

EIGHTY-SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, April 3, 2009

The Senate was called to order at 9:00 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, Murray, Pflug and Prentice.

The Sergeant at Arms Color Guard consisting of Pages Chirag Ved and Kelly Walla, presented the Colors. Pastor Chuck Harris of Good Shepherd Lutheran Church of Olympia offered the prayer.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

April 1, 2009
SB 6109 Prime Sponsor, Senator Haugen: Concerning ferries. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6109 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Berkey; Eide; Jacobsen; Jarrett; Kauffman; Kilmer; King; Ranker and Sheldon.

Passed to Committee on Rules for second reading.

April 1, 2009
HB 1000 Prime Sponsor, Representative Haler: Extending state route number 397 to Interstate 82. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

April 1, 2009
2SHB 1081 Prime Sponsor, Committee on Transportation: Authorizing local improvement district financing of railroad crossing protection devices. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

April 1, 2009

ESHB 1512 Prime Sponsor, Committee on Transportation: Authorizing the funding of rail freight service through grants. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

April 1, 2009

HB 1717 Prime Sponsor, Representative Clibborn: Extending the time period for the department of transportation to enter into an agreement for a rail line over the Milwaukee Road corridor. (REVISED FOR PASSED LEGISLATURE: Concerning a rail line over the Milwaukee Road corridor. ) Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

April 1, 2009

SHB 1793 Prime Sponsor, Committee on Transportation: Addressing alternative student transportation. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

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HB 2313 Prime Sponsor, Representative Grant-Herriot: Extending the length of commercial and farm vehicle permits. (REVISED FOR PASSED LEGISLATURE: Extending the length of farm vehicle permits. ) Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

April 1, 2009

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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.

ROGERS WEED, appointed March 17, 2009, for the term ending at the governor's pleasure, as a Director of the Department of Community, Trade and Economic Development.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Economic Development, Trade & Innovation.

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 fifth order of business.

INTRODUCTION AND FIRST READING

SB 6148 by Senators Prentice and Tom

AN ACT Relating to reducing the administrative cost of state government; amending 2009 c 5 ss 6, 7, 8, 9, and 10 (uncodified); adding a new section to 2009 c 5 (uncodified); creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6149 by Senators Regala and Tom

AN ACT Relating to eliminating or reducing the frequency of reports prepared by state agencies; amending RCW 19.146.280, 43.320.1401, 43.88.110, 13.60.110, 74.13.031, 74.13.036, 74.08A.130, 70.56.040, 43.70.690, 77.85.140, 43.320.100, 39.102.140, 43.336.060, 43.365.040, 43.330.082, 43.155.070, 43.185C.040, 43.63A.068, 39.86.190, 43.325.050, 43.79.460, 18.130.310, and 43.20.100; repealing RCW 43.88.067, 46.48.180, 43.44.100, 74.14C.080, 80.36.475, 74.08A.430, 70.114A.085, 43.70.518, 43.215.080, 43.215.435, and 79A.15.100; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

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

MOTION

Senator Eide moved that the rules be suspended and Engrossed Second Substitute House Bill No. 1961, implementing the federal fostering connections to success and increasing adoptions act of 2008, be referred from the Committee on Rules to the Committee on Ways and Means.

MOTION

Senator Eide moved that Second Substitute House Bill No. 1252, lowering wage requirements in qualifying for a CERB grant/loan, be referred from the second Reading Calendar to the Committee on Ways and Means.

MOTION

On motion of Senator Brandland, Senators Benton, Carrell, Pflug and Roach were excused.

MOTION

On motion of Senator Marr, Senators Brown, Prentice and Tom were excused.

SECOND READING

HOUSE BILL NO. 1640, by Representatives Kessler, Armstrong, Hunt, Sells, Alexander, Appleton and Kenney

Modifying disclosure requirements for private investment information received by the University of Washington consolidated endowment fund.

The measure was read the second time.

MOTION

Senator Kilmer moved that the following committee striking amendment by the Committee on Higher Education & Workforce Development be adopted.

Strike everything after the enacting clause and insert the following:

**"NEW SECTION. Sec. 1.** The intent of this act is to clarify provisions governing disclosure of information related to University of Washington endowment investments, and thereby improve the university's ability to maximize the performance of its endowment portfolio. For endowment investments in privately managed funds, this act requires disclosure of the names of the funds, the amounts invested in the funds, and quarterly performance results for the endowment's portfolio of investments in such funds. These disclosures are intended to provide the public with information about the overall performance of the privately managed endowment investments, while prohibiting disclosure of proprietary information that could result in loss to the endowment or to persons who provide the proprietary information.

**NEW SECTION. Sec. 2.** A new section is added to chapter 28B.20 RCW to read as follows:

The University of Washington must disclose: (1) The names and commitment amounts of the private funds in which it is invested; and (2) the aggregate quarterly performance results for its portfolio of investments in such funds. The University of Washington shall have formal policies addressing conflicts of interest in regard to the private funds in which the endowment is invested, in compliance with RCW 42.52.190, and shall post these policies on their public web site.

**Sec. 3.** RCW 42.56.270 and 2008 c 306 s 1 are each amended to read as follows:

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

(1) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss;

(2) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to

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submit a bid or proposal for (a) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (b) highway construction or improvement as required by RCW 47.28.070;

(3) Financial and commercial information and records supplied by private persons pertaining to export services provided under chapters 43.163 and 53.31 RCW, and by persons pertaining to export projects under RCW 43.23.035;

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

(5) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW;

(6) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information;

(7) Financial and valuable trade information under RCW 51.36.120;

(8) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW;

(9) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010;

(10)(a) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a horse racing license submitted pursuant to RCW 67.16.260(1)(b), liquor license, gambling license, or lottery retail license;

(b) Internal control documents, independent auditors' reports and financial statements, and supporting documents: (i) Of house-banked social card game licensees required by the gambling commission pursuant to rules adopted under chapter 9.46 RCW; or (ii) submitted by tribes with an approved tribal/state compact for class III gaming;

(11) Proprietary data, trade secrets, or other information that relates to: (a) A vendor's unique methods of conducting business; (b) data unique to the product or services of the vendor; or (c) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011;

(12)(a) When supplied to and in the records of the department of community, trade, and economic development:

(i) Financial and proprietary information collected from any person and provided to the department of community, trade, and economic development pursuant to RCW 43.330.050(8); and

(ii) Financial or proprietary information collected from any person and provided to the department of community, trade, and economic development or the office of the governor in connection with the siting, recruitment, expansion, retention, or relocation of that person's business and until a siting decision is made, identifying information of any person supplying information under this subsection and the locations being considered for siting, relocation, or expansion of a business;

(b) When developed by the department of community, trade, and economic development based on information as described in

(a)(i) of this subsection, any work product is not exempt from disclosure;

(c) For the purposes of this subsection, "siting decision" means the decision to acquire or not to acquire a site;

(d) If there is no written contact for a period of sixty days to the department of community, trade, and economic development from a person connected with siting, recruitment, expansion, retention, or relocation of that person's business, information described in (a)(ii) of this subsection will be available to the public under this chapter;

(13) Financial and proprietary information submitted to or obtained by the department of ecology or the authority created under chapter 70.95N RCW to implement chapter 70.95N RCW;

(14) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the life sciences discovery fund authority in applications for, or delivery of, grants under chapter 43.350 RCW, to the extent that such information, if revealed, would reasonably be expected to result in private loss to the providers of this information;

(15) Financial and commercial information provided as evidence to the department of licensing as required by RCW 19.112.110 or 19.112.120, except information disclosed in aggregate form that does not permit the identification of information related to individual fuel licensees;

(16) Any production records, mineral assessments, and trade secrets submitted by a permit holder, mine operator, or landowner to the department of natural resources under RCW 78.44.085;

(17)(a) Farm plans developed by conservation districts, unless permission to release the farm plan is granted by the landowner or operator who requested the plan, or the farm plan is used for the application or issuance of a permit;

(b) Farm plans developed under chapter 90.48 RCW and not under the federal clean water act, 33 U.S.C. Sec. 1251 et seq., are subject to RCW 42.56.610 and 90.64.190;

(18) Financial, commercial, operations, and technical and research information and data submitted to or obtained by a health sciences and services authority in applications for, or delivery of, grants under RCW 35.104.010 through 35.104.060, to the extent that such information, if revealed, would reasonably be expected to result in private loss to providers of this information; ~~(and)~~

(19) Information gathered under chapter 19.85 RCW or RCW 34.05.328 that can be identified to a particular business; ~~and~~

(20) Financial and commercial information submitted to or obtained by the University of Washington, other than information the university is required to disclose under section 2 of this act, when the information relates to investments in private funds, to the extent that such information, if revealed, would reasonably be expected to result in loss to the University of Washington consolidated endowment fund or to result in private loss to the providers of this information."

Senator Kilmer spoke in favor of adoption of the committee striking amendment.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Higher Education & Workforce Development to House Bill No. 1640.

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

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 3 of the title, after "fund;" strike the remainder of the title and insert "amending RCW 42.56.270;

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adding a new section to chapter 28B.20 RCW; and creating a new section."

MOTION

On motion of Senator Kilmer, the rules were suspended, House Bill No. 1640 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kilmer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1640 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1640 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 1; Excused, 4.

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

Absent: Senator Murray

Excused: Senators Benton, Brown, Pflug and Prentice

HOUSE BILL NO. 1640 as amended by the Senate, 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

HOUSE BILL NO. 1394, by Representatives White, Kenney, Wallace, Orwall, Carlyle, Anderson, Sells, Chase and Sullivan

Changing the timeline for the state comprehensive plan for workforce training and education.

The measure was read the second time.

MOTION

On motion of Senator Kilmer, the rules were suspended, House Bill No. 1394 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kilmer spoke in favor of passage of the bill.

MOTION

On motion of Senator McDermott, Senator Murray was excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1394.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1394 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Becker, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen,

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Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown, Pflug and Prentice

HOUSE BILL NO. 1394, 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

HOUSE BILL NO. 1366, by Representatives Wood, Conway, Condotta, Chandler and Ormsby

Making technical changes to boiler and unfired pressure vessel statutes.

The measure was read the second time.

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, House Bill No. 1366 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 House Bill No. 1366.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1366 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Benton, Brown and Pflug

HOUSE BILL NO. 1366, 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

SUBSTITUTE HOUSE BILL NO. 1308, by House Committee on Health Care & Wellness (originally sponsored by Representatives Driscoll, Hinkle, Cody, Sells, Wood, Morrell, Kelley, Clibborn, Moeller, Pedersen, Hudgins, Ormsby, Parker, Chase, Kenney, Goodman, Bailey, Simpson, Herrera and Nelson)

Reducing organ transplant benefit waiting periods based upon prior creditable coverage.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1308 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser 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 Substitute House Bill No. 1308.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1308 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Benton, Brown and Pflug

SUBSTITUTE HOUSE BILL NO. 1308, 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

SUBSTITUTE HOUSE BILL NO. 1205, by House Committee on Ways & Means (originally sponsored by Representatives Van De Wege, Rolfes, Haigh and Williams)

Adding one judge to division two of the court of appeals.

The measure was read the second time.

#### MOTION

On motion of Senator Kline, the rules were suspended, Substitute House Bill No. 1205 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kline and McCaslin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1205.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1205 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Benton, Brown and Pflug

SUBSTITUTE HOUSE BILL NO. 1205, 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

SUBSTITUTE HOUSE BILL NO. 1261, by House Committee on Judiciary (originally sponsored by Representatives Goodman, Moeller, Green, Williams, Pedersen, Appleton, Morrell and Ormsby)

Enacting the adult guardianship and protective proceedings

jurisdiction act.

The measure was read the second time.

#### MOTION

On motion of Senator Kline, the rules were suspended, Substitute House Bill No. 1261 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kline spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1261.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1261 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Benton, Brown and Pflug

SUBSTITUTE HOUSE BILL NO. 1261, 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.

#### SIGNED BY THE PRESIDENT

The President signed:

HOUSE BILL NO. 1034,  
ENGROSSED HOUSE BILL NO. 1049,  
SUBSTITUTE HOUSE BILL NO. 1055,  
HOUSE BILL NO. 1218,  
SUBSTITUTE HOUSE BILL NO. 1221,  
SUBSTITUTE HOUSE BILL NO. 1254,  
SUBSTITUTE HOUSE BILL NO. 1280,  
SUBSTITUTE HOUSE BILL NO. 1291,  
HOUSE BILL NO. 1322,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1401,  
SUBSTITUTE HOUSE BILL NO. 1414,  
SUBSTITUTE HOUSE BILL NO. 1510,  
HOUSE BILL NO. 1569,  
SUBSTITUTE HOUSE BILL NO. 1843,  
HOUSE BILL NO. 1878,  
HOUSE JOINT MEMORIAL NO. 4014,

#### SIGNED BY THE PRESIDENT

The President signed:

SUBSTITUTE SENATE BILL NO. 5009,  
SUBSTITUTE SENATE BILL NO. 5136  
SUBSTITUTE SENATE BILL NO. 5369,  
SUBSTITUTE SENATE BILL NO. 5380,  
SUBSTITUTE SENATE BILL NO. 5388,  
ENGROSSED SENATE BILL NO. 5423,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5437,  
SUBSTITUTE SENATE BILL NO. 5481,  
SENATE BILL NO. 5487,  
SENATE BILL NO. 5680,  
SENATE BILL NO. 5739,  
ENGROSSED SUBSTITUTE SENATE BILL NO. 5808,  
SENATE BILL NO. 5832,  
SENATE BILL NO. 5903,  
SUBSTITUTE SENATE BILL NO. 5904,

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SENATE BILL NO. 5944,

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SECOND READING

HOUSE BILL NO. 1030, by Representatives Appleton, Chandler, Hunt, Lias, Angel, Hope, Dammeier and Moeller

Concerning the exemption of the special commitment center under the public records act.

The measure was read the second time.

MOTION

On motion of Senator Regala, the rules were suspended, House Bill No. 1030 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Regala spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1030.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1030 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Benton, Brown and Pflug

HOUSE BILL NO. 1030, 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

HOUSE BILL NO. 1121, by Representatives Rodne, Bailey, Kelley, Moeller, Ross, Simpson, McCoy, Hope, Green, Ormsby, Johnson, Morrell, Smith, Campbell, Armstrong and Conway

Creating the Washington state flag account.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, House Bill No. 1121 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.

The President declared the question before the Senate to be the final passage of House Bill No. 1121.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1121 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton,

Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown and Pflug

HOUSE BILL NO. 1121, 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

HOUSE BILL NO. 1155, by Representatives Hinkle, Green, Cody and Wallace

Concerning billing for medical services provided through special education programs.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, House Bill No. 1155 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

MOTION

On motion of Senator Marr, Senators Ranker and Rockefeller were excused.

The President declared the question before the Senate to be the final passage of House Bill No. 1155.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1155 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Benton, Brown and Pflug

HOUSE BILL NO. 1155, 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

HOUSE BILL NO. 1158, by Representatives Goodman, Rodne, Pedersen, Warnick and Klippert

Allowing electronic signatures on juror questionnaires. (REVISED FOR PASSED LEGISLATURE: ) (REVISED FOR PASSED LEGISLATURE: Allowing electronic signatures on juror declarations. )

The measure was read the second time.

MOTION

Senator Kline moved that the following committee amendment by the Committee on Judiciary be adopted.

On page 1, line 1 of the title, after "juror" strike

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"questionnaires" and insert "declarations"

Senator Kline spoke in favor of adoption of the committee amendment.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Judiciary to House Bill No. 1158.

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

#### MOTION

On motion of Senator Kline, the rules were suspended, House Bill No. 1158 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kline spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1158 as amended by the Senate.

#### ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1158 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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

Excused: Senators Benton, Brown, Pflug, Ranker and Rockefeller

HOUSE BILL NO. 1158 as amended by the Senate, 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 10:01 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:19 a.m. by President Owen.

#### SECOND READING

SUBSTITUTE HOUSE BILL NO. 1128, by House Committee on Community & Economic Development & Trade (originally sponsored by Representatives Kenney, Bailey, Pettigrew, Chase, Hudgins, Haler, Hasegawa, Darneille, Kelley and Sullivan)

Changing innovation partnership zone provisions.

The measure was read the second time.

#### MOTION

On motion of Senator Kastama, the rules were suspended, Substitute House Bill No. 1128 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kastama spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1128.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1128 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 2; Excused, 3.

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

Absent: Senators Hargrove and Jacobsen

Excused: Senators Benton, Brown and Pflug

SUBSTITUTE HOUSE BILL NO. 1128, 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, Senators Hargrove and Jacobsen were excused.

#### SECOND READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1131, by House Committee on Community & Economic Development & Trade (originally sponsored by Representatives Kenney, Pettigrew, Haler, Ericks, Bailey, Liias, Hasegawa, Hudgins, Darneille, Chase, Dunshee, Kelley, Sullivan and Nelson)

Concerning the Washington state economic development commission.

The measure was read the second time.

#### MOTION

Senator Kastama moved that the following committee striking amendment by the Committee on Economic Development, Trade & Innovation be adopted.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.162.010 and 2007 c 232 s 2 are each amended to read as follows:

(1) The Washington state economic development commission is established (~~to oversee the economic development strategies and policies of the department of community, trade, and economic development~~) as an independent agency of the state to provide the governor and legislature with policy analysis, strategic planning, program evaluation, and monitoring of the state's economic development system.

(2)(a) The Washington state economic development commission shall consist of eleven voting members appointed by the governor as follows: Six representatives of the private sector, one representative of labor, one representative of port districts, one representative of four-year state public higher education, one representative for state community or technical colleges, and one representative of associate development organizations. The director of the department of community, trade, and economic development, the director of the workforce training and education coordinating board, the commissioner of the employment security department, and the chairs and ranking minority members of the standing committees of the house of representatives and the senate overseeing economic development policies shall serve as nonvoting ex officio members.

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The chair of the commission shall be a voting member selected by the governor with the consent of the senate, and shall serve at the pleasure of the governor. In selecting the chair, the governor shall seek a person who understands the future economic needs of the state and nation and the role the state's economic development system has in meeting those needs.

(b) In making the appointments, the governor shall consult with organizations that have an interest in economic development, including, but not limited to, industry associations, labor organizations, minority business associations, economic development councils, chambers of commerce, port associations, tribes, and the chairs of the legislative committees with jurisdiction over economic development.

(c) The members shall be representative of the geographic regions of the state, including eastern and central Washington, as well as represent the ethnic diversity of the state. Private sector members shall represent existing and emerging industries, small businesses, women-owned businesses, and minority-owned businesses. Members of the commission shall serve statewide interests while preserving their diverse perspectives, and shall be recognized leaders in their fields with demonstrated experience in economic development or disciplines related to economic development.

(3) Members appointed by the governor shall serve at the pleasure of the governor for not more than two consecutive three-year terms, except that, as determined by the governor, the terms of four of the appointees on the commission on the effective date of this section will expire in 2010, the terms of four of the appointees on the commission on the effective date of this section will expire in 2011, and the terms of three of the appointees on the commission on the effective date of this section will expire in 2012. Thereafter all terms shall be for three years. Vacancies shall be filled in the same manner as the original appointments.

(4) The commission may establish committees as it desires, and may invite nonmembers of the commission to serve as committee members.

(5) The executive director of the commission shall be appointed by the governor with the consent of the voting members of the commission. The salary of the executive director shall be set by the governor with the consent of the commission. The governor may dismiss the executive director only with the approval of a majority vote of the commission. The commission, by a majority vote, may dismiss the executive director with the approval of the governor.

(6) The commission may adopt rules for its own governance.

(7) Members are eligible to receive reimbursement for travel expenses incurred in the performance of their duties in accordance with RCW 43.03.050 and 43.03.060.

(8) A majority of members currently appointed constitutes a quorum for the purpose of conducting business.

**Sec. 2.** RCW 43.162.020 and 2007 c 232 s 4 are each amended to read as follows:

(1) The Washington state economic development commission shall:

~~((1))~~ (a) Concentrate its major efforts on planning, coordination, evaluation, policy analysis, and recommending improvements to the state's economic development system using, but not limited to, the "Next Washington" plan and the global competitiveness council recommendations;

~~((2))~~ (b) Develop and maintain on a biennial basis a state comprehensive plan for economic development, including but not limited to goals, objectives, and priorities for the state economic development system; identify the elements local associate development organizations must include in their countywide economic development plans; and review the state system for consistency with the state comprehensive plan. In developing the state comprehensive plan for economic

development, the commission shall use, but may not be limited to: Economic, labor market, and populations trend reports in office of financial management forecasts; the annual state economic climate report prepared by the economic climate council; joint office of financial management and employment security department labor force, industry employment, and occupational forecasts; the results of scientifically based outcome evaluations; the needs of industry associations, industry clusters, businesses, and employees as evidenced in formal surveys and other input;

~~((3))~~ (c) Establish and maintain an inventory of the programs of the state economic development system and related state programs; perform a biennial assessment of the ongoing and strategic economic development needs of the state; and assess the extent to which the economic development system and related programs represent a consistent, coordinated, efficient, and integrated approach to meet such needs; ~~((and~~

~~((4))~~ (d) Produce a biennial report to the governor and the legislature on progress by the commission in coordinating the state's economic development system and meeting the other obligations of this chapter, as well as include recommendations for any statutory changes necessary to enhance operational efficiencies or improve coordination;

(e) Consult, collaborate, and coordinate with other state agencies and local organizations when developing plans, inventories, and assessments so as to avoid duplication of effort; and

(f) Have the authority to accept gifts, grants, donations, sponsorships, or contributions from any federal, state, or local governmental agency or program or any private source and expend the same for any purpose consistent with the provisions of this chapter.

(2) The commission may delegate to the executive director any of the functions of this section.

(3) The executive director must present a fiscal report to the commission quarterly for its review and approval.

(4) To maintain its leadership and concentration on strategic planning, coordination, and assessment of the economic development system as a whole, the commission shall not take an administrative role in the delivery of services.

**Sec. 3.** 2007 c 232 s 6 (uncodified) is amended to read as follows:

(1) ~~((The commission must develop and update a state comprehensive plan for economic development and an initial inventory of economic development programs, as required under section 4 of this act, by June 30, 2008.~~

~~((2))~~ Using the information from ~~((the))~~ its initial inventory of economic development programs, public input, and such other information as it deems appropriate, the commission shall, by ~~((September 1, 2008))~~ November 1, 2009, provide a report with findings, analysis, and recommendations to the governor and the legislature on the appropriate state role in economic development and the appropriate administrative and regional structures for the provision of economic development services. The report shall address how best to organize the state system to ensure that the state's economic development efforts:

(a) Are organized around a clear central mission and aligned with the state's comprehensive plan for economic development;

(b) Are capable of providing focused and flexible responses to changing economic conditions;

(c) Generate greater local capacity to respond to local opportunities and needs;

(d) Face no administrative barriers to efficiency and effectiveness;

(e) Maximize results through partnerships and the use of intermediaries; and

(f) Provide increased accountability to the public, the executive branch, and the legislature.



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~~((3))~~ (2) The report should address the potential value of creating or consolidating specific programs if doing so would be consistent with an agency's core mission, and the potential value of removing specific programs from an agency if the programs are not central to the agency's core mission.

**Sec. 4.** RCW 43.330.280 and 2007 c 227 s 2 are each amended to read as follows:

(1) The Washington state economic development commission shall, with the advice of an innovation partnership advisory group selected by the commission, have oversight responsibility for the implementation of the state's efforts to further innovation partnerships throughout the state. The commission shall:

(a) Provide information and advice to the department of community, trade, and economic development to assist in the implementation of the innovation partnership zone program, including criteria to be used in the selection of grant applicants for funding;

(b) Document clusters of companies throughout the state that have comparative competitive advantage or the potential for comparative competitive advantage, using the process and criteria for identifying strategic clusters developed by the working group specified in subsection (2) of this section;

(c) Conduct an annual innovation opportunity analysis to identify (i) the strongest current intellectual assets and research teams in the state focused on emerging technologies and their commercialization, and (ii) faculty and researchers that could increase their focus on commercialization of technology if provided the appropriate technical assistance and resources;

(d) Based on its findings and analysis, and in conjunction with the higher education coordinating board and research institutions:

(i) Develop a plan to be updated annually to build on existing, and develop new, intellectual assets and innovation research teams in the state in research areas where there is a high potential to commercialize technologies. The commission shall present the plan to the governor and legislature by December ~~((31, 2007))~~ 31st of each year. The higher education coordinating board shall be responsible for implementing the plan in conjunction with the publicly funded research institutions in the state. The plan shall address the following elements and such other elements as the commission deems important:

(A) Specific mechanisms to support, enhance, or develop innovation research teams and strengthen their research and commercialization capacity in areas identified as useful to strategic clusters and innovative firms in the state;

(B) Identification of the funding necessary for laboratory infrastructure needed to house innovation research teams;

(C) Specification of the most promising research areas meriting enhanced resources and recruitment of significant entrepreneurial researchers to join or lead innovation research teams;

(D) The most productive approaches to take in the recruitment, in the identified promising research areas, of a minimum of ~~((ten))~~ one significant entrepreneurial researcher ~~((s over the next ten years))~~ per year to join or lead innovation research teams;

(E) Steps to take in solicitation of private sector support for the recruitment of entrepreneurial researchers and the commercialization activity of innovation research teams; and

(F) Mechanisms for ensuring the location of innovation research teams in innovation partnership zones;

(ii) Provide direction for the development of comprehensive entrepreneurial assistance programs at research institutions. The programs may involve multidisciplinary students, faculty, entrepreneurial researchers, entrepreneurs, and investors in building business models and evolving business plans around innovative ideas. The programs may provide technical assistance

and the support of an entrepreneur-in-residence to innovation research teams and offer entrepreneurial training to faculty, researchers, undergraduates, and graduate students. Curriculum leading to a certificate in entrepreneurship may also be offered;

(e) Develop performance measures to be used in evaluating the performance of innovation research teams, the implementation of the plan and programs under (d)(i) and (ii) of this subsection, and the performance of innovation partnership zone grant recipients, including but not limited to private investment measures, business initiation measures, job creation measures, and measures of innovation such as licensing of ideas in research institutions, patents, or other recognized measures of innovation. The performance measures developed shall be consistent with the economic development commission's comprehensive plan for economic development and its standards and metrics for program evaluation. The commission shall report to the legislature and the governor by ~~((December 31, 2008))~~ September 30, 2009, on the measures developed; and

(f) Using the performance measures developed, perform a biennial assessment and report, the first of which shall be due December 31, 2012, on:

(i) Commercialization of technologies developed at state universities, found at other research institutions in the state, and facilitated with public assistance at existing companies;

(ii) Outcomes of the funding of innovation research teams and recruitment of significant entrepreneurial researchers;

(iii) Comparison with other states of Washington's outcomes from the innovation research teams and efforts to recruit significant entrepreneurial researchers; and

(iv) Outcomes of the grants for innovation partnership zones.

The report shall include recommendations for modifications of chapter 227, Laws of 2007 and of state commercialization efforts that would enhance the state's economic competitiveness.

(2) The economic development commission and the workforce training and education coordinating board shall jointly convene a working group to:

(a) Specify the process and criteria for identification of substate geographic concentrations of firms or employment in an industry and the industry's customers, suppliers, supporting businesses, and institutions, which process will include the use of labor market information from the employment security department and local labor markets; and

(b) Establish criteria for identifying strategic clusters which are important to economic prosperity in the state, considering cluster size, growth rate, and wage levels among other factors.

**NEW SECTION. Sec. 5.** A new section is added to chapter 43.162 RCW to read as follows:

(1) The Washington state economic development commission fund is created in the state treasury. All receipts from gifts, grants, donations, sponsorships, or contributions under RCW 43.162.020 must be deposited into the account. Moneys in the account may be spent only after appropriation. Expenditures from the account may be used by the Washington state economic development commission only for purposes related to carrying out the mission, roles, and responsibilities of the commission.

(2) Whenever any money, from the federal government or from other sources, that was not anticipated in the budget approved by the legislature, has actually been received and is designated to be spent for a specific purpose, the executive director shall use the unanticipated receipts process as provided in RCW 43.79.270 to request authority to spend the money.

(3) The commission shall use the small agency client services within the office of financial management for accounting, budgeting, and payroll services.

(4) The commission is subject to audits by the state auditor as provided under chapter 43.09 RCW."

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The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Economic Development, Trade & Innovation to Engrossed Substitute House Bill No. 1131.

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

## MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "commission;" strike the remainder of the title and insert "amending RCW 43.162.010, 43.162.020, and 43.330.280; amending 2007 c 232 s 6 (unmodified); and adding a new section to chapter 43.162 RCW."

## MOTION

On motion of Senator Kastama, the rules were suspended, Engrossed Substitute House Bill No. 1131 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kastama spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1131 as amended by the Senate.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1131 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 41; Nays, 3; Absent, 0; Excused, 5.

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

Voting nay: Senators McCaslin, Morton and Schoesler

Excused: Senators Benton, Brown, Hargrove, Jacobsen and Pflug

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1131 as amended by the Senate, 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

SUBSTITUTE HOUSE BILL NO. 1730, by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Linville, Kretz, Ericks, Hunt, Armstrong and Short)

Regarding the office of regulatory assistance.

The measure was read the second time.

## MOTION

On motion of Senator Kastama, the rules were suspended, Substitute House Bill No. 1730 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kastama spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1730.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1730 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 2; Absent, 0; Excused, 4.

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

Voting nay: Senators McCaslin and Morton

Excused: Senators Benton, Hargrove, Jacobsen and Pflug  
SUBSTITUTE HOUSE BILL NO. 1730, 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

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1007, by House Committee on Capital Budget (originally sponsored by Representatives Morris, Chase, Morrell, Liias, Anderson, Upthegrove, Seaquist, Hudgins and Moeller)

Creating a sustainable energy trust.

The measure was read the second time.

## MOTION

On motion of Senator Rockefeller, the rules were suspended, Engrossed Second Substitute House Bill No. 1007 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rockefeller and Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1007.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1007 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 2; Absent, 0; Excused, 4.

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

Voting nay: Senators Delvin and Schoesler

Excused: Senators Benton, Hargrove, Jacobsen and Pflug  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1007, 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

SUBSTITUTE HOUSE BILL NO. 1765, by House Committee on Health Care & Wellness (originally sponsored by Representatives Moeller, Campbell and Morrell)

Concerning the license surcharge for the impaired physician program.

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The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1765 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Parlette and Becker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1765.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1765 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 7; Absent, 0; Excused, 4.

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

Voting nay: Senators Carrell, Delvin, Holmquist, McCaslin, Morton, Roach and Stevens

Excused: Senators Benton, Hargrove, Jacobsen and Pflug

SUBSTITUTE HOUSE BILL NO. 1765, 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

HOUSE BILL NO. 1682, by Representatives Newhouse, Kretz, Chandler, Upthegrove, Johnson and Ross

Concerning horticultural pest and disease boards.

The measure was read the second time.

MOTION

On motion of Senator Hatfield, the rules were suspended, House Bill No. 1682 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hatfield spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1682.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1682 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Benton, Hargrove, Jacobsen and Pflug

HOUSE BILL NO. 1682, 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1926, by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Ericksen, Appleton, Pettigrew, Kenney, Moeller and Ormsby)

Exempting certain hospice agencies from certificate of need requirements.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute House Bill No. 1926 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1926.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1926 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Benton, Hargrove, Jacobsen and Pflug

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1926, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 11:58 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Monday, April 6, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

1000	Committee Report. . . . .	1	President Signed. . . . .	5	
1007-S2	Second Reading. . . . .	10	1510-S	President Signed. . . . .	5
	Third Reading Final Passage. . . . .	10	1512-S	Committee Report. . . . .	1
1030	Second Reading. . . . .	6	1569	President Signed. . . . .	5
	Third Reading Final Passage. . . . .	6	1640	Other Action. . . . .	3
1034	President Signed. . . . .	5		Second Reading. . . . .	2
1049	President Signed. . . . .	5		Third Reading Final Passage. . . . .	4
1055-S	President Signed. . . . .	5	1682	Second Reading. . . . .	11
1081-S2	Committee Report. . . . .	1		Third Reading Final Passage. . . . .	11
1121	Second Reading. . . . .	6	1717	Committee Report. . . . .	1
	Third Reading Final Passage. . . . .	6	1730-S	Second Reading. . . . .	10
1128-S	Second Reading. . . . .	7		Third Reading Final Passage. . . . .	10
	Third Reading Final Passage. . . . .	7	1765-S	Second Reading. . . . .	10
1131-S	Other Action. . . . .	10		Third Reading Final Passage. . . . .	11
	Second Reading. . . . .	7	1793-S	Committee Report. . . . .	1
	Third Reading Final Passage. . . . .	10	1843-S	President Signed. . . . .	5
1155	Second Reading. . . . .	6	1878	President Signed. . . . .	5
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1218	President Signed. . . . .	5	5136-S	President Signed. . . . .	5
1221-S	President Signed. . . . .	5	5369-S	President Signed. . . . .	5
1252-S2	Other Action. . . . .	2		President Signed. . . . .	5
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	Third Reading Final Passage. . . . .	5	5680	President Signed. . . . .	5
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1366	Second Reading. . . . .	4		President Signed. . . . .	5
	Third Reading Final Passage. . . . .	4	5808-S	President Signed. . . . .	5
1394	Second Reading. . . . .	4	5832	President Signed. . . . .	5
	Third Reading Final Passage. . . . .	4	5903	President Signed. . . . .	5
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