

THIRTY SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, February 9, 2012

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Benton, Brown, Haugen, Murray and Pflug.

The Sergeant at Arms Color Guard consisting of Pages Catherine Thatcher and Clinton Timmermans, Jr., presented the Colors. Pastor Brad Carlson of Yelm Prairie Christian Center offered the prayer.

MOTION

On motion of Senator Ericksen, Senator Pflug was excused.

MOTION

On motion of Senator Harper, Senators Kohl-Welles and Murray were excused.

MOTION

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

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 7, 2012

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.

KELSEY GRAY, appointed January 23, 2012, for the term ending June 30, 2017, as Member of the Gambling Commission.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Labor, Commerce & Consumer Protection.

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

February 8, 2012

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6239.
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 8, 2012

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1627,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2314.
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 8, 2012

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 1775,
HOUSE BILL NO. 2285.
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 8, 2012

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 2191,
HOUSE BILL NO. 2256,
SUBSTITUTE HOUSE BILL NO. 2259,
SUBSTITUTE HOUSE BILL NO. 2270,
HOUSE BILL NO. 2274,
SUBSTITUTE HOUSE BILL NO. 2313.
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 8, 2012

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2223,
ENGROSSED HOUSE BILL NO. 2469.
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 8, 2012

MR. PRESIDENT:

The House has passed:

SUBSTITUTE HOUSE BILL NO. 2299,
SUBSTITUTE HOUSE BILL NO. 2312.
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 6594 by Senators Kastama, Hobbs, Tom and Hatfield

AN ACT Relating to government operation; amending RCW 43.09.260, 43.17.390, 82.08.020, and 82.12.0201; adding a new section to chapter 44.04 RCW; adding a new section to chapter 43.09 RCW; and making appropriations.

Referred to Committee on Government Operations, Tribal Relations & Elections.

MOTION

On motion of Senator Eide, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MOTION

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

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fraser moved that Gubernatorial Appointment No. 9248, Amit Ranade, as a member of the Public Disclosure Commission, be confirmed.

Senator Fraser spoke in favor of the motion.

MOTION

On motion of Senator Ericksen, Senator Benton was excused.

APPOINTMENT OF AMIT RANADE

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9248, Amit Ranade as a member of the Public Disclosure Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9248, Amit Ranade as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 3; Excused, 3.

Voting yea: Senators Baumgartner, Becker, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Harper, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Nelson, Padden, Parlette, Prentice,

Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Absent: Senators Brown, Hargrove and Haugen

Excused: Senators Benton, Murray and Pflug

Gubernatorial Appointment No. 9248, Amit Ranade, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Little Miss Rodeo, Riata Marchant, and 2012 Miss Omak Stampede Katie Fergus, who were seated at the rostrum.

REMARKS BY MISS KATIE FERGUS

Miss Katie Fergus: "Good morning, I would like to invite you all to the Omak Stampede which is always the second weekend in August."

REMARKS BY THE PRESIDENT

President Owen: "And I've been there and it's a great time. Thank you both for being here this morning."

SECOND READING

SENATE BILL NO. 6226, by Senators Frockt, Harper, Regala, Zarelli, Fain, Hargrove, Kohl-Welles and Keiser

Concerning authorization periods for subsidized child care.

MOTIONS

On motion of Senator Frockt, Substitute Senate Bill No. 6226 was substituted for Senate Bill No. 6226 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Frockt, the rules were suspended, Substitute Senate Bill No. 6226 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Frockt spoke in favor of passage of the bill.

REMARKS BY SENATOR KOHL-WELLES

Senator Kohl-Welles: Thank you Mr. President. Well, as somebody who has had legislation introduced and deliberated on and enacted actually for many, many years having to do with child care. I really thought that I knew a lot about this issue but after listening to the good Senator here now I'm getting a little confused about whether we're on the same page here. Maybe it's because the good Senator is a lawyer and speaks in legalize. I'm thinking, I'm going to have to really determine whether I'm going to vote for this bill now because I'm not sure what was said about it. Thank you."

REMARKS BY SENATOR KING

Senator King: "Thank you Mr. President. Well, I have set here and listened to this. I believe that somewhere in this explanation he said, 'this is a very simple bill.' Well, if it's a simple bill why did it take him fifteen minutes to tell us about it? Thank you Mr. President."

REMARKS BY SENATOR PRIDEMORE

THIRTY SECOND DAY, FEBRUARY 9, 2012

2012 REGULAR SESSION

Senator Pridemore: “WAKE UP! I understand that proceeding speaker may have put a lot of you to sleep. He was speaking about an extremely important bill, It does go to remind us however that there is no bill that is so simple that can’t be complicated by a lawyer. Heard a lot of first speeches in my eight years in the Senate, I’ve got to say that that one, you know most senators come in and spend a lot of time preparing for their first speech. It’s impressive to note that Senator Frockt didn’t bother with that preparation. Actually what astonished me most was the fact that I think for the first time in my eight years in the senate somebody gave a longer speech than Senator Kohl-Welles. So, Mr. President, I agree with Senator Kohl-Welles, I’m no longer sure if I support this bill or not. Frankly, no longer sure what it does. I’ll need to spend some time.”

Senators Kohl-Welles, King and Pridemore spoke on final passage of the bill.

PERSONAL PRIVILEGE

Senator Fraser: “Well, I would like to come a little bit to Senator’s defense here. I did time the speech. We do have a lot of unwritten rules around here about speeches. One of them related to length so I won’t give out the time. Sometimes the time, the real time is different than perceived time, of course, but I did hear on the radio this morning, for everybody’s benefit, that there’s a city in China that just adopted a rule that no member can speak for no longer than an hour. I did learn recently that in the other body they have a rule that you can speak no longer than 10 minutes and that was a little bit of a surprise. So, I, the good Senator did speak for less than that but we do have kind of old rules. You might call them Shakespearean. Brevity is the soul of wit and you did well and it’s, I’m sure you’ll have a great future here.”

PERSONAL PRIVILEGE

Senator Kline: “For those of us who need to take the advice of the good senator from Vancouver and wake up. I just want to point out that as usual at this time of the legislative session over there in this side of the wings the machine is together. There’s coffee and unfortunately, since we don’t have a fridge, there’s no milk. So, for those of us who are truly manly in our drinking habits and don’t love that frumpily stuff and those lattes. I just want you to know that only real men are going to be able to drink coffee over there. One of the real men in this floor I know the good senator from the fifth has been over on our side already and has the instructions for using this so you’ll have to drink it straight the way they do in Italy and Spain and France, ok? It will be over here, just push the button. If you have any problems let me know and I have the instructions here too. Thanks.”

REMARKS BY SENATOR HONEYFORD

Senator Honeyford: “Thank you Mr. President. I’m going to urge everyone to vote no on this. The adage in the legislature is if you have the votes, vote, if you don’t, talk. So obviously he doesn’t have the votes so I would say vote no.”

PERSONAL PRIVILEGE

Senator Shin: “I like my colleagues in the senate to know that I was so grateful and thank you so much for what you have done yesterday, Senator Kline you did a marvelous job, you’re my giant and Senator Kohl-Welles, between the two of you I was so touched. I think our state is a pioneering against prostitution

and importation of prostitution from abroad. Unfortunately many comes from Asia, it pains me and hurts me so much and I think we are wonderful state and area to pioneer such things to pass these bills to prevent from this happening and I wish that the rest of the states in the western part follow suit and they will thank us. Thank you Mr. President.”

Senator Regala spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6226.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6226 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator Pflug

SUBSTITUTE SENATE BILL NO. 6226, 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.

PERSONAL PRIVILEGE

Senator Ranker: “Thank you Mr. President. I wanted to point for the good Senator from the Forty-Sixth, first of all, welcome, it is wonderful to have you in this chamber. I also wanted to let you know that we received these wonderful piles of paper from our staff, on the left, these are our bill book right, and on the left side it has these motions and such and it just says summarize the bill. I wanted to point out you don’t need to read the entire bill. You just summarize the bill. That was the single longest speech I’ve ever heard on this, that was remarkable. So, thank you so much for your clarity and your depth of knowledge of your bill. It was remarkable but in the future maybe a little more of a summary instead of reading the entire bill. Thank you.”

PERSONAL PRIVILEGE

Senator Sheldon: “Thank you Mr. President. After listening to the debate and some of the messages here on the floor is conveyed here about Senator Frockt I just want to close this because I think I understand. Senator Frockt and I attended the University of Pennsylvania. I was a little bit earlier than him but I’ve gone back through the records there and there’s a word in everyone’s lexicon about attorneys and that is, ‘a Philadelphia lawyer.’ So, I think that explains it quite well but we welcome him anyway and he’ll do a wonderful job here on the senate floor.”

PERSONAL PRIVILEGE

Senator Eide: “Thank you Mr. President. Well, I just want to make sure that those of you that are watching and that are up in the gallery, that it is a tradition in the senate to roast a maiden speech and Senator Frockt it was his first bill on the senate floor and I just want you to know it was a very good bill regarding child

care and we take things very seriously. Every once in a while when we have a new member on the floor we do roast them after their first speech.”

REPLY BY THE PRESIDENT

President Owen: “Senator Eide, the President would like to make a clarification because by our rules it would be inappropriate to demean another member by roasting them. I believe what the members were trying to do was trying to explain some of the process in the session to the new senator and explain to him how maybe in the future he could do a better job of keeping us awake. That was my understanding of it rather than a roast.”

PERSONAL PRIVILEGE

Senator Frockt: “Well, first of all I appreciate that Mr. President and I clearly invited the roasting and I gave you lots of material to work with and by this I’m instructing my press guy to destroy the tape that he was just making of my maiden speech so we don’t use it. I have gifts for all of you that I believe are at the rostrum that will be given out. I just wanted to let you know, thank you for the warm welcome to this body. The gifts are from my district from a chocolatier place in my district on Aurora Avenue. It’s a great place, they gave us red and blue. The lady asked me what kind of ribbons I wanted and I said, she said ‘We have red or blue’ and I said, ‘Madam you have no idea where I work, I need both.’ So for of you I have red. For some of you, I have blue ribbons. Some of you I have purple. I appreciate the warm welcome. I will try to be more brief next time I speak. Thank you.”

SECOND READING

SENATE BILL NO. 6354, by Senators Rolfes, Kastama, Chase, Tom, Frockt and McAuliffe

Requiring state agencies to offer electronic filing for business forms.

MOTIONS

On motion of Senator Rolfes, Substitute Senate Bill No. 6354 was substituted for Senate Bill No. 6354 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rolfes, the rules were suspended, Substitute Senate Bill No. 6354 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rolfes spoke in favor of passage of the bill.

Senator Nelson spoke on final passage of the bill.

MOTION

On motion of Senator Benton, Senator Roach was excused.

POINT OF INQUIRY

Senator Conway: “Would the good lady from the twenty-third yield her cell phone to a question?”

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6354.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6354 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Pflug and Roach

SUBSTITUTE SENATE BILL NO. 6354, 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.

PERSONAL PRIVILEGE

Senator Fraser: “Well, thank you Mr. President. Well, it’s a pleasure to welcome Senator Christine Rolfes to the Senate floor for the purpose of making speeches. Until today we’ve only been able to watch her in action so today we begin hearing her in action. Of course watching her in action is very nice. She’s always pleasant, business-like, organized, polite and cheery and above all very kind to everybody. In fact, to quote from ‘My Fair Lady,’ ‘the milk of human kindness by the quart in every vein.’ But now to start listening to her speeches and I now I expect sometime she’ll be given a speech on the milk on human kindness and my request is please make it condensed, but not so condensed that we don’t know what’s in the bill.”

PERSONAL PRIVILEGE

Senator Sheldon: “Well, thank you Mr. President. You know when the, I took a look at the map, obviously, of our legislative districts and certainly been aware for a long time that the twenty-third legislative district is adjacent to the under-privileged thirty-fifth district. I started to put two and two together. I knew that Senator Rockefeller was representing the twenty-third district and a Representative Rolfes was going to be appointed to Senator Rockefeller’s seat. I knew that there was wealth somewhere. This is all about money. So, on my own I spent some time following you as you left the house, I apologize for that, my car stayed back a ways and we crossed the Agate Pass Bridge, we got to Bainbridge Island. She did not pull into a tract house, let’s say, something you know you would think that a representative might live in that really represents the people. No, it was large, very large, huge driveway, large pillars. We came down toward the mansion, I’ll call it a mansion. It was big Mr. President, eight fireplaces. I noticed out in front the gardeners were still keeping things quite well around there, but they were clipping around these large anchors and some of the nautical things that were on the estate. I won’t call it the yards, the grounds of the estate. Then I started thinking she’s very, very interested in ferries. Spends a lot of time on ferry advisory groups, talking about ferries, did a little research on the internet, found she and her husband manufacture ferries, amazing. Amazing information right at your fingertips today. So, just want you to be very careful when she brings those ferry construction bills up. Senator Haugen, be very, very careful. There’s something else going on here when you follow a Rockefeller to the state senate you know something’s up.”

PERSONAL PRIVILEGE

THIRTY SECOND DAY, FEBRUARY 9, 2012

2012 REGULAR SESSION

PERSONAL PRIVILEGE

Senator Ranker: “Thank you Mr. President. I want to welcome the good Senator from the twenty-third to this magnificent chamber. I’m very pleased to have her here because we share so many values. We do. We both come from Islands that are ferry served and we are very passionate about taking care of Washington States Ferries. We are both very passionate about the environment and the marine protection and I really got to know the good lady from the twenty third over the last couple of years when there would be these random chaotic, not necessary deliberate ideas coming out of the other chamber that we would have to fix over here but I knew that because it was the Representative from the twenty third that there was some passion and some real something in there. So, first we got to know her from fixing some really interesting bills. My favorite however was last year, when several of us had been working on an issue with regard to oil spills and some other matters for a long time. I dropped a bill and over here in this chamber we’d been working on it for weeks when I heard there was a Representative from the twenty third who was screaming and saying, ‘I have a new idea’ and that new idea just happen to be that same exact idea that we had been working on for months in the higher chamber. It was interesting to me that the passion and the excitement didn’t really get to a finished product until it was fixed in this chamber so I’m glad, I’m so pleased that the good Representative is now our Senator from the twenty third district so she can fix her own problems. In all seriousness I think it is wonderful to have you in this chamber and I welcome your input and compassion with regard to many issues that we do share. Thank you.”

PERSONAL PRIVILEGE

Senator Schoesler: “Well, Mr. President, being in this body for eight years now I’ve learned to be patient, tolerant of those new to the body. Give them the benefit of the doubt on legislation so when the previous bill came up I thought after the previous power outage how would you file those forms electronically? The power outage was so bad in some areas the U. S. Mail service would have been quicker but I trusted the new member. But now the fatal flaw has been discovered. The curly-headed gentleman in the back of the chamber whole-heartedly endorsing her with his values probably is a kiss of death for her in this body. Thank you.”

PERSONAL PRIVILEGE

Senator Delvin: “Thank you. Well, I mayas well just pile on on this one. I was asked last year to lead take a delegation of legislators to China so I was the only Senate member that ended up going and there was House members and then I met the good lady from the twenty third. She kept saying it was going to be nice working with you next year. I go, ‘I don’t go to the house much you know to work on things.’ I kept wondering what was she talking about you know and then someone called her a Senator and I said ‘No, she’s a Representative she’s not a Senator.’ They said ‘No, she’s replacing Rockefeller,’ I go ‘Oh gosh, at least she’s better looking than Rockefeller was’ so, I gave her credit for that but actually she added a lot to our little delegation. Good addition even though she was the only democrat. We accepted her, took her under our wings showed her all about you know how we do things in the Republican party but she adapted well. She is good hearted. I think we all enjoyed her company on the trip so, it will be a pleasure working with you over here in the senate now that you’re here officially. Thank you.”

Senator Honeyford: “Well, this is on a more serious vein, I just wanted to say that when she was in the other body across the rotunda that I had a bill over there and she called or emailed I don’t remember which and offered to help get my bill through the committee and that’s the first time that I had someone from the other body and the other party do that. So, thank you.”

PERSONAL PRIVILEGE

Senator Pridemore: “Thank you Mr. President. I just wanted to thank Representative Rolfes, my apologies Mr. President, Senator Rolfes. I wanted to thank her for giving a shorter maiden speech. Frankly I was timing hers with a stop watch. With Senator Frockt I had to use a calendar. It actually, mid-way through Senator Frockt’s speech I was afraid I was going to have to go out and shave again so a couple things, Senator Rolfes, a couple things you need to know about the senate just so your aware, first off the microphones in the committee hearings are always on. That comment you made about Senator Kline the other day were just inappropriate. This stuff about Senator Benton were true but this stuff about Kline was just wrong. Another thing to note and its very important, a lot of us have to be conscience of this, in the Senate we wear mouse in our hair we wear styling gel, we use hair spray. We don’t use all three, ok? Thank you Mr. President.”

PERSONAL PRIVILEGE

Senator Hobbs: “I just realized that we have Senator Rolfes. I thought it was Representative Rolfes because I didn’t know because she was here drinking on the floor and eating and I was just like, well, a Senator doesn’t do that, only Representative does that or Hargrove does those things and that was just yesterday Mr. President. I was just curious she also had a cell phone while she was doing a roll call vote. I know you couldn’t see it because the hair kept it in place. You couldn’t quite see it but there was a cell phone there. So, I just want to remind the good Senator that we don’t eat on the floor, we don’t drink on the floor and we don’t use a cell phone while we are on the floor so I just want to point that out because if you can do it I get upset because I can’t do it. but we all agree that Hargrove gets away with it because he’s really good at hiding it. so, welcome to the Senate.”

REMARKS BY THE PRESIDENT

President Owen: “The dead giveaway on the cell phone was the hand in the ear. I had a pretty good idea that she wasn’t scratching her ear at that time. Senator Rolfes.”

PERSONAL PRIVILEGE

Senator Rolfes: “Thank you Mr. President. I guess I need to give it a few more weeks before I start to rally around the changing of some of the floor rules. I also want to say I sincerely thank Senator Zarelli and Hewitt for their yes votes on my bill and I will remember that later on in session. I want to thank you. That was a really nice welcome. I was really only afraid of what Kevin was going to say and I understand we are not allowed to say liar on the floor but I just wanted to yell it loud. Thank you for laughing Senator. But sincerely thank you it’s a little bit awkward to come in the middle of session and fill somebody else’s seat while representing the same people that you represented on the other body. It’s taking time to get used to the rules and meet

people and to get to know the staff but you all have made me feel welcome and I thank you for that. I also like Senator Frockt because I understand that's the tradition. Mine are a little bit quirky. What's so funny about that? It's empty, Mr. President. The gifts are a little bit quirky; I thought that would kind of liven things up a little bit in this state institution. They're made they're small gifts, some are salt, some are mustard, some are salmon, there's a little bit of art. My office kind of went through and picked out specific presents that we thought would be appropriate. They were all made by very, very small companies in the twenty-third. Some of them have gone through the state employment program and learned how to start their own businesses. Others have mentored through that program or have supported that small business so please enjoy the fruits of labor from the main streets of the twenty-third legislative district. Thank you."

MOTION

On motion of Senator Harper, Senator Regala was excused.

SECOND READING

SENATE BILL NO. 6142, by Senators Kilmer, Becker, Rolfes, Hatfield, Kastama, Baumgartner, Eide, Fain, Hobbs, Shin, Parlette, Chase and Frockt

Changing agency regulatory practices.

MOTIONS

On motion of Senator Kilmer, Substitute Senate Bill No. 6142 was substituted for Senate Bill No. 6142 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kilmer, the rules were suspended, Substitute Senate Bill No. 6142 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kilmer, Kastama and Pridemore spoke in favor of passage of the bill.

MOTION

On motion of Senator Ericksen, Senator Stevens was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6142.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6142 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker, Tom and Zarelli

Excused: Senators Pflug and Stevens

SUBSTITUTE SENATE BILL NO. 6142, 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. 6078, by Senators Ranker, Swecker, Regala, Kline, Schoesler, Fain, Kilmer, Harper, Shin, Litzow, Fraser, Keiser, Conway, Hargrove and Rolfes

Implementing efficiencies in the management of the state's natural resources.

MOTION

On motion of Senator Ranker, Substitute Senate Bill No. 6078 was substituted for Senate Bill No. 6078 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ranker moved that the following amendment by Senator Ranker be adopted:

On page 2, line 34, after "agencies" insert "and consistent with RCW 43.82.010. The agencies shall seek to align the implementation of this subsection with the development and implementation of the six-year facility plan required under RCW 43.82.055 wherever possible in order to promote efficiencies"

Senator Ranker 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 Ranker on page 2, line 34 to Substitute Senate Bill No. 6078.

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

MOTION

On motion of Senator Ranker, the rules were suspended, Engrossed Substitute Senate Bill No. 6078 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ranker and Schoesler 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. 6078.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6078 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Absent: Senator Frockt

Excused: Senator Pflug

ENGROSSED SUBSTITUTE SENATE BILL NO. 6078, 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.

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SIGNED BY THE PRESIDENT

The President signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6239.

MOTION

On motion of Senator Eide, Senators Frockt and Prentice were excused.

SECOND READING

SENATE BILL NO. 6038, by Senators Delvin and McAuliffe

Excluding permanent school building space used for STEM schools from eligibility determinations for state school plant funding assistance. Revised for 1st Substitute: Requiring rules to address school construction assistance for schools in shared or colocated facilities.

MOTIONS

On motion of Senator Delvin, Substitute Senate Bill No. 6038 was substituted for Senate Bill No. 6038 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Delvin, the rules were suspended, Substitute Senate Bill No. 6038 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Delvin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6038.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6038 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Pflug and Prentice

SUBSTITUTE SENATE BILL NO. 6038, 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. 6041, by Senators McAuliffe, Litzow, Rolfes and Hobbs

Regarding lighthouse school programs.

MOTIONS

On motion of Senator McAuliffe, Substitute Senate Bill No. 6041 was substituted for Senate Bill No. 6041 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McAuliffe, the rules were suspended, Substitute Senate Bill No. 6041 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McAuliffe and Litzow spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6041.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6041 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Pflug and Prentice

SUBSTITUTE SENATE BILL NO. 6041, 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

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

MOTION

Senator Rolfes moved adoption of the following resolution:

SENATE RESOLUTION
8680

By Senators Rolfes, Eide, Frockt, Ranker, Pridemore, Schoesler, Holmquist Newbry, Kline, Kohl-Welles, Harper, Carrell, Conway, Keiser, Swecker, Becker, Morton, Roach, Honeyford, Sheldon, Shin, Fraser, Zarelli, and Chase

WHEREAS, The Washington State Senate joins with people across our great state and our nation to recognize the sacrifices our veterans have made, during both time of war and time of peace; and

WHEREAS, Over 670,000 veterans choose to live in the state of Washington, including over 47,000 women veterans; and

WHEREAS, Their service to our country during both times of peace and times of conflict ensure that America remains a symbol of freedom and democracy across the world, and the work of our military forces exemplifies the discipline, focus, and sacrifices it takes to achieve success; and

WHEREAS, Many veterans actively continue to serve our country, by advocating for fellow veterans through a variety of service organizations, by utilizing their skills to start small businesses in our communities, and by serving in political office or as community leaders; and

WHEREAS, The burden of military service is born by a small percentage of Americans who bravely give their time and talent to their country, and by their families who support them through long absences;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honors the clear demonstration of leadership, ability, and unstinting bravery of our veterans; and

BE IT FURTHER RESOLVED, That the Senate expresses its deep appreciation to the dedicated families of these men and women; and to the people in our communities who dedicate their time, talents, and resources to comfort, assist, and honor these patriotic citizens; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to President Barack Obama; Secretary of Defense Leon E. Panetta; Secretary of State Hillary Clinton; General Martin Dempsey, Chair of the Joint Chiefs of Staff; Joint Base Lewis-McChord Commander Major General Lloyd Miles; Navy Region Northwest Commander Rear Admiral Douglass T. Biesel; Washington Governor Chris Gregoire and First Gentleman Mike Gregoire; Washington National Guard Adjutant General Timothy J. Lowenberg; and Washington Department of Veterans Affairs Director John E. Lee.

Senators Rolfes, Conway, Roach, Kohl-Welles, Shin, Carrell, Benton, McAuliffe, Baumgartner and Hobbs spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8680.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of Veterans of America who were seated in the gallery.

MOTION

At 12:00 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:42 p.m. by the President Pro Tempore.

MOTION

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

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Holmquist Newbry moved that Gubernatorial Appointment No. 9204, Jonathan Lane, as a member of the Board of Trustees, Big Bend Community College District No. 18, be confirmed.

Senator Holmquist Newbry spoke in favor of the motion.

MOTION

On motion of Senator Harper, Senators Brown, Hatfield, Hobbs, Kastama, Murray and Tom were excused.

MOTION

On motion of Senator Ericksen, Senators Benton, King and Zarelli were excused.

APPOINTMENT OF JONATHAN LANE

The President Pro Tempore declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9204, Jonathan Lane as a member of the Board of Trustees, Big Bend Community College District No. 18.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9204, Jonathan Lane as a member of the Board of Trustees, Big Bend Community College District No. 18 and the appointment was confirmed by the following vote: Yeas, 41; Nays, 0; Absent, 1; Excused, 7.

Voting yea: Senators Baumgartner, Becker, Benton, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Haugen, Hewitt, Hill, Holmquist Newbry, Honeyford, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker and Zarelli

Absent: Senator Roach

Excused: Senators Brown, Hatfield, Hobbs, Kastama, Murray, Pflug and Tom

Gubernatorial Appointment No. 9204, Jonathan Lane, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Big Bend Community College District No. 18.

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Sheldon moved that Gubernatorial Appointment No. 9202, Lawrence Kenney, as a member of the Energy Northwest, be confirmed.

Senators Sheldon and Frockt spoke in favor of passage of the motion.

MOTION

On motion of Senator Delvin, Senator Roach was excused.

APPOINTMENT OF LAWRENCE KENNEY

The President Pro Tempore declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9202, Lawrence Kenney as a member of the Energy Northwest.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9202, Lawrence Kenney as a member of the Energy Northwest and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Baumgartner, Becker, Benton, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

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Excused: Senators Brown, Pflug and Roach
Gubernatorial Appointment No. 9202, Lawrence Kenney, having received the constitutional majority was declared confirmed as a member of the Energy Northwest.

The measure was read the second time.

MOTION

On motion of Senator Harper, Senators Hatfield and Hobbs were excused.

MOTION

On motion of Senator Chase, the rules were suspended, Senate Bill No. 5404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Chase spoke in favor of passage of the bill.

The President assumed the chair.

MOTION

SECOND READING

On motion of Senator Harper, Senator Tom was excused.

SENATE BILL NO. 5401, by Senators Chase, Kastama and McAuliffe

The President declared the question before the Senate to be the final passage of Senate Bill No. 5404.

Authorizing use of sales and use tax proceeds for certain public facilities in innovation partnership zones for economic development purposes.

ROLL CALL

The measure was read the second time.

The Secretary called the roll on the final passage of Senate Bill No. 5404 and the bill passed the Senate by the following vote: Yeas, 36; Nays, 9; Absent, 0; Excused, 4.

MOTION

Voting yea: Senators Baumgartner, Becker, Brown, Chase, Conway, Delvin, Eide, Fain, Fraser, Frockt, Hargrove, Harper, Haugen, Hewitt, Holmquist Newbry, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Pridemore, Ranker, Regala, Roach, Rolfes, Sheldon, Shin, Stevens, Swecker and Tom

On motion of Senator Chase, the rules were suspended, Senate Bill No. 5401 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Voting nay: Senators Benton, Carrell, Ericksen, Hill, Honeyford, Padden, Parlette, Schoesler and Zarelli

Senators Chase and Kastama spoke in favor of passage of the bill.

Excused: Senators Hatfield, Hobbs, Pflug and Prentice

The President declared the question before the Senate to be the final passage of Senate Bill No. 5401.

SENATE BILL NO. 5404, 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.

ROLL CALL

SECOND READING

The Secretary called the roll on the final passage of Senate Bill No. 5401 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 16; Absent, 0; Excused, 4.

SENATE BILL NO. 6197, by Senators Conway, Parlette, Keiser and Becker

Voting yea: Senators Becker, Chase, Conway, Eide, Fain, Fraser, Frockt, Hargrove, Harper, Haugen, Holmquist Newbry, Kastama, Keiser, Kilmer, Kline, Kohl-Welles, Litzow, McAuliffe, Murray, Nelson, Prentice, Pridemore, Ranker, Regala, Rolfes, Sheldon, Shin, Swecker and Tom

Including pharmacists in the legend drug act.

MOTIONS

Voting nay: Senators Baumgartner, Benton, Carrell, Delvin, Ericksen, Hewitt, Hill, Honeyford, King, Morton, Padden, Parlette, Roach, Schoesler, Stevens and Zarelli

On motion of Senator Conway, Substitute Senate Bill No. 6197 was substituted for Senate Bill No. 6197 and the substitute bill was placed on the second reading and read the second time.

Excused: Senators Brown, Hatfield, Hobbs and Pflug

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 6197 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SENATE BILL NO. 5401, 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.

Senators Conway and Parlette spoke in favor of passage of the bill.

MOTION

On motion of Senator Harper, Senator Prentice was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6197.

SECOND READING

ROLL CALL

SENATE BILL NO. 5404, by Senators Chase, Kastama, Hatfield, Shin, Prentice, McAuliffe, Kohl-Welles, Conway and Keiser

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6197 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Authorizing community economic revitalization board funding to benefit innovation partnership zones.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser,

Frocht, Hargrove, Harper, Haugen, Hewitt, Hill, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Hatfield, Hobbs, Pflug and Prentice

SUBSTITUTE SENATE BILL NO. 6197, 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. 6216, by Senators Padden, Regala, Hargrove, Baumgartner, Kohl-Welles and Roach

Providing immunity for nonprofit and charitable corporations that provide used eyeglasses for charitable purposes.

MOTIONS

On motion of Senator Padden, Substitute Senate Bill No. 6216 was substituted for Senate Bill No. 6216 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Padden, the rules were suspended, Substitute Senate Bill No. 6216 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Padden, Brown and Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6216.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6216 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frocht, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Absent: Senator Kline

Excused: Senators Pflug and Prentice

SUBSTITUTE SENATE BILL NO. 6216, 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. 5715, by Senators Kohl-Welles, McAuliffe, Litzow, Harper and Kline

Requiring adoption of core competencies for early care and education professionals. Revised for 1st Substitute: Requiring adoption of core competencies for early care and education professionals and child and youth development professionals.

MOTION

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5715 was substituted for Senate Bill No. 5715 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Delvin moved that the following amendment by Senators Delvin and Kohl-Welles be adopted:

On page 1, line 17, after "field;", strike "and"

On page 1, after line 19, after "system" insert "; and

(5) Recognize existing standards met by nationally chartered nonprofit youth development agencies providing facility-based after school services for school age children as relevant and sufficient standards"

Senator Delvin 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 Delvin and Kohl-Welles on page 1, line 17 to Substitute Senate Bill No. 5715.

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

MOTION

Senator Kohl-Welles moved that the following amendment by Senators Kohl-Welles and McAuliffe be adopted:

On page 2, line 3, after "31," strike "2011" and insert "2012"

Senator Kohl-Welles 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 Kohl-Welles and McAuliffe on page 2, line 3 to Substitute Senate Bill No. 5715.

The motion by Senator Kohl-Welles carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Engrossed Substitute Senate Bill No. 5715 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kohl-Welles 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. 5715.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5715 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 9; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Fain, Fraser, Frocht, Hargrove, Harper, Haugen, Hewitt, Hill, Hobbs, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Murray, Nelson, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker and Tom

Voting nay: Senators Baumgartner, Ericksen, Hatfield, Holmquist Newbry, Morton, Padden, Parlette, Stevens and Zarelli

Excused: Senators Pflug and Prentice

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ENGROSSED SUBSTITUTE SENATE BILL NO. 5715, 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

On motion of Senator Ericksen, Senator Becker was excused.

SECOND READING

SENATE BILL NO. 6296, by Senators Harper, Carrell and Shin

Modifying background check provisions.

The measure was read the second time.

MOTION

Senator Harper moved that the following striking amendment by Senators Harper and Carrell be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 10.97.030 and 1999 c 49 s 1 are each amended to read as follows:

For purposes of this chapter, the definitions of terms in this section shall apply.

(1) "Criminal history record information" means information contained in records collected by criminal justice agencies, other than courts, on individuals, consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including acquittals by reason of insanity, dismissals based on lack of competency, sentences, correctional supervision, and release.

The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

(a) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;

(b) Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis;

(c) Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings;

(d) Records of traffic violations which are not punishable by a maximum term of imprisonment of more than ninety days;

(e) Records of any traffic offenses as maintained by the department of licensing for the purpose of regulating the issuance, suspension, revocation, or renewal of drivers' or other operators' licenses and pursuant to RCW 46.52.130;

(f) Records of any aviation violations or offenses as maintained by the department of transportation for the purpose of regulating pilots or other aviation operators, and pursuant to RCW 47.68.330;

(g) Announcements of executive clemency;

(h) Intelligence, analytical, or investigative reports and files.

(2) "Nonconviction data" consists of all criminal history record information relating to an incident which has not led to a conviction or other disposition adverse to the subject, and for which proceedings are no longer actively pending. There shall be a rebuttable presumption that proceedings are no longer actively

pending if more than one year has elapsed since arrest, citation, charge, or service of warrant and no disposition has been entered.

(3) "Conviction record" means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the subject.

(4) "Conviction or other disposition adverse to the subject" means any disposition of charges other than: (a) A decision not to prosecute; (b) a dismissal; or (c) acquittal; with the following exceptions, which shall be considered dispositions adverse to the subject: An acquittal due to a finding of not guilty by reason of insanity and a dismissal by reason of incompetency, pursuant to chapter 10.77 RCW; and a dismissal entered after a period of probation, suspension, or deferral of sentence.

(5) "Criminal justice agency" means: (a) A court; or (b) a government agency which performs the administration of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice.

(6) "The administration of criminal justice" means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The term also includes criminal identification activities and the collection, storage, dissemination of criminal history record information, and the compensation of victims of crime.

(7) "Disposition" means the formal conclusion of a criminal proceeding at whatever stage it occurs in the criminal justice system.

(8) "Dissemination" means disclosing criminal history record information or disclosing the absence of criminal history record information to any person or agency outside the agency possessing the information, subject to the following exceptions:

(a) When criminal justice agencies jointly participate in the maintenance of a single record keeping department as an alternative to maintaining separate records, the furnishing of information by that department to personnel of any participating agency is not a dissemination;

(b) The furnishing of information by any criminal justice agency to another for the purpose of processing a matter through the criminal justice system, such as a police department providing information to a prosecutor for use in preparing a charge, is not a dissemination;

(c) The reporting of an event to a record keeping agency for the purpose of maintaining the record is not a dissemination.

Sec. 2. RCW 10.97.050 and 2005 c 421 s 9 are each amended to read as follows:

(1) Conviction records may be disseminated without restriction.

(2) Any criminal history record information which pertains to an incident that occurred within the last twelve months for which a person is currently being processed by the criminal justice system, including the entire period of correctional supervision extending through final discharge from parole, when applicable, may be disseminated without restriction ~~((with the exception of a record being disseminated in response to a request for a conviction record under RCW 43.43.832. A request for a conviction record under RCW 43.43.832 shall not contain information for a person who, within the last twelve months, is currently being processed by the criminal justice system unless it pertains to information relating to a crime against a person as defined in RCW 9A.411)).~~

(3) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to another criminal justice agency for any purpose associated with the administration of criminal justice, or in connection with the employment of the subject of the record by a criminal justice or juvenile justice agency. A criminal justice

agency may respond to any inquiry from another criminal justice agency without any obligation to ascertain the purpose for which the information is to be used by the agency making the inquiry.

(4) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data and authorizes or directs that it be available or accessible for a specific purpose.

(5) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice. Such contract must specifically authorize access to criminal history record information, but need not specifically state that access to nonconviction data is included. The agreement must limit the use of the criminal history record information to stated purposes and insure the confidentiality and security of the information consistent with state law and any applicable federal statutes and regulations.

(6) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. Such agreement must authorize the access to nonconviction data, limit the use of that information which identifies specific individuals to research, evaluative, or statistical purposes, and contain provisions giving notice to the person or organization to which the records are disseminated that the use of information obtained therefrom and further dissemination of such information are subject to the provisions of this chapter and applicable federal statutes and regulations, which shall be cited with express reference to the penalties provided for a violation thereof.

(7) Every criminal justice agency that maintains and disseminates criminal history record information must maintain information pertaining to every dissemination of criminal history record information except a dissemination to the effect that the agency has no record concerning an individual. Information pertaining to disseminations shall include:

- (a) An indication of to whom (agency or person) criminal history record information was disseminated;
- (b) The date on which the information was disseminated;
- (c) The individual to whom the information relates; and
- (d) A brief description of the information disseminated.

The information pertaining to dissemination required to be maintained shall be retained for a period of not less than one year.

(8) In addition to the other provisions in this section allowing dissemination of criminal history record information, RCW 4.24.550 governs dissemination of information concerning offenders who commit sex offenses as defined by RCW 9.94A.030. Criminal justice agencies, their employees, and officials shall be immune from civil liability for dissemination of criminal history record information concerning sex offenders as provided in RCW 4.24.550.

Sec. 3. RCW 10.97.080 and 2010 c 8 s 1093 are each amended to read as follows:

All criminal justice agencies shall permit an individual who is, or who believes that he or she may be, the subject of a criminal record maintained by that agency, to appear in person during normal business hours of that criminal justice agency and request to see the criminal history record information held by that agency pertaining to the individual. The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigative, or other related files, and shall not be construed to include any information other than that defined as criminal history record information by this chapter.

Every criminal justice agency shall adopt rules and make available forms to facilitate the inspection and review of criminal history record information by the subjects thereof, which rules may include requirements for identification, the establishment of reasonable periods of time to be allowed an individual to examine the record, and for assistance by an individual's counsel, interpreter, or other appropriate persons.

No person shall be allowed to retain or mechanically reproduce any nonconviction data except for the ~~((purpose of challenge or correction when the))~~ person who is the subject of the record, ~~((asserts the belief in writing that the information regarding such person is inaccurate or incomplete))~~ Such person may retain a copy of their personal nonconviction data information on file, if the criminal justice agency has verified the identities of those who seek to inspect them. Criminal justice agencies may impose such additional restrictions, including fingerprinting, as are reasonably necessary both to assure the record's security and to verify the identities of those who seek to inspect them. The criminal justice agency may charge a reasonable fee for fingerprinting or providing a copy of the personal nonconviction data information pursuant to this section. The provisions of chapter 42.56 RCW shall not be construed to require or authorize copying of nonconviction data for any other purpose.

The Washington state patrol shall establish rules for the challenge of records which an individual declares to be inaccurate or incomplete, and for the resolution of any disputes between individuals and criminal justice agencies pertaining to the accuracy and completeness of criminal history record information. The Washington state patrol shall also adopt rules for the correction of criminal history record information and the dissemination of corrected information to agencies and persons to whom inaccurate or incomplete information was previously disseminated. Such rules may establish time limitations of not less than ninety days upon the requirement for disseminating corrected information.

Sec. 4. RCW 43.43.730 and 2006 c 294 s 5 are each amended to read as follows:

(1) Any individual shall have the right to inspect or request a copy of the criminal history record information on file with the section which refers to the individual. If the individual believes such information to be inaccurate or incomplete, he or she may request the section to purge, modify or supplement it and to advise such persons or agencies who have received his or her record and whom the individual designates to modify it accordingly. Should the section decline to so act, or should the individual believe the section's decision to be otherwise unsatisfactory, the individual may appeal such decision to the superior court in the county in which he or she is resident, or the county from which the disputed record emanated or Thurston county. The court shall in such case conduct a de novo hearing, and may order such relief as it finds to be just and equitable.

(2) The section may prescribe reasonable hours and a place for inspection, and may impose such additional restrictions, including fingerprinting, as are reasonably necessary both to assure the record's security and to verify the identities of those who seek to inspect them: PROVIDED, That the section may charge a reasonable fee for fingerprinting or for providing a copy of the criminal history record information pursuant to subsection (1) of this section.

Sec. 5. RCW 43.43.8321 and 2005 c 421 s 10 are each amended to read as follows:

When the Washington state patrol disseminates conviction record information in response to a request under RCW 43.43.832, it shall clearly state that: (1) The conviction record data does not include information on civil adjudications, administrative findings, or disciplinary board final decisions and that all such information must be obtained from the courts and licensing agencies; (2) the

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conviction record (~~(that is being disseminated includes information))~~ includes any criminal history record information which pertains to an incident that occurred within the last twelve months for which a person is currently being processed by the criminal justice system (~~(relating to only crimes against a person as defined in RCW 9.94A.411 and that it does not include any other current or pending charge information for which a person could be in the current process of being processed by the criminal justice system))~~, including the entire period of correctional supervision extending through final discharge from parole, when applicable, may be disseminated without restriction; and (3) an arrest is not a conviction or a finding of guilt.

NEW SECTION. Sec. 6. RCW 43.43.565 (Automatic fingerprint information system account) and 1986 c 196 s 2 are each repealed."

Senator Harper spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Harper and Carrell to Senate Bill No. 6296.

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

MOTION

On motion of Senator Harper, the rules were suspended, Engrossed Senate Bill No. 6296 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Harper spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 6296.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 6296 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker, Tom and Zarelli

Voting nay: Senators Holmquist Newbry and Stevens
Excused: Senators Pflug and Prentice

ENGROSSED SENATE BILL NO. 6296, 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. 6134, by Senators Delvin, Conway, Sheldon and Hewitt

Allowing department of fish and wildlife enforcement officers to transfer service credit.

The measure was read the second time.

MOTION

On motion of Senator Delvin, the rules were suspended, Senate Bill No. 6134 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Delvin 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. 6134.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6134 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator Pflug

SENATE BILL NO. 6134, 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. 5365, by Senators Nelson and Kohl-Welles

Authorizing the purchase of retirement pension coverage by certain volunteer firefighters and reserve officers.

The measure was read the second time.

MOTION

On motion of Senator Nelson, the rules were suspended, Senate Bill No. 5365 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Nelson 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. 5365.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5365 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator Pflug

SENATE BILL NO. 5365, 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. 6237, by Senators Keiser, Conway, Kline, Frockt and Becker

Creating a career pathway for medical assistants.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6237 was substituted for Senate Bill No. 6237 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following amendment by Senators Keiser and Becker be adopted:

On page 2, line 25, after "category;" strike "and"

On page 2, line 26, after "(b)" insert "One category of medical assistants must be for hemodialysis technicians. Rules adopted by the secretary must allow for the hemodialysis technician to be trained by the facility in which the person is employed so long as the training program is approved by the department. If the hemodialysis technician is so trained, he or she is not required to meet the requirements of section 4(3) (b) through (d); and

(c)"

On page 3, line 29, after "However," insert "the term "medical assistant" does not include"

On page 3, line 31, after "setting" strike "are exempt from certification under this chapter"

Senators Keiser and Becker 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 Keiser and Becker on page 2, line 25 to Substitute Senate Bill No. 6237.

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

MOTION

Senator Becker moved that the following amendment by Senators Becker, Keiser and Stevens be adopted:

On page 7, after line 6, insert the following:

"(3) Before adopting rules under this section and by December 1, 2012, the secretary must submit a preliminary plan, as described in this subsection, to the appropriate committees of the legislature. The preliminary plan must include the categories of medical assistants to be adopted in rule as well as the scope of practice of each category. The preliminary plan must also include the plan for transitioning health care assistants to medical assistants with a description of categories of health care assistants as they transition to categories of medical assistants."

Senators Becker and Keiser 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 Becker, Keiser and Stevens on page 7, after line 6 to Substitute Senate Bill No. 6237.

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

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6237 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Becker 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. 6237.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6237 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Murray, Nelson, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker, Tom and Zarelli

Voting nay: Senators Ericksen, Holmquist Newbry, Honeyford, Morton, Padden and Stevens

Excused: Senator Pflug

ENGROSSED SUBSTITUTE SENATE BILL NO. 6237, 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 2:59 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 5:12 p.m. by President Owen.

SECOND READING

SENATE BILL NO. 5355, by Senators Morton, Swecker and Honeyford

Regarding notice requirements for special meetings of public agencies.

MOTIONS

On motion of Senator Morton, Second Substitute Senate Bill No. 5355 was substituted for Senate Bill No. 5355 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Morton, the rules were suspended, Second Substitute Senate Bill No. 5355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Morton and Roach spoke in favor of passage of the bill.

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The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5355.

SENATE BILL NO. 6068, by Senators Kline, Zarelli and Frockt

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5355 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator Pflug

SECOND SUBSTITUTE SENATE BILL NO. 5355, 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. 6493, by Senators Regala, Hargrove, Stevens, Harper, Kline, Carrell and Shin

Addressing sexually violent predator civil commitment cases.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 6493 was substituted for Senate Bill No. 6493 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Regala, the rules were suspended, Substitute Senate Bill No. 6493 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Regala, Padden and Stevens spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6493.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6493 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senator Pflug

SUBSTITUTE SENATE BILL NO. 6493, 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

Providing for religious objection to autopsy.

MOTIONS

On motion of Senator Kline, Substitute Senate Bill No. 6068 was substituted for Senate Bill No. 6068 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kline, the rules were suspended, Substitute Senate Bill No. 6068 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kline, Zarelli, Prentice and Baumgartner spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6068.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6068 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Fain, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Voting nay: Senators Ericksen and Fraser

Excused: Senator Pflug

SUBSTITUTE SENATE BILL NO. 6068, 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. 5730, by Senator Rockefeller

Authorizing mileage-based automobile insurance. (REVISED FOR ENGROSSED: Concerning usage-based automobile insurance.) Revised for 2nd Substitute: Concerning usage-based automobile insurance.

MOTION

On motion of Senator Hobbs, Second Substitute Senate Bill No. 5730 was substituted for Engrossed Senate Bill No. 5730 and the second substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hobbs moved that the following amendment by Senators Hobbs and Benton be adopted:

On page 2, beginning on line 17, after "gathered" strike all material through "46.35.010" on line 18 and insert "from any recording device as defined in RCW 46.35.010, or a system, or business method that records and preserves data arising from the actual usage of a motor vehicle"

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 Benton on page 2, line 17 to Second Substitute Senate Bill No. 5730.

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

MOTION

On motion of Senator Hobbs, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5730 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs, Benton and Tom spoke in favor of passage of the bill.

Senators Carrell and Haugen spoke against passage of the bill.

Senator Roach spoke on final passage of the bill.

MOTION

On motion of Senator Ericksen, Senator Zarelli was excused.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5730.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5730 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Conway, Delvin, Eide, Ericksen, Fain, Frockt, Harper, Hewitt, Hill, Hobbs, Honeyford, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Murray, Nelson, Parlette, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker and Tom

Voting nay: Senators Carrell, Chase, Fraser, Hargrove, Hatfield, Haugen, Holmquist Newbry, Kastama, Morton, Padden, Prentice and Stevens

Excused: Senators Pflug and Zarelli

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5730, 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

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

MESSAGE FROM THE HOUSE

February 9, 2012

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6239, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

SECOND READING

SENATE BILL NO. 6170, by Senators Ranker, Hargrove, King, Hatfield, Harper, Shin and Conway

Establishing the working waterfront redevelopment jobs act.

MOTION

On motion of Senator Ranker, Substitute Senate Bill No. 6170 was substituted for Senate Bill No. 6170 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Ranker moved that the following amendment by Senators Ranker and Morton be adopted:

On page 2, line 23, after "regulations;" strike "and"

On page 2, line 25, after "section" insert "; and

(h) Not require preparation of a detailed statement under RCW 43.21C.030(2)(c)"

On page 3, line 4, strike "twenty-one" and insert "thirty"

On page 3, line 22, after "project" insert ":",

On page 3, line 24, after "mitigated" insert "; or a local government provides written notice to the department during the thirty day review period under subsection (4) of this section that it finds the project is inconsistent with subsection (1)(f) of this section"

Renumber the remaining sections consecutively and correct any internal references accordingly.

Senator Ranker 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 Ranker and Morton on page 2, line 23 to Substitute Senate Bill No. 6170.

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

MOTION

On motion of Senator Ranker, the rules were suspended, Engrossed Substitute Senate Bill No. 6170 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Ranker 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. 6170.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6170 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Roach, Rolfes, Schoesler, Sheldon, Shin, Stevens, Swecker and Tom

Voting nay: Senators Kastama and Regala

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Excused: Senators Pflug and Zarelli

ENGROSSED SUBSTITUTE SENATE BILL NO. 6170, 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.

Senator Prentice assumed the chair.

SECOND READING

SENATE BILL NO. 6324, by Senators Fain and Hobbs

Concerning the obligations of landlords and tenants with respect to carbon monoxide alarms and the disclosure of certain health-related information.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Senate Bill No. 6324 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fain and Hobbs spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6324.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6324 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker and Tom

Absent: Senator Stevens

Excused: Senators Pflug and Zarelli

SENATE BILL NO. 6324, 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

On motion of Senator Ericksen, Senator Stevens was excused.

SECOND READING

SENATE BILL NO. 6412, by Senators Rolfes and Harper

Assisting persons seeking individual health benefit plan coverage when their prior carrier has terminated individual coverage.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 6412 was advanced to third reading, the second

reading considered the third and the bill was placed on final passage.

Senators Rolfes and Keiser spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 6412.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6412 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker and Tom

Excused: Senators Pflug, Stevens and Zarelli

SENATE BILL NO. 6412, 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. 5913, by Senators Prentice, Hobbs and Benton

Increasing the permissible deposit of public funds with credit unions.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5913 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hobbs spoke in favor of passage of the bill.

MOTION

On motion of Senator Ericksen, Senator Holmquist Newbry was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5913.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5913 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 2; Absent, 0; Excused, 4.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Sheldon, Shin, Swecker and Tom

Voting nay: Senators Ericksen and Schoesler

Excused: Senators Holmquist Newbry, Pflug, Stevens and Zarelli

SENATE BILL NO. 5913, 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. 6227, by Senators Conway, Keiser, Carrell, Frockt, Pflug, Hargrove, Kline and Roach

Establishing a medicaid fraud hotline.

MOTION

On motion of Senator Conway, Substitute Senate Bill No. 6227 was substituted for Senate Bill No. 6227 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Conway moved that the following amendment by Senators Conway, Becker and Keiser be adopted:

On page 1, line 6, after "must" insert ", in conjunction with the office of the insurance commissioner,"

On page 1, beginning on line 8, after "fraud." strike all material through "hotline." on line 12 and insert "Funding for the hotline is to be provided by the office of the insurance commissioner."

Senators Conway and Becker spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Conway, Becker and Keiser on page 1, line 6 to Substitute Senate Bill No. 6227.

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

MOTION

On motion of Senator Conway, the rules were suspended, Engrossed Substitute Senate Bill No. 6227 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Conway and Becker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6227.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6227 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Padden, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rolfes, Schoesler, Sheldon, Shin, Swecker and Tom

Excused: Senators Holmquist Newbry, Pflug, Stevens and Zarelli

ENGROSSED SUBSTITUTE SENATE BILL NO. 6227, 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.

PARLIAMENTARY INQUIRY

Senator Benton: "On that last bill that we just passed I look through three different books to try to find it. I just wanted to read a little bit of the language on it. I was just hoping the Secretary could give us some instruction as to, are we operating on a three bill books now? Are we only operating out of two? Could you tell me which ones, where I might find the bills we actually working on and the bill that's up on the screen right now I don't find that on any order of consideration either so...was it a previous order maybe? Are we going back to a previous order?"

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore: "On list number three we've been working on the bill book Wednesday, February 8, 2012 and the bill we just did was on page 52."

SECOND READING

SENATE BILL NO. 5984, by Senators Murray, Zarelli, Parlette, Kilmer, Fraser, Harper, Kohl-Welles and Chase

Concerning local government financial soundness.

MOTIONS

On motion of Senator Murray, Substitute Senate Bill No. 5984 was substituted for Senate Bill No. 5984 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Murray, the rules were suspended, Substitute Senate Bill No. 5984 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Murray and Parlette spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5984.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5984 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 14; Absent, 0; Excused, 3.

Voting yea: Senators Brown, Chase, Conway, Delvin, Eide, Fain, Fraser, Frockt, Hargrove, Harper, Hatfield, Haugen, Hill, Hobbs, Kastama, Keiser, Kilmer, Kline, Kohl-Welles, Litzow, McAuliffe, Murray, Nelson, Parlette, Prentice, Pridemore, Ranker, Regala, Rolfes, Shin, Swecker and Tom

Voting nay: Senators Baumgartner, Becker, Benton, Carrell, Ericksen, Hewitt, Holmquist Newbry, Honeyford, King, Morton, Padden, Roach, Schoesler and Sheldon

Excused: Senators Pflug, Stevens and Zarelli

SUBSTITUTE SENATE BILL NO. 5984, 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.

THIRTY SECOND DAY, FEBRUARY 9, 2012
MOTION

2012 REGULAR SESSION

At 6:24 p.m., on motion of Senator Eide, the Senate adjourned
until 9:00 a.m. Friday, February 10, 2012.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

THIRTY SECOND DAY, FEBRUARY 9, 2012

2012 REGULAR SESSION

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