.08.025 and 86.09.377.

SB 5713 by Senators Kastama, Shin, King and McCaslin

AN ACT Relating to providing a business and occupation tax credit for participants in the Washington manufacturing innovation and modernization extension service program;

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adding a new section to chapter 82.04 RCW; and providing an expiration date.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5714 by Senators Tom, Jarrett and Shin

AN ACT Relating to conditional funding for teachers to pursue national board for professional teaching standards certification; amending RCW 28A.405.415; adding a new section to chapter 28A.410 RCW; and creating a new section.

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

SB 5715 by Senators Honeyford, King and Shin

AN ACT Relating to residential educational programs for juveniles found to be gang members; and amending RCW 28A.190.010.

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

SB 5716 by Senator McCaslin

AN ACT Relating to election requirements for the creation of municipal wards; and amending RCW 35A.12.180.

Referred to Committee on Government Operations & Elections.

SB 5717 by Senators Schoesler and Sheldon

AN ACT Relating to distributions of tax proceeds from thermal electric generating facilities; and amending RCW 54.28.010 and 54.28.055.

Referred to Committee on Environment, Water & Energy.

SB 5718 by Senators Regala, Stevens, Holmquist, Hobbs, Carrell and Hatfield

AN ACT Relating to the commitment of sexually violent predators; amending RCW 71.09.020, 71.09.025, 71.09.030, 71.09.040, 71.09.050, 71.09.060, 71.09.080, 71.09.090, 71.09.092, 71.09.096, 71.09.098, 71.09.112, and 71.09.350; and adding a new section to chapter 71.09 RCW.

Referred to Committee on Human Services & Corrections.

SB 5719 by Senators Swecker and Brown

AN ACT Relating to title and registration requirements for kit vehicles; and amending RCW 46.12.440 and 46.16.680.

Referred to Committee on Transportation.

SB 5720 by Senators Hewitt, Hobbs, Brandland and Shin

AN ACT Relating to tuition waivers for stepchildren of veterans and national guard members; and reenacting and amending RCW 28B.15.621.

Referred to Committee on Higher Education & Workforce Development.

SB 5721 by Senators Tom, Hobbs, Oemig, Jarrett, McAuliffe, Pridemore, Shin and Kohl-Welles

AN ACT Relating to school district levies; amending RCW 84.52.0531 and 84.52.053; adding a new section to chapter 84.52 RCW; repealing 2004 c 21 s 3 (uncodified); and repealing 2006 c 119 s 3 (uncodified).

Referred to Committee on Ways & Means.

SB 5722 by Senators Sheldon, Honeyford, McAuliffe, Hargrove, Hobbs, Morton, Hatfield and Brandland

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

Referred to Committee on Ways & Means.

SB 5723 by Senators Kastama, Shin and Swecker

AN ACT Relating to providing support for small business assistance; amending RCW 28B.30.530 and 30.60.010; adding a new section to chapter 82.32 RCW; and adding a new section to chapter 28B.30 RCW.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5724 by Senator Pridemore

AN ACT Relating to electricity from biomass energy that is a renewable resource; and adding a new chapter to Title 36 RCW.

Referred to Committee on Environment, Water & Energy.

SB 5725 by Senator Keiser

AN ACT Relating to organ transplant lifetime limits; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5726 by Senators Kline and Swecker

AN ACT Relating to clarifying the integration of shoreline management act policies with the growth management act; amending RCW 36.70A.480 and 90.58.090; and creating a new section.

Referred to Committee on Environment, Water & Energy.

SB 5727 by Senators McDermott, Oemig, Fairley, Sheldon, Shin and Roach

AN ACT Relating to providing false information to voters; adding a new section to chapter 29A.84 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Government Operations & Elections.

SB 5728 by Senators McDermott, Fairley, Oemig, Pridemore and Shin

AN ACT Relating to elections to fill the remainder of unexpired terms of office for certain statewide elected officials; and amending RCW 29A.04.321.

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Referred to Committee on Government Operations & Elections.

SB 5729 by Senators Sheldon, Hewitt and Schoesler

AN ACT Relating to alcohol sales; amending RCW 66.08.026, 66.08.150, 66.08.220, 66.24.440, and 66.20.160; adding a new chapter to Title 66 RCW; and providing an expiration date.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5730 by Senators Keiser, Pflug and Kohl-Welles

AN ACT Relating to enhanced federal financing of health coverage; adding new sections to chapter 74.09 RCW; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5731 by Senators Keiser and Pflug

AN ACT Relating to distribution of health plan information; and amending RCW 48.43.510.

Referred to Committee on Health & Long-Term Care.

SB 5732 by Senators Kline, McCaslin, Regala and Hargrove

AN ACT Relating to traffic infractions for drivers whose licenses or privileges are suspended or revoked; amending RCW 46.20.342; adding a new section to chapter 46.20 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SB 5733 by Senator Kastama

AN ACT Relating to modifying tax credits for research and development expenditures; and amending RCW 82.04.4452.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5734 by Senators Kilmer, Delvin and Shin

AN ACT Relating to tuition fees for students other than resident undergraduates; and amending RCW 28B.15.067.

Referred to Committee on Higher Education & Workforce Development.

SB 5735 by Senators Rockefeller, Hargrove, Jacobsen, Ranker, Fraser, Keiser, Jarrett, Swecker, Franklin, Shin, Kohl-Welles, Regala, McAuliffe and Kline

AN ACT Relating to reducing greenhouse gas emissions; amending RCW 70.235.005, 70.235.010, 70.235.030, 70.94.151, and 43.21B.110; adding new sections to chapter 70.235 RCW; creating a new section; prescribing penalties; and providing expiration dates.

Referred to Committee on Environment, Water & Energy.

SB 5736 by Senators Rockefeller, Kohl-Welles,

Pridemore, Berkey, Kastama, Shin, Jacobsen, Brandland, Hatfield, Keiser, McAuliffe and Kline

AN ACT Relating to sales and use tax preferences for electric vehicles and electric vehicle infrastructure; amending RCW 82.08.809, 82.12.809, and 82.08.020; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; repealing RCW 82.08.813 and 82.12.813; repealing 2005 c 296 s 6 (uncodified); providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Environment, Water & Energy.

SB 5737 by Senators Regala, Brandland, Sheldon, Carrell, Hobbs, Stevens, Pridemore, Schoesler and Tom

AN ACT Relating to compliance with sales, use, and business and occupation tax requirements; amending RCW 35.22.280, 35.23.440, 35.27.370, 35.102.050, 35A.21.335, and 82.14.055; and adding new sections to chapter 82.32 RCW.

Referred to Committee on Ways & Means.

SJM 8005 by Senators Holmquist, Roach, Hewitt, Morton, Carrell, McCaslin, King, Becker, Stevens, Delvin, Swecker and Benton

Requesting that the words "under God" remain in the Pledge of Allegiance.

Referred to Committee on Government Operations & Elections.

SJM 8006 by Senator Zarelli

Requesting that state route number 502 be named the "Battle Ground Highway" and that a portion of state route number 503 be named the "Lewisville Highway."

Referred to Committee on Transportation.

SJM 8007 by Senators Tom, Oemig and Jarrett

Naming the NE 116th Street overcrossing of Interstate 405 in Kirkland the Kollin Nielsen Memorial Bridge.

Referred to Committee on Transportation.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1066 by Representatives Rolfes, Appleton and Moeller

AN ACT Relating to special elections for changing the form of government of a noncharter code city; amending RCW 35A.06.050; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

HB 1113 by Representatives Driscoll, Warnick, Dunshee, Probst, Carlyle, Wallace, White, Chase, Ormsby, Seaquist, Simpson, Goodman, Wood, Sullivan, Maxwell, Orwall, Hinkle and Santos

AN ACT Relating to financing the school construction assistance grant program; amending 2008 c 328 s 5001

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 (uncodified); adding a new chapter to Title 43 RCW;
 making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator McDermott, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5717 which was referred to the Committee on Environment, Water & Energy.

MOTION

At 12:03 p.m., on motion of Senator McDermott, the Senate adjourned until 10:00 a.m. Friday, January 30, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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