

**FORTY-THIRD DAY**

**NOON SESSION**

Senate Chamber, Olympia, Monday, February 23, 2009

The Senate was called to order at 12:00 noon by the President Pro Tempore. 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**

February 20, 2009

**SB 5026** Prime Sponsor, Senator Regala: Expanding provisions relating to the collection of biological samples for DNA identification analysis. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5026 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and McAuliffe.

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

Passed to Committee on Rules for second reading.

February 19, 2009

**SB 5027** Prime Sponsor, Senator Haugen: Eliminating the handling loss deduction for the motor vehicle fuel tax. Reported by Committee on Transportation

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

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

Passed to Committee on Rules for second reading.

February 20, 2009

**SB 5131** Prime Sponsor, Senator Delvin: Concerning crisis referral services for criminal justice and correctional personnel. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5131 be substituted therefor, and the substitute bill do

pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 20, 2009

**SB 5133** Prime Sponsor, Senator Hargrove: Allowing the Washington center for court research and the office of public defense to access juvenile case records. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5133 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 20, 2009

**SB 5138** Prime Sponsor, Senator Rockefeller: Creating an integrated climate change response strategy. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5138 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Hatfield; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin; Holmquist and Morton.

Passed to Committee on Ways & Means.

February 20, 2009

**SB 5172** Prime Sponsor, Senator Shin: Establishing a University of Washington center for human rights. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5172 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Hewitt; Kastama; McAuliffe and Shin.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Pflug and Stevens.

Passed to Committee on Rules for second reading.

February 20, 2009

**SB 5176** Prime Sponsor, Senator Shin: Creating a bi-state partnership for teachers of children with visual impairments. Reported by Committee on Higher Education & Workforce Development

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MAJORITY recommendation: That Substitute Senate Bill No. 5176 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Hewitt; Kastama; McAuliffe; Shin and Stevens.

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

Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5219 Prime Sponsor, Senator Carrell: Creating a legislative task force to address housing for individuals at a high risk of being homeless. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5219 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5252 Prime Sponsor, Senator Brandland: Addressing correctional facility policies regarding medication management. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5252 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5253 Prime Sponsor, Senator Carrell: Concerning criminal defendants who are guilty and mentally ill. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5253 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Ways & Means.

February 20, 2009

SB 5220 Prime Sponsor, Senator Franklin: Regarding the designation of "social worker." Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5220 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5266 Prime Sponsor, Senator Hargrove: Regarding housing services and assistance in dependency and termination matters. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5266 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5231 Prime Sponsor, Senator Regala: Addressing parenting plans and residential schedules in dependency proceedings. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5231 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5270 Prime Sponsor, Senator McDermott: Modifying voter registration provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5270 as recommended by Committee on Government Operations & Elections be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley; Hobbs; Keiser; Kline; Kohl-Wells; McDermott; Pridemore; Regala and Rockefeller.

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

February 19, 2009

SB 5238 Prime Sponsor, Senator Keiser: Authorizing the department of retirement systems to assist with mailing information to certain members of the state retirement systems. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5238 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5284 Prime Sponsor, Senator Keiser: Concerning truth in music advertising. 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.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5295 Prime Sponsor, Senator Kline: Implementing unanimous recommendations of the public records exemptions accountability committee. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5295 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

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

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5344 Prime Sponsor, Senator Ranker: Providing an emergency response system for the Strait of Juan de Fuca. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5344 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Hatfield; Marr; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Delvin; Holmquist and Morton.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5376 Prime Sponsor, Senator Kauffman: Requiring the higher education coordinating board to develop a grant program to encourage training for students studying in the medical field to work with individuals with disabilities. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5376 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Hewitt; Kastama; McAuliffe; Shin and Stevens.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5399 Prime Sponsor, Senator Rockefeller: Regarding payment of undisputed claims. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5399 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott and Pridemore.

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

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5431 Prime Sponsor, Senator Stevens: Regarding placement of a child returning to out-of-home care. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5431 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5433 Prime Sponsor, Senator Regala: Modifying provisions of local option taxes. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5433 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott and Pridemore.

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

Passed to Committee on Ways & Means.

February 20, 2009

SB 5453 Prime Sponsor, Senator Kastama: Defining "principal residence" for the purpose of relocation of a child. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5453 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

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SB 5480 Prime Sponsor, Senator Delvin: Creating the Washington health care discount plan organization act. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5480 as recommended by Committee on Health & long-Term Care be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Fairley; Hobbs; Keiser; Kline; Kohl-Wells; McDermott; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5482 Prime Sponsor, Senator Haugen: Modifying provisions governing two-wheeled and three-wheeled vehicles. Reported by Committee on Transportation

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

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5509 Prime Sponsor, Senator Marr: Clarifying rental car company charges, surcharges, and fees to be included in rental car agreements. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5509 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Becker; Berkey; Delvin; Eide; Jarrett; Kastama; Kauffman; Kilmer; King; Ranker and Sheldon.

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

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5519 Prime Sponsor, Senator Hargrove: Reforming competency evaluation and restoration procedures. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5519 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5529 Prime Sponsor, Senator Jarrett: Regarding architects. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5529 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and King.

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5539 Prime Sponsor, Senator Oemig: Regarding investment expenses of counties. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5539 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott and Pridemore.

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

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5546 Prime Sponsor, Senator Haugen: Regarding parental or guardian access to juvenile records. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5560 Prime Sponsor, Senator Ranker: Regarding state agency climate leadership. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5560 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Hatfield; Marr; Morton; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Holmquist.

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February 19, 2009

SB 5564 Prime Sponsor, Senator Kohl-Welles: Protecting consumers from breaches of security. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5564 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Holmquist; Honeyford and King.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5611 Prime Sponsor, Senator Hargrove: Concerning facilities to house sexually violent predators. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5636 Prime Sponsor, Senator Swecker: Authorizing the civil air patrol to assist the state in homeland security, disaster relief, and search and rescue operations. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5636 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5638 Prime Sponsor, Senator Swecker: Concerning fire protection district contracts. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5638 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5651 Prime Sponsor, Senator Kohl-Welles: Providing humanitarian requirements for certain dog breeding

practices. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5651 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; King and Kline.

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5655 Prime Sponsor, Senator Roach: Regarding height restrictions on amateur radio antennas. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5655 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Roach; Benton; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5681 Prime Sponsor, Senator Hargrove: Updating election laws regarding the top two primary election system. Reported by Committee on Government Operations & Elections

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Roach and Benton.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5687 Prime Sponsor, Senator Marr: Reducing greenhouse gas emissions through land use and transportation requirements. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5687 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

MINORITY recommendation: Do not pass. Signed by Senators Roach; Benton and Swecker.

Passed to Committee on Ways &amp; Means.

February 19, 2009

SB 5698 Prime Sponsor, Senator Murray: Regulating soil and wetland science professions. Reported by Committee on Labor, Commerce & Consumer Protection

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MAJORITY recommendation: That Substitute Senate Bill No. 5698 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and King.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5702 Prime Sponsor, Senator Hargrove: Clarifying certain community custody and drug offender sentencing alternative sentencing provisions. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5702 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5716 Prime Sponsor, Senator McCaslin: Regarding election requirements for the creation of municipal wards. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5716 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott and Pridemore.

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5727 Prime Sponsor, Senator McDermott: Prohibiting the providing of false information to voters. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5727 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; Benton; McDermott and Pridemore.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5728 Prime Sponsor, Senator McDermott: Concerning elections to fill the remainder of unexpired terms of office for certain statewide elected officials. Reported by Committee on Government Operations & Elections

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5733 Prime Sponsor, Senator Kastama: Modifying tax credits for research and development expenditures. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 5733 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide; Kilmer and McCaslin.

Passed to Committee on Ways & Means.

February 20, 2009

SB 5789 Prime Sponsor, Senator King: Authorizing a second health sciences and services authority. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Hewitt; Kastama; McAuliffe; Shin and Stevens.

Passed to Committee on Ways & Means.

February 20, 2009

SB 5803 Prime Sponsor, Senator Shin: Making changes to the adoption support program. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5803 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell; Kauffman and McAuliffe.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5808 Prime Sponsor, Senator Fairley: Concerning the annexation of unincorporated areas served by fire protection districts. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5808 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott and Pridemore.

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

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5840 Prime Sponsor, Senator Marr: Modifying the energy independence act. Reported by Committee on Environment, Water & Energy

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MAJORITY recommendation: That Substitute Senate Bill No. 5840 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Hatfield; Marr; Ranker and Sheldon.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Holmquist and Morton.

Passed to Committee on Rules for second reading.

February 20, 2009

SB 5854 Prime Sponsor, Senator Kilmer: Reducing climate pollution in the built environment. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5854 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Fraser; Hatfield; Marr and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin; Holmquist and Morton.

Passed to Committee on Ways & Means.

February 19, 2009

SB 5903 Prime Sponsor, Senator Keiser: Regarding public works contracts for residential construction. 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.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5904 Prime Sponsor, Senator Kohl-Welles: Defining independent contractor for purposes of prevailing wage. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5904 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Holmquist; Honeyford and King.

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5907 Prime Sponsor, Senator Keiser: Limiting mandatory overtime for corrections officers and sergeants. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5907 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin and Kline.

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

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

Passed to Committee on Rules for second reading.

February 19, 2009

SB 5976 Prime Sponsor, Senator Haugen: Extending tire replacement fees. Reported by Committee on Transportation

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

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5253 and Senate Bill No. 5560 which were referred to the Committee on Ways & Means.

MOTION

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

MESSAGES FROM STATE OFFICES

January 23, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Office of Lieutenant Governor. This report is mandated under RCW 44.04.270.

If you have any questions about the report, please call 360-786-7730.

Sincerely,

Juliette Schindler Kelly, Chief of Staff  
The Office of Lieutenant Governor report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

January 22, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:  
Enclosed is Substitute Senate Bill 6400 Oversight Committee "Interim Report to the Legislature on Moral Guidance of Incarcerated Persons".

Sincerely,  
Greg Garringer, Chairman

The Substitute Senate Bill 6400 Oversight Committee report "Interim Report to the Legislature on Moral Guidance of Incarcerated Persons" is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

February 23, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:  
Enclosed is Department of Social & Health Services, Workfirst Contract Outcome Measures. This report is mandated under Chapter 58, Laws of 1997, Section 704.

If you have any questions about the report, please call 360-725-4888.

Sincerely,  
Robin Arnold-Williams, Secretary

The Department of Social & Health Services report, Workfirst Contract Outcome Measures is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

February 23, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:  
Enclosed is The Washington Economic Development Commission, The Washington Innovation Economy. This report is mandated under SB 5995.

If you have any questions about the report, please call 360-586-5662.  
The Washington Innovation Economy report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

February 23, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:  
Enclosed is The Washington State Department of Community, Trade & Economic Development "Washington New Americans Program: Report on Program Outcomes and Performance Measures." This report is mandated under ESHB 2687, Section 125, 2008 Supplemental Budget.

If you have any questions about the report, please call 360-725-4011.

Sincerely,  
Juli Wilkerson, Director

The Washington State Department of Community, Trade & Economic Development report "Washington New Americans Program: Report on Program Outcomes and Performance Measures" is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

February 16, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:  
Enclosed is Superintendent of Public Instruction report "2008 Annual Report on Students in Foster Care". This report is mandated under HB 2679.

If you have any questions about the report, please call 360-725-6346.

Sincerely,  
Randy Dorn, State Superintendent of Public Instruction  
The Superintendent of Public Instruction report "2008 Annual Report on Students in Foster Care" is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

January 23, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:  
Enclosed is State of Washington Department of Health report. This report is mandated under 4SHB 1103, Section 12 of Chapter 134, Laws of 2008.

If you have any questions about the report, please call 360-236-4501.

Sincerely,  
Mary Selecky, Secretary  
The State of Washington Department of Health report is on file in the Office of the Secretary of the Senate.



FORTY-THIRD DAY, FEBRUARY 23, 2009  
 MESSAGES FROM STATE OFFICES

2009 REGULAR SESSION  
 Harold Clarke, Secretary

The Washington State Department of Corrections report, work release is on file in the Office of the Secretary of the Senate.

January 29, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
 Secretary of the Senate  
 P.O. Box 40482  
 Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is State of Washington Department of Health, "Progress Report to the Legislature on Water System Acquisition and Rehabilitation Program." This report is mandated under SSB 6340.

If you have any questions about the report, please call 360-236-3110.

Sincerely,

Mary Selecky, Secretary

The State of Washington Department of Health, "Progress Report to the Legislature on Water System Acquisition and Rehabilitation Program" is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

January 29, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
 Secretary of the Senate  
 P.O. Box 40482  
 Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Washington State Department of Health report "Local Health Compliance Pandemic Influenza Performances Standards". This report is mandated under ESSB 6366.

If you have any questions about the report, please call 360-236-4033.

Sincerely,

Mary Selecky, Secretary

The Washington State Department of Health report "Local Health Compliance Pandemic Influenza Performances Standards" is on file in the Office of the Secretary of the Senate.

MESSAGES FROM STATE OFFICES

February 5, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
 Secretary of the Senate  
 P.O. Box 40482  
 Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Washington State Department of Corrections report, work release. This report is mandated under ESSB 6157, Section 301.

If you have any questions about the report, please call 360-725-8267.

Sincerely,

MESSAGES FROM STATE OFFICES

February 23, 2009

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
 Secretary of the Senate  
 P.O. Box 40482  
 Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Washington State Department of Agriculture report "Pesticide Investigation & Enforcement". This report is mandated under RCW 15.58.420 & RCW 17.21.350.

If you have any questions about the report, please call 360-902-2036.

Sincerely,

Robert W. Gore, Acting Director

The Washington State Department of Agriculture report "Pesticide Investigation & Enforcement" is on file in the Office of the Secretary of the Senate.

MOTION

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

MESSAGE FROM THE HOUSE

February 20, 2009

MR. PRESIDENT:

The House has passed the following bills:  
 SUBSTITUTE HOUSE BILL NO. 1079,  
 HOUSE BILL NO. 1089,  
 SUBSTITUTE HOUSE BILL NO. 1103,  
 SUBSTITUTE HOUSE BILL NO. 1110,  
 HOUSE BILL NO. 1127,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 20, 2009

MR. PRESIDENT:

The House has passed the following bills:  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1004,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1033,  
 ENGROSSED HOUSE BILL NO. 1087,  
 and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6074 by Senator Keiser

FORTY-THIRD DAY, FEBRUARY 23, 2009

2009 REGULAR SESSION

AN ACT Relating to creating public health districts; amending RCW 84.52.052; and adding a new chapter to Title 36 RCW.

refunds; amending RCW 76.04.610; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

Referred to Committee on Ways & Means.

SB 6075 by Senators McCaslin and Parlette

AN ACT Relating to requiring revaluations of real property by county assessors when there is a certain percentage reduction in county median home prices; and amending RCW 84.41.030.

Referred to Committee on Government Operations & Elections.

SB 6083 by Senators Pridemore, Tom and Kline

AN ACT Relating to consolidating the growth management hearings boards; amending RCW 36.70A.110, 36.70A.130, 36.70A.172, 36.70A.250, 36.70A.270, 36.70A.280, 36.70A.290, 36.70A.295, 36.70A.302, 36.70A.310, 36.70A.3201, 36.70A.345, 90.58.190, 34.05.518, and 34.12.020; creating a new section; repealing RCW 36.70A.260; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 6076 by Senator Morton

AN ACT Relating to water rights for irrigation districts providing municipal water service; and reenacting and amending RCW 90.14.140.

Referred to Committee on Environment, Water & Energy.

SB 6084 by Senators Pridemore and Tom

AN ACT Relating to recreational hunting and fishing license fees; amending RCW 77.32.350, 77.32.370, 77.32.430, 77.32.450, 77.32.460, 77.32.470, 77.32.480, and 77.32.520; and providing an effective date.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6077 by Senator Rockefeller

AN ACT Relating to improving water management through filing notice of foregone water use and establishing a monitoring system; and creating new sections.

Referred to Committee on Environment, Water & Energy.

SB 6085 by Senators Kastama, Zarelli and Shin

AN ACT Relating to small business loans; adding a new section to chapter 42.56 RCW; adding a new chapter to Title 43 RCW; and creating new sections.

Referred to Committee on Economic Development, Trade & Innovation.

SB 6078 by Senators Prentice and Shin

AN ACT Relating to death benefits under the law enforcement officers' and firefighters' retirement system, plan 1; and amending RCW 41.26.160 and 41.26.161.

Referred to Committee on Ways & Means.

SB 6086 by Senators Kastama, Kilmer and Shin

AN ACT Relating to the use of state lottery proceeds for financial aid for higher education purposes; and creating a new section.

Referred to Committee on Ways & Means.

SB 6079 by Senators Jacobsen, Shin and Marr

AN ACT Relating to adding personal rapid transit and magnetic levitation transit systems to the definition of rail fixed guideway system; and amending RCW 81.104.015.

Referred to Committee on Transportation.

SB 6087 by Senators Kastama and Shin

AN ACT Relating to the duties of the Washington economic development commission; amending RCW 43.330.280; and amending 2007 c 232 s 6 (uncodified).

Referred to Committee on Economic Development, Trade & Innovation.

SB 6080 by Senators Parlette, Sheldon, Pflug and Haugen

AN ACT Relating to studying the level of uniformity and consistency in the assessment of real property for property tax purposes; and creating new sections.

Referred to Committee on Ways & Means.

SB 6088 by Senators Fraser, Swecker, Haugen, Eide, Marr, Sheldon, Berkey, Benton and Shin

AN ACT Relating to commute trip reduction for state agencies; and amending RCW 70.94.541, 70.94.547, and 70.94.551.

Referred to Committee on Transportation.

SB 6081 by Senator Franklin

AN ACT Relating to studying a subtraction method business value added tax as an alternative to the business and occupation tax; and creating a new section.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SB 6082 by Senators Pridemore, Tom and Shin

AN ACT Relating to forest fire protection assessment

SHB 1079 by House Committee on Local Government & Housing (originally sponsored by Representatives Simpson, Nelson, Springer, White and Moeller)

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AN ACT Relating to substitution of growth management hearings board members in the case of vacancy, disqualification, illness, or injury; and amending RCW 36.70A.260 and 36.70A.270.

Referred to Committee on Government Operations & Elections.

HB 1089 by Representatives Hunter and Condotta

AN ACT Relating to harmonizing excise tax statutes with the streamlined sales and use tax agreement; and amending RCW 82.32.730, 82.08.050, 82.02.230, and 82.32.291.

Referred to Committee on Ways & Means.

SHB 1103 by House Committee on Judiciary (originally sponsored by Representatives Moeller, Green, Morrell and Kenney)

AN ACT Relating to the estates of vulnerable adults; amending RCW 11.84.010, 11.84.020, 11.84.025, 11.84.030, 11.84.040, 11.84.050, 11.84.060, 11.84.070, 11.84.080, 11.84.090, 11.84.100, 11.84.110, 11.84.120, 11.84.130, 26.16.120, 41.04.273, and 11.96A.030; and adding new sections to chapter 11.84 RCW.

Referred to Committee on Judiciary.

SHB 1110 by House Committee on Education (originally sponsored by Representatives Sullivan, Liias, Upthegrove, Orwall and Simpson)

AN ACT Relating to prohibiting advertising and marketing to students receiving home-based instruction; and adding a new section to chapter 28A.320 RCW.

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

HB 1127 by Representatives Hurst and Hinkle

AN ACT Relating to financial information; and amending RCW 19.200.010 and 63.14.123.

Referred to Committee on Financial Institutions, Housing & Insurance.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6086 which was referred to the Committee on Ways & Means.

MOTION

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

MOTION

Senator Jacobsen moved adoption of the following resolution:

SENATE RESOLUTION  
8637

By Senators Jacobsen, McAuliffe, and Eide

WHEREAS, Dr. Margaret Tudor has been a driving force in Washington and nationally in encouraging schools to utilize the outdoors as laboratories for the study of science; and

WHEREAS, Dr. Tudor noticed an alarming trend in the direction school science education was taking, a direction that emphasized experimental design courses based solely on experiments that could be replicated (physics and chemistry), but which deemphasized field observational (inquiry) activities (biology, botany, and astronomy); and

WHEREAS, This shift in emphasis in science education resulted in more time in a classroom lab, but less time conducting outdoor investigation activities, exacerbating the problem of getting children outside and active, with a host of known detrimental effects; and

WHEREAS, State science standards were shifting toward measurements that favored indoor experiments to the exclusion of standards for outdoor inquiry, accelerating the shift from the school yard to the science lab; and

WHEREAS, Dr. Tudor subsequently was instrumental in developing state standards that measure field investigations and scientific inquiry through a tiered system of systematic collection of data: Descriptive (describe your environment); comparative (compare your environment to another); and correlative (measure or observe two variables and search for relationships); and

WHEREAS, Dr. Tudor was successful in getting these concepts adopted for the kindergarten through twelfth grade Science Education Standards in Washington; and

WHEREAS, She was recruited to lead a national effort to implement these field inquiry standards in other states, with a growing number of Schools of Education and state boards of education adopting them; and

WHEREAS, This is just the latest achievement in Dr. Tudor's eighteen-year career in which she cocreated the pioneering NatureMapping program; led the development of "citizen scientists" (students and adults) to collect valuable data for resource professionals; cocreated the Pacific Education Institute, a public-private consortium of heads of outdoor-oriented state agencies, schools of education, local and state education offices, and businesses and nonprofit organizations to encourage project-based inquiry programs that are grounded in Washington state's educational reform goals; and is leading development efforts to harness the power of eighty thousand high school seniors (annually) to conduct outdoor environmental senior projects; all of which get children into the out-of-doors for health and environmental improvements;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor Dr. Margaret Tudor and her associates for their vision in implementing programs that successfully address two downward trends: The acceptance of outdoor inquiry-based learning as valid science; and the health and obesity issues associated with children spending less time outdoors; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Dr. Margaret Tudor.

Senators Jacobsen and McAuliffe spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8637.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Dr. Margaret Tudor who was seated in the gallery.

MOTION

On motion of Senator Eide, Senate Rule 46 was suspended, for the morning of Tuesday, February 24, 2009 to allow committees to meet during a scheduled caucus.

MOTION

At 12:13 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Tuesday, February 24, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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PRESIDENT OF THE SENATE (SENATOR FRANKLIN  
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