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

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 30, 2009

SB 5015  Prime Sponsor, Senator Franklin: Concerning foster parent licensing. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland and McAuliffe.

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5016  Prime Sponsor, Senator McDermott: Modifying when a special election may be held. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott and Swecker.

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

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5017  Prime Sponsor, Senator McDermott: Eliminating the requirement that auditors send a ballot or an application to receive a ballot to inactive voters. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5018  Prime Sponsor, Senator Honeyford: Concerning historic preservation. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5019  Prime Sponsor, Senator Honeyford: Concerning resident curators of state properties. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5019 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5028  Prime Sponsor, Senator Haugen: Transferring jurisdictional route transfer responsibilities from the transportation improvement board to the transportation commission. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5029  Prime Sponsor, Senator Oemig: Recodifying and making technical clarifications to campaign funding and disclosure laws. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott; Pridemore and Swecker.

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

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5032  Prime Sponsor, Senator Hobbs: Concerning the Washington code of military justice. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5032 be substituted therefor, and the substitute bill do
SB 5096  Prime Sponsor, Senator Jacobsen: Requiring mailed political advertising to be filed with the secretary of state to be archived. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Pridemore and Swecker.

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

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

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5166  Prime Sponsor, Senator Regala: Modifying the child support license suspension program. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5166 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland and McAuliffe.

Passed to Committee on Rules for second reading.

January 30, 2009

SB 5190  Prime Sponsor, Senator Hargrove: Making technical corrections to community custody provisions. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5190 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland and McAuliffe.

Passed to Committee on Rules for second reading.

January 30, 2009

SB 5207  Prime Sponsor, Senator Regala: Addressing the rights of victims, survivors, and witnesses of crimes. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland and McAuliffe.

Passed to Committee on Rules for second reading.
TWENTY-SECOND DAY, FEBRUARY 2, 2009

SB 5278  Prime Sponsor, Senator King: Making technical changes to boiler and unfired pressure vessel statutes. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; Honeyford; King and Kline.

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

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5289  Prime Sponsor, Senator Ranker: Adding a certain ferry route and roads to the scenic and recreational highway system. Reported by Committee on Transportation

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

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

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5322  Prime Sponsor, Senator Fairley: Creating a five-member option for civil service commissions for sheriffs' offices. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott; Pridemore and Swecker.

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

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5324  Prime Sponsor, Senator Delvin: Providing the gambling commission with authority to determine locations where amusement games may be conducted. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; King and Kline.

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5366  Prime Sponsor, Senator Holmquist: Modifying licensing provisions for cigarettes and tobacco products.

January 30, 2009

SB 5485  Prime Sponsor, Senator Rockefeller: Authorizing water-sewer districts to construct, condemn and purchase, add to, maintain, and operate systems for wastewater reclamation. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5485 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Hatfield; Marr; Ranker and Sheldon.

Passed to Committee on Rules for second reading.

January 29, 2009

SB 5560  Prime Sponsor, Senator Ranker: Regarding state agency climate leadership. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott and Swecker.

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

Passed to Committee on Environment, Water & Energy.

January 29, 2009

SJM 8000  Prime Sponsor, Senator Hobbs: Requesting the Postal Service to issue a postage stamp commemorating Nisei veterans. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

January 29, 2009

SJM 8006  Prime Sponsor, 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." Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Benton; Berkey; Delvin; Eide; Jacobson; Jarrett; Kastama; Kauffman; Kilmer; King; Ranker and Sheldon.
January 29, 2009

SJR 8208 Prime Sponsor, Senator Carrell: Repealing a conflicting residency requirement for voting in a presidential election. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

January 29, 2009

SGA 9042 JUDY L HARTMAN, appointed on February 10, 2005, for the term ending at the governor's pleasure, as Member of the K-20 Educational Network Board. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES

GUBERNATORIAL APPOINTMENTS

January 29, 2009

SB 5773 by Senators Hobbs, McAuliffe, Kilmer, Kohl-Welles and McDermott

AN ACT Relating to establishing the opportunity internship program for high school students; amending RCW 28B.92.030, 28B.92.060, 28B.92.080, and 28B.92.110; adding new sections to chapter 25C.18 RCW; adding a new section to chapter 28B.92 RCW; adding a new section to chapter 82.04 RCW; and creating new sections.

Referred to Committee on Higher Education & Workforce Development.

SB 5774 by Senators Schoesler, Honeyford and Morton

AN ACT Relating to school levy equalization; amending RCW 28A.500.010, 28A.505.210, and 28A.505.220; creating a new section; repealing RCW 84.52.068; and providing an effective date.

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

SB 5775 by Senator Keiser

AN ACT Relating to the eligibility of foreign medical school graduates for licensing as physician assistants; and repealing RCW 18.71A.045.

Referred to Committee on Health & Long-Term Care.

SB 5776 by Senators McDermott, Schoesler, Fairley, Oemig, Jarrett and Kohl-Welles

AN ACT Relating to student fees, charges, and assessments; and adding a new section to chapter 28B.15 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5777 by Senators Murray and Parlette

AN ACT Relating to the Washington state health insurance pool; amending RCW 48.41.060, 48.41.100, and 48.41.100; creating a new section; and providing contingent effective dates.

Referred to Committee on Health & Long-Term Care.

SB 5778 by Senators Oemig, Swecker and Kilmer

AN ACT Relating to disclosure of course material information for higher education courses; and amending RCW 28B.10.590.

Referred to Committee on Higher Education & Workforce Development.

SB 5779 by Senators McAuliffe, Hobbs, Jarrett and Tom

AN ACT Relating to the state board of health adopting rules that impact school districts; adding a new section to chapter
SB 5780 by Senators Tom and Brandland

AN ACT Relating to establishing chapter 46.55 RCW as the exclusive remedy for any claims resulting from the impoundment of a motor vehicle; amending RCW 46.55.120; and creating a new section.

Referred to Committee on Transportation.

SB 5781 by Senators Morton and Stevens

AN ACT Relating to the applicability of open range laws on public lands; and amending RCW 16.24.065.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5782 by Senators Marr and Brown

AN ACT Relating to services provided by hosting jurisdictions; and amending RCW 3.50.003, 3.50.020, 3.50.125, and 3.50.815.

Referred to Committee on Government Operations & Elections.

SB 5783 by Senators Jarrett, Swecker, Marr and Parlette

AN ACT Relating to the fuel tax rate used to determine fuel tax distributions to the snowmobile account; and amending RCW 46.10.170.

Referred to Committee on Transportation.

SB 5784 by Senators Jacobsen, Hobbs, McCaslin, Delvin and Shin

AN ACT Relating to creating a task force to review the process of Western Washington University's decision to terminate its one hundred five year old football program and to make recommendations about how to potentially reinstate the program prior to the 2009 season; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Higher Education & Workforce Development.

SB 5785 by Senators Kline, Rockefeller, Jacobsen, Murray, Franklin, Keiser and Shin

AN ACT Relating to for hire vehicles and for hire vehicle operators; amending RCW 82.16.010, 82.16.040, and 82.16.020; adding new sections to chapter 51.08 RCW; adding new sections to chapter 51.12 RCW; and adding a new section to chapter 51.16 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5786 by Senators Fraser, Kohl-Welles, Honeyford and Shin

AN ACT Relating to authorizing the creation of cultural access authorities; amending RCW 36.96.010; adding a new chapter to Title 36 RCW; and creating new sections.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5787 by Senators Keiser, Pflug and Kohl-Welles

AN ACT Relating to the collective bargaining of adult family home providers' health benefits; and amending RCW 41.05.011 and 41.56.029.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5788 by Senators Prentice, Benton, Pflug, Hobbs, Shin and Kline

AN ACT Relating to state funding for low-income housing; amending RCW 43.185.050 and 43.180.080; and adding a new section to chapter 36.22 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5789 by Senators King, Marr and Holmquist

AN ACT Relating to establishing additional health sciences and services authorities in certain areas; and amending RCW 35.104.040.

Referred to Committee on Higher Education & Workforce Development.

SB 5790 by Senators Carrell, Holmquist, Benton, Marr, Oemig, Stevens, Brandland, Honeyford, Hatfield, Roach, Kohl-Welles, Shin, Tom and McDermott

AN ACT Relating to animal cruelty; and amending RCW 16.52.200.

Referred to Committee on Judiciary.

SB 5791 by Senators Hobbs, Franklin, Keiser, Fraser, Jarrett, Kohl-Welles, Shin and McDermott

AN ACT Relating to creating the Washington voluntary retirement accounts program; and adding new sections to chapter 41.50 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5792 by Senators Sheldon, Hatfield, Schoesler, Swecker and Holmquist

AN ACT Relating to current use valuation under the property tax open space program; and amending RCW 84.34.020 and 84.34.108.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5793 by Senators Schoesler, Hewitt, Honeyford and Morton

AN ACT Relating to privately operated manlifts; and amending RCW 70.87.010 and 70.87.120.
TWENTY-SECOND DAY, FEBRUARY 2, 2009

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5794 by Senators Kilmer, Parlette, Zarelli, Prentice, Keiser and Shin

AN ACT Relating to the department of social and health services' audit program for pharmacy payments; amending RCW 74.09.200; adding a new section to chapter 74.09 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SB 5795 by Senators Kilmer and Franklin

AN ACT Relating to the Tacoma Narrows toll bridge account; and amending RCW 47.56.165.

Referred to Committee on Transportation.

SB 5796 by Senators Kilmer and Franklin

AN ACT Relating to use of state bond proceeds for certain public-private transportation projects; and amending RCW 47.46.130.

Referred to Committee on Transportation.

SB 5797 by Senators Haugen, Ranker, Brandland and Hatfield

AN ACT Relating to exemptions from solid waste handling permit requirements; amending RCW 43.21B.300, 43.21B.310, 70.95.170, and 70.95.315; adding a new section to chapter 70.95 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5798 by Senators Kohl-Welles, McCaslin, Keiser, Pflug and Kline

AN ACT Relating to medical marijuana; and amending RCW 69.51A.005, 69.51A.010, 69.51A.030, and 69.51A.060.

Referred to Committee on Health & Long-Term Care.

SB 5799 by Senators Fraser, Swecker, Fairley, Murray and Shin

AN ACT Relating to the state capitol campus special height district; adding a new section to chapter 35A.63 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5800 by Senators Fraser, Swecker, Fairley, Murray, Shin and Kline

AN ACT Relating to shorelines of statewide significance; amending RCW 90.58.030; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5801 by Senators Kauffman, Jarrett, Sheldon, Shin and McDermott

AN ACT Relating to basic education allocations for tribal schools; and adding a new section to chapter 28A.150 RCW.

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

SB 5802 by Senators Oemig, McAuliffe, Hobbs, Kauffman, Jarrett, Tom and Shin

AN ACT Relating to the professional educator standards board membership and duties; amending RCW 28A.410.200, 28A.410.100, and 28A.410.210; adding a new section to chapter 28A.410 RCW; and providing an effective date.

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

SB 5803 by Senators Shin, Kauffman and Berkey

AN ACT Relating to the adoption support program; and amending RCW 74.13.109, 74.13.112, and 74.13.250.

Referred to Committee on Human Services & Corrections.

SB 5804 by Senators Keiser, Franklin, Kohl-Welles and Kline

AN ACT Relating to voluntarily leaving part-time work; and amending RCW 50.20.050.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5805 by Senators Jarrett, Benton, Kilmer, Kauffman and Shin

AN ACT Relating to providing a financial incentive to school districts for high school students who complete postsecondary credits; and adding a new section to chapter 28A.150 RCW.

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

SB 5806 by Senators Jarrett, Holmquist, Benton, King, Marr and Kline

AN ACT Relating to solid waste; and amending RCW 19.285.030.

Referred to Committee on Environment, Water & Energy.

SB 5807 by Senators Brandland, Fraser, McAuliffe, King, Oemig and Shin

AN ACT Relating to use of capital projects funds by school districts; amending RCW 84.52.053; and reenacting and amending RCW 28A.320.330.

Referred to Committee on Ways & Means.
MOTION

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

MOTION

Senator McAuliffe moved adoption of the following resolution:

SENATE RESOLUTION

8613

By Senators McAuliffe, Kline, Kohl-Welles, King, Pridemore, McDermott, Fraser, Murray, Regala, Kilmer, Shin, Franklin, Hargrove, Eide, Marr, Kauffman, Brandland, Ranker, Fairley, and Hobbs

WHEREAS, Civic education is the foundation for an educated citizenry and a representative democracy; and

WHEREAS, In order to adequately prepare our state's youth for meaningful participation in our democratic institutions and processes, it is important to have strong educational resources aimed at teaching students and the public about the fragile nature of our Constitution; and

WHEREAS, Civic education is part of the fabric of our country and for all students in our public schools; and

WHEREAS, Civic education is a vital tool to promote greater understanding of the role of legislators in a representative democracy and the legislative process; and

WHEREAS, Civic Education Day recognizes the value of civic education in Washington State; and

WHEREAS, Civic Education Day establishes a forum for civic educators across the state to collaborate with legislators and other supporters; and

WHEREAS, Many organizations such as the Legislative Youth Advisory Council, We the People Foundation, Washington Media Association, Washington State Council of Social Studies, 4-H, YMCA Youth & Government, Washington State Bar Association, Office of the Secretary of State, Service Learning of Washington, Washington State Historical Society, Legislative Scholars Program, and Project Citizen are dedicated to making civic education a priority for Washington state and its citizens; and

WHEREAS, The contributions of committed teachers, principals, community leaders, parents, state employees, and volunteers contribute to the goals of these laudable organizations to create an engaged citizenry; and

WHEREAS, February 2, 2009, is recognized as the Third Annual Washington State Senate Civic Education Day; and

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the responsibility of civic educators across the state to serve and inform all Washingtonians and honor civic educators across the state; and

BE IT FURTHER RESOLVED, That the Senate of the State of Washington hereby honor, thank, and celebrate the civic educators of the state;

Senator McAuliffe spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8613.
The motion by Senator McAuliffe carried and the resolution was adopted by voice vote.

**MOTION**

At 12:08 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Tuesday, February 3, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate
TWENTY-SECOND DAY, FEBRUARY 2, 2009

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