

EIGHTY-FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Thursday, April 2, 2009

The Senate was called to order at 9:00 a.m. by the President Pro Tempore. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Benton, Brandland, Brown, Fairley, Kilmer and Pflug.

The Sergeant at Arms Color Guard consisting of Pages Meghan Fewins and Asa Wolfe, presented the Colors. Mary Lynn Reiner of Temple Beth Hatfiloh 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

2SHB 1481 Prime Sponsor, Committee on Finance: Regarding electric vehicles. Reported by Committee on Transportation

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

MINORITY recommendation: Do not pass. Signed by Senators Delvin and Sheldon.

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

Passed to Committee on Ways & Means.

March 31, 2009

ESHB 2072 Prime Sponsor, Committee on Transportation: Concerning transportation for persons with special transportation needs. Reported by Committee on Transportation

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

Passed to Committee on Ways & Means.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Engrossed Substitute House Bill No. 2072 which was referred to the Committee on Ways & Means.

MOTION

On motion of Senator Eide, the Senate advanced to the

fourth order of business.

MESSAGE FROM THE HOUSE

April 1, 2009

MR. PRESIDENT:

The House has passed the following bills: ENGROSSED SUBSTITUTE SENATE BILL NO. 5808, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

April 1, 2009

MR. PRESIDENT:

The House has passed the following bills: 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, SENATE BILL NO. 5832, SENATE BILL NO. 5903, SUBSTITUTE SENATE BILL NO. 5904, SENATE BILL NO. 5944,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

April 1, 2009

MR. PRESIDENT:

The Speaker has signed the following: SENATE BILL NO. 5156, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

April 1, 2009

MR. PRESIDENT:

The Speaker has signed the following: SUBSTITUTE SENATE BILL NO. 5012, SUBSTITUTE SENATE BILL NO. 5030, SUBSTITUTE SENATE BILL NO. 5035, SUBSTITUTE SENATE BILL NO. 5043, SUBSTITUTE SENATE BILL NO. 5055, SUBSTITUTE SENATE BILL NO. 5131, ENGROSSED SENATE BILL NO. 5135, SENATE BILL NO. 5184, SUBSTITUTE SENATE BILL NO. 5190, ENGROSSED SUBSTITUTE SENATE BILL NO. 5228, ENGROSSED SUBSTITUTE SENATE BILL NO. 5238, SUBSTITUTE SENATE BILL NO. 5261, SUBSTITUTE SENATE BILL NO. 5290,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

April 1, 2009

MR. PRESIDENT:

The Speaker has signed the following:

- 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,

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 6147 by Senators Kohl-Welles, Regala, McDermott, Murray, Kline, Fraser and Jacobsen

AN ACT Relating to fiscal reform; amending RCW 82.03.130, 82.03.140, 2.10.180, 2.12.090, 6.13.030, 41.24.240, 41.35.100, 41.40.052, 41.44.240, and 43.43.310; reenacting and amending RCW 6.15.020, 41.32.052, and 41.26.053; adding a new title to the Revised Code of Washington to be codified as Title 82A RCW; creating a new section; repealing RCW 6.15.025; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

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 eighth order of business.

MOTION

Senator Roach moved adoption of the following resolution:

SENATE RESOLUTION
8629

By Senators Roach, McAuliffe, Prentice, Jacobsen, Shin, Tom, Marr, Delvin, Kauffman, Benton, Berkey, Oemig, Hatfield, Franklin, Keiser, Murray, Fraser, Jarrett, Kline, McDermott,

Haugen, Rockefeller, Hobbs, Kastama, Sheldon, Kilmer, Brown, Eide, Kohl-Welles, and Holmquist

WHEREAS, Autism is a developmental disability that typically appears during the first two years of life and continues through the individual's lifespan; and

WHEREAS, Autism is the fastest growing developmental disability, affecting 1 million to 1.5 million Americans, 1 in 150 babies born; and

WHEREAS, Many children are not diagnosed until after 3 years of age, often because of lack of recognition of autism characteristics by general practitioners; and

WHEREAS, There are many different characteristics in individuals with autism - delayed or deficient communication, decreased or unresponsive social interaction, unusual reaction to normal stimuli, a lack of spontaneous or imaginative play, and behavioral challenges; and

WHEREAS, There is no known cause and no known cure, however with aggressive and continuous therapy, some individuals can learn to acclimate to their environment and mask symptoms of their disability; and

WHEREAS, All individuals with autism should be included and regarded as valuable members of our community; and

WHEREAS, Autism can create significant stress on the families of those affected by autism; and

WHEREAS, Families, caregivers, advocates, and organizations are striving to bring about positive changes for children and adults with autism; and

WHEREAS, Through research, training, public services, support groups, advocacy, and increased awareness, we will be more understanding, inclusive, and better equipped to support the growing number of individuals with autism and their families;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and support individuals with autism and acknowledge the tremendous courage that they and their families put forth every day; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to the Honorable Christine Gregoire.

Senators Roach, Keiser, Prentice and Rockefeller spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8629.

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

MOTION

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

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Honeyford moved that Gubernatorial Appointment No. 9108, Honna Sheffield, as a member of the Columbia River Gorge Commission, be confirmed.

Senator Honeyford spoke in favor of the motion.

MOTION

On motion of Senator Marr, Senators Brown, Fairley and Kilmer were excused.

MOTION

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On motion of Senator Delvin, Senators Benton and Brandland were excused.

APPOINTMENT OF HONNA SHEFFIELD

The President Pro Tempore declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9108, Honna Sheffield as a member of the Columbia River Gorge Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9108, Honna Sheffield as a member of the Columbia River Gorge Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 1; Excused, 5.

Voting yea: Senators Becker, Berkey, Carrell, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, 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: Senator Pflug

Excused: Senators Benton, Brandland, Brown, Fairley and Kilmer

Gubernatorial Appointment No. 9108, Honna Sheffield, having received the constitutional majority was declared confirmed as a member of the Columbia River Gorge Commission.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1041, by House Committee on Health Care & Wellness (originally sponsored by Representatives Morrell, Warnick, O'Brien, McCune, Liias, Kagi, Kenney and Wallace)

Authorizing the purchase, storage, and administration of medications by occupational therapists.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1041 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 Delvin, Senator Pflug was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1041.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1041 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Becker, Berkey, Carrell, Delvin, Eide, 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, Brandland, Brown, Fairley and Pflug

SUBSTITUTE HOUSE BILL NO. 1041, 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. 1201, by House Committee on Human Services (originally sponsored by Representatives O'Brien, Dickerson, Hurst and Appleton)

Establishing the community integration assistance program.

The measure was read the second time.

MOTION

Senator Regala moved that the following amendment by Senators Hargrove and Stevens be adopted.

On page 4, beginning on line 5, after "9.94A.612" strike "or 72.09.712"

Senator Regala 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 Hargrove and Stevens on page 4, line 5 to Substitute House Bill No. 1201.

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

MOTION

On motion of Senator Regala, the rules were suspended, Substitute House Bill No. 1201 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 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 Substitute House Bill No. 1201 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1201 as amended by the Senate 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, 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, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown and Fairley

SUBSTITUTE HOUSE BILL NO. 1201 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. 1812, by House Committee on Commerce & Labor (originally sponsored by Representatives Newhouse, Conway, Chandler, Moeller and Sullivan)

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Concerning wine labels.

The measure was read the second time.

MOTION

Senator Kohl-Welles moved that the following amendment by Senator Kohl-Welles be adopted.

On page 2, after line 22, insert the following:

"**NEW SECTION. Sec. 1.** This act applies to wine made from grapes harvested after December 31, 2009."

Senator Kohl-Welles 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 Senator Kohl-Welles on page 2, after line 22 to Substitute House Bill No. 1812.

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

MOTION

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

On page 1, line 1 of the title, after "labels;" strike the remainder of the title and insert "amending RCW 66.28.110; and creating a new section."

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Substitute House Bill No. 1812 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles, Parlette, Honeyford and Delvin spoke in favor of passage of the bill.

MOTION

On motion of Senator Kauffman, Senator Marr was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1812 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1812 as amended by the Senate 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, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown, Fairley and Marr

SUBSTITUTE HOUSE BILL NO. 1812 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.

PERSONAL PRIVILEGE

Senator Prentice: "I forgot to add when I was talking about the autism DVD you can call my office if there's anyone of you need it for a neighbor or you need it for a relative. My office can direct you to the right place to get it. Thank you."

MOTION

At 9:51 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 10:38 a.m. by the President Pro Tempore.

MOTION TO LIMIT DEBATE

Senator Eide: "Madam President, I move that the members of the Senate be allowed to speak but once on each question before the Senate, that such speech be limited to three minutes and that members be prohibited from yielding their time, however, the maker of a motion shall be allowed to open and close debate. This motion shall be in effect through April 26, 2009."

PARLIAMENTARY INQUIRY

Senator McCaslin: "I'd like to amend that motion to make it two minutes."

The President Pro Tempore declared the question before the Senate to be the motion by Senator Eide to limit debate.

The motion by Senator Eide carried and debate was limited through April 26, 2009 by voice vote.

PARLIAMENTARY INQUIRY

Senator McCaslin: "Was that vote on my amendment for...why wasn't it? I made an honest motion to make it two minutes, are you ignoring Senators on the floor especially this one? Listen, you guys, two minutes is plenty, if you can't explain it in two minutes you don't know the English language."

REPLY BY THE PRESIDENT PRO TEMPORE

President Pro Tempore: "Senator McCaslin, the rule cannot be reduced to less than three minutes."

POINT OF ORDER

Senator McCaslin: "Who said that?"

REPLY BY THE PRESIDENT PRO TEMPORE

Senator Franklin: "The rule."

POINT OF ORDER

Senator McCaslin: "The majority has the power to change the rule if they wish. So, I would ask the majority to change the rule to two minutes. Even Senator Sheldon can explain himself in two minutes. Now Kline can't, it takes him ten minutes to explain a two minute rule."

POINT OF ORDER

Senator McDermott: "I'd like to know for timing how long it's taken Senator McCaslin to make this point."

REMARKS BY SENATOR MCCASLIN

Senator McCaslin: "I yield to Senator McDermott, about a minute and half."

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REMARKS BY SENATOR EIDE

Senator Eide: "Thank you Madam President. Just for this point in time I request that we continue for the three minutes. We'll look at changing the rule the next time to two but right now I'm going to stick with three."

REMARKS BY SENATOR MCCASLIN

Senator McCaslin: "I agree with the majority."

REMARKS BY THE PRESIDENT PRO TEMPORE

Senator Franklin: "It's always good to have some fun."

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1011, by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Chase, Hasegawa, Kagi, Darneille, Upthegrove, Hudgins and Moeller)

Regulating the use of identification devices by governmental and business entities.

The measure was read the second time.

MOTION

On motion of Senator Berkey, the rules were suspended, Substitute House Bill No. 1011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Berkey 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 House Bill No. 1011.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1011 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 4; Absent, 1; Excused, 3.

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

Voting nay: Senators Morton, Oemig, Schoesler and Stevens

Absent: Senator Roach

Excused: Senators Benton, Brown and Fairley

SUBSTITUTE HOUSE BILL NO. 1011, 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. 1078, by House Committee on General Government Appropriations (originally sponsored by Representatives Kelley, Roach, Kirby, Warnick, Bailey and Sells)

Concerning exchange facilitators.

The measure was read the second time.

MOTION

On motion of Senator Berkey, the rules were suspended, Engrossed Second Substitute House Bill No. 1078 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Berkey spoke in favor of passage of the bill.

MOTION

On motion of Senator Brandland, Senator Roach was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Second Substitute House Bill No. 1078.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute House Bill No. 1078 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

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

Absent: Senator Kohl-Welles

Excused: Senators Benton, Fairley and Roach

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1078, 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. 1127, by Representatives Hurst and Hinkle

Securing credit and debit card information.

The measure was read the second time.

MOTION

Senator Berkey moved that the following committee striking amendment by the Committee on Financial Institutions, Housing & Insurance be adopted.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 19.200.010 and 2000 c 163 s 1 are each amended to read as follows:

(1) The legislature finds that credit ~~((is an))~~ and debit cards are important tools for consumers in today's economy (~~(particularly the use of credit cards))~~). The legislature also finds that unscrupulous persons often fraudulently use the ~~((credit))~~ card accounts of others by stealing the ~~((credit))~~ card itself or by obtaining the necessary information to fraudulently charge the purchase of goods and services to another person's ~~((credit card))~~ account. The legislature intends to provide some protection for consumers from the latter by limiting the information that can appear on a ~~((credit))~~ card receipt.

(2) No person that accepts credit or debit cards for the transaction of business shall print more than the last five digits of the ~~((credit))~~ card account number or print the ~~((credit))~~ card

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expiration date on a credit or debit card receipt. This includes all receipts kept by the person or provided to the cardholder.

(3) This section shall apply only to receipts that are electronically printed and shall not apply to transactions in which the sole means of recording the ((credit)) card number is by handwriting or by an imprint or copy of the credit or debit card.

(4) ~~((For purposes of chapter 163, Laws of 2000;))~~ The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(a) "Credit card" means a card or device existing for the purpose of obtaining money, property, labor, or services on credit.

~~((5) This section applies on July 1, 2001, to any cash register or other machine or device that electronically prints receipts on credit card transactions and is placed into service on or after July 1, 2001, and on July 1, 2004, to any cash register or other machine or device that electronically prints receipts on credit card transactions and is placed into service prior to July 1, 2001;))~~ (b) "Debit card" means a card or device used to obtain money, property, labor, or services by a transaction that debits a cardholder's account, rather than extending credit.

Sec. 2. RCW 63.14.123 and 2000 c 163 s 2 are each amended to read as follows:

(1) A retailer shall not print more than the last five digits of the ((credit)) card account number or print the ((credit)) card expiration date on a credit or debit card receipt. This includes all receipts kept by the person or provided to the cardholder.

(2) This section shall apply only to receipts that are electronically printed and shall not apply to transactions in which the:

(a) Sole means of recording the ((credit)) card number is by handwriting or by an imprint or copy of the credit or debit card; or

(b) Retailer processes the transaction electronically but also takes additional manual measures for the purpose of ensuring that the card is not being used fraudulently, including measures the retailer is contractually obligated to take in connection with its acceptance of credit or debit cards.

(3) ~~((This section applies on July 1, 2001, to any cash register or other machine or device that electronically prints receipts on credit card transactions and is placed into service on or after July 1, 2001, and on July 1, 2004, to any cash register or other machine or device that electronically prints receipts on credit card transactions and is placed into service prior to July 1, 2001;))~~ For the purposes of this section:

(a) "Credit card" means a card or device existing for the purpose of obtaining money, property, labor, or services on credit.

(b) "Debit card" means a card or device used to obtain money, property, labor, or services by a transaction that debits a cardholder's account, rather than extending credit."

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

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Financial Institutions, Housing & Insurance to House Bill No. 1127.

The motion by Senator Berkey 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 1 of the title, after "information;" strike the remainder of the title and insert "and amending RCW 19.200.010 and 63.14.123."

MOTION

On motion of Senator Berkey, the rules were suspended, House Bill No. 1127 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 Berkey spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1127 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1127 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Becker, Berkey, Brandland, Brown, Carrell, Delvin, Eide, 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, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Fairley and Roach

HOUSE BILL NO. 1127 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. 1166, by Representatives Hasegawa, Kenney, Simpson, Chase, Ormsby and Santos

Allowing loans to community development financial institutions under the linked deposit program.

The measure was read the second time.

MOTION

Senator Berkey moved that the following committee amendment by the Committee on Financial Institutions, Housing & Insurance be adopted.

On page 3, after line 11, insert the following:

"Sec. 2. RCW 43.86A.030 and 2008 c 187 s 2 are each amended to read as follows:

(1) Funds held in public depositaries not as demand deposits, as provided in RCW 43.86A.020 and ~~((43.86A.030))~~ this section, shall be available for a time certificate of deposit investment program according to the following formula: The state treasurer shall apportion to all participating depositaries an amount equal to five percent of the three year average mean of general state revenues as certified in accordance with Article VIII, section 1(b) of the state Constitution, or fifty percent of the total surplus treasury investment availability, whichever is less. Within thirty days after certification, those funds determined to be available according to this formula for the time certificate of deposit investment program shall be deposited in qualified public depositaries. These deposits shall be allocated among the participating depositaries on a basis to be determined by the state treasurer.

(2) Of all funds available under this section, the state treasurer may use up to one hundred seventy-five million dollars per year for the purposes of RCW 43.86A.060(2)(c) (i) and (iii) and up to fifteen million dollars per year for the purposes of RCW 43.86A.060(2)(c)(ii). The amounts made available to

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these public depositories shall be equal to the amounts of outstanding loans made under RCW 43.86A.060.

(3) The formula so devised shall be a matter of public record giving consideration to, but not limited to deposits, assets, loans, capital structure, investments or some combination of these factors. However, if in the judgment of the state treasurer the amount of allocation for certificates of deposit as determined by this section will impair the cash flow needs of the state treasury, the state treasurer may adjust the amount of the allocation accordingly."

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

The President Pro Tempore declared the question before the Senate to be the adoption of the committee amendment by the Committee on Financial Institutions, Housing & Insurance to House Bill No. 1166.

The motion by Senator Berkey carried and the committee 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 "43.86A.060" insert "and 43.86A.030"

MOTION

On motion of Senator Berkey, the rules were suspended, House Bill No. 1166 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 Berkey spoke in favor of passage of the bill.

MOTION

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

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1166 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1166 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 33; Nays, 12; Absent, 0; Excused, 4.

Voting yea: Senators Berkey, Brandland, Brown, Delvin, Eide, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Pridemore, Ranker, Regala, Rockefeller, Sheldon, Shin, Swecker, Tom and Zarelli

Voting nay: Senators Becker, Carrell, Holmquist, Honeyford, King, McCaslin, Morton, Parlette, Pflug, Roach, Schoesler and Stevens

Excused: Senators Benton, Fairley, Hatfield and Prentice

HOUSE BILL NO. 1166 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

ENGROSSED HOUSE BILL NO. 1227, by Representatives Springer, Warnick, Johnson, Lias, McCune, Ormsby and Morrell

Concerning recreational vehicles used as primary residences in manufactured/mobile home communities.

The measure was read the second time.

MOTION

On motion of Senator Berkey, the rules were suspended, Engrossed House Bill No. 1227 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Berkey and Schoesler 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 House Bill No. 1227.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1227 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, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Absent: Senator Brown

Excused: Senators Benton, Fairley, Hatfield and Prentice

ENGROSSED HOUSE BILL NO. 1227, 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. 1328, by House Committee on Higher Education (originally sponsored by Representatives Carlyle, Morrell, Maxwell, Eddy, Anderson, Green, Van De Wege, Sells, White, Hasegawa, Wallace, Dunshee, Priest, McCoy, Dickerson, Williams, Ormsby, Finn, Lias, Kelley, Probst, Kenney, Hunt, Kessler, Pettigrew, Haigh, Goodman, Ericks, Blake, Jacks, Angel, Driscoll, Schmick, Hudgins, Hunter, Moeller, Chase, Springer, Conway, Sullivan, Rolfes, Simpson, Campbell, Santos and Roberts)

Allowing public technical colleges to offer associate transfer degrees. Revised for 1st Substitute: Allowing public technical colleges to offer degrees that prepare students to transfer to certain bachelor degree programs.

The measure was read the second time.

MOTION

On motion of Senator Kilmer, the rules were suspended, Substitute House Bill No. 1328 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 Marr, Senator Brown was excused.

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The President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 1328.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1328 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, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown, Fairley, Hatfield and Prentice

SUBSTITUTE HOUSE BILL NO. 1328, 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 HOUSE BILL NO. 1464, by Representatives Springer, Ormsby, Orwall, Eddy, Ericks, Nelson, Kagi, Dickerson, Morrell, Wood and Goodman

Concerning affordable housing incentive programs.

The measure was read the second time.

MOTION

On motion of Senator Berkey, the rules were suspended, Engrossed House Bill No. 1464 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Berkey 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 House Bill No. 1464.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1464 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 19; Absent, 0; Excused, 4.

Voting yea: Senators Berkey, Eide, Franklin, Fraser, Hargrove, Haugen, Hobbs, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Prentice, Pridemore, Ranker, Regala, Rockefeller and Shin

Voting nay: Senators Becker, Brandland, Carrell, Delvin, Hewitt, Holmquist, Honeyford, King, McCaslin, Morton, Parlette, Pflug, Roach, Schoesler, Sheldon, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown, Fairley and Hatfield

ENGROSSED HOUSE BILL NO. 1464, 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 HOUSE BILL NO. 1824, by Representatives Rodne, Quall, Anderson, Liias, Walsh, Pettigrew, Priest, Simpson, Kessler, Rolfes, Johnson, Sullivan and Morrell

Requiring the adoption of policies for the management of concussion and head injury in youth sports.

The measure was read the second time.

MOTION

Senator King moved that the following committee striking amendment by the Committee on Early Learning & K-12 Education be adopted.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 4.24.660 and 1999 c 316 s 3 are each amended to read as follows:

(1) A school district shall not be liable for an injury to or the death of a person due to action or inaction of persons employed by, or under contract with, a youth program if:

(a) The action or inaction takes place on school property and during the delivery of services of the youth program;

(b) The private nonprofit group provides proof of being insured, under an accident and liability policy issued by an insurance company authorized to do business in this state, that covers any injury or damage arising from delivery of its services. Coverage for a policy meeting the requirements of this section must be at least fifty thousand dollars due to bodily injury or death of one person, or at least one hundred thousand dollars due to bodily injury or death of two or more persons in any incident. The private nonprofit shall also provide a statement of compliance with the policies for the management of concussion and head injury in youth sports as set forth in section 2 of this act; and

(c) The group provides proof of such insurance before the first use of the school facilities. The immunity granted shall last only as long as the insurance remains in effect.

(2) Immunity under this section does not apply to any school district before January 1, 2000.

(3) As used in this section, "youth programs" means any program or service, offered by a private nonprofit group, that is operated primarily to provide persons under the age of eighteen with opportunities to participate in services or programs.

(4) This section does not impair or change the ability of any person to recover damages for harm done by: (a) Any contractor or employee of a school district acting in his or her capacity as a contractor or employee; or (b) the existence of unsafe facilities or structures or programs of any school district.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.600 RCW to read as follows:

(1)(a) Concussions are one of the most commonly reported injuries in children and adolescents who participate in sports and recreational activities. The centers for disease control and prevention estimates that as many as three million nine hundred thousand sports-related and recreation-related concussions occur in the United States each year. A concussion is caused by a blow or motion to the head or body that causes the brain to move rapidly inside the skull. The risk of catastrophic injuries or death are significant when a concussion or head injury is not properly evaluated and managed.

(b) Concussions are a type of brain injury that can range from mild to severe and can disrupt the way the brain normally works. Concussions can occur in any organized or unorganized sport or recreational activity and can result from a fall or from players colliding with each other, the ground, or with obstacles. Concussions occur with or without loss of consciousness, but the vast majority occurs without loss of consciousness.

(c) Continuing to play with a concussion or symptoms of head injury leaves the young athlete especially vulnerable to greater injury and even death. The legislature recognizes that, despite having generally recognized return to play standards for

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concussion and head injury, some affected youth athletes are prematurely returned to play resulting in actual or potential physical injury or death to youth athletes in the state of Washington.

(2) Each school district's board of directors shall work in concert with the Washington interscholastic activities association to develop the guidelines and other pertinent information and forms to inform and educate coaches, youth athletes, and their parents and/or guardians of the nature and risk of concussion and head injury including continuing to play after concussion or head injury. On a yearly basis, a concussion and head injury information sheet shall be signed and returned by the youth athlete and the athlete's parent and/or guardian prior to the youth athlete's initiating practice or competition.

(3) A youth athlete who is suspected of sustaining a concussion or head injury in a practice or game shall be removed from competition at that time.

(4) A youth athlete who has been removed from play may not return to play until the athlete is evaluated by a licensed health care provider trained in the evaluation and management of concussion and receives written clearance to return to play from that health care provider. The health care provider may be a volunteer. A volunteer who authorizes a youth athlete to return to play is not liable for civil damages resulting from any act or omission in the rendering of such care, other than acts or omissions constituting gross negligence or willful or wanton misconduct.

(5) This section may be known and cited as the Zackery Lystedt law."

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

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Early Learning & K-12 Education to Engrossed House Bill No. 1824.

The motion by Senator King 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 "sports;" strike the remainder of the title and insert "amending RCW 4.24.660; and adding a new section to chapter 28A.600 RCW."

MOTION

On motion of Senator King, the rules were suspended, Engrossed House Bill No. 1824 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators King and McAuliffe 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 House Bill No. 1824 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed House Bill No. 1824 as amended by the Senate 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, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig,

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

Excused: Senators Benton, Brown, Fairley and Hatfield

ENGROSSED HOUSE BILL NO. 1824 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. 1076, by Representatives Rolfes, Eddy, Kelley, Pearson, Simpson, Moeller, Orcutt, Morrell and Uptegrove

Allowing crime victims to submit input to the department of corrections regarding an offender's placement in work release.

The measure was read the second time.

MOTION

On motion of Senator Regala, the rules were suspended, House Bill No. 1076 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 Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1076.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1076 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, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown, Fairley and Hatfield

HOUSE BILL NO. 1076, 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. 1217, by Representatives Simpson, Alexander, Conway and Wood

Providing the gambling commission with authority to determine locations where amusement games may be conducted.

The measure was read the second time.

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, House Bill No. 1217 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Delvin spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1217.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1217 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

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

Voting nay: Senator Hargrove

Excused: Senators Benton, Brown, Fairley and Hatfield

HOUSE BILL NO. 1217, 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. 1295, by Representatives Warnick and Uptegrove

Annexing areas used for agricultural fairs.

The measure was read the second time.

MOTION

Senator Ranker moved that the following committee striking amendment by the Committee on Agriculture & Rural Economic Development be adopted.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature recognizes that agricultural fairs serve valuable educational, vocational, and recreational purposes that promote the public good and serve as showcases for an important sector of Washington's economy. The legislature also recognizes that counties provide territory for agricultural fairs and supporting services, thereby creating locales for economic and other beneficial activities. Washington's increasing population can, however, create significant annexation pressures that impact fairgrounds and surrounding lands.

In recognition of the many benefits of agricultural fairs and the importance of promoting effective annexation laws, the legislature intends to establish clear and logical procedures for the annexation of county-owned fairgrounds that are consistent with the longstanding requirement that these grounds may only be annexed with the consent of a majority of the county legislative authority.

Sec. 2. RCW 35.13.010 and 1965 c 7 s 35.13.010 are each amended to read as follows:

Any portion of a county not incorporated as part of a city or town but lying contiguous thereto may become a part of the city or town by annexation(~~PROVIDED, That property owned by a county, and used for the purpose of an agricultural fair as provided in chapter 15.76 RCW or chapter 36.37 RCW shall not be subject to annexation without the consent of the majority of the board of county commissioners~~). An area proposed to be annexed to a city or town shall be deemed contiguous thereto even though separated by water or tide or shore lands on which no bona fide residence is maintained by any person.

NEW SECTION. Sec. 3. A new section is added to chapter 35.13 RCW to read as follows:

(1) Territory owned by a county and used for an agricultural fair as provided in chapter 15.76 RCW or chapter 36.37 RCW may only be annexed to a city or town through the method prescribed in this section.

(a) The legislative body of the city or town proposing the

annexation must submit a request for annexation and a legal description of the subject territory to the legislative authority of the county within which the territory is located.

(b) Upon receipt of the request and description, the county legislative authority has thirty days to review the proposal and determine if the annexation proceedings will continue. As a condition of approval, the county legislative authority may modify the proposal, but it may not add territory that was not included in the request and description. Approval of the county legislative authority is a condition precedent to further proceedings upon the request and there is no appeal of the county legislative authority's decision.

(c) If the county legislative authority determines that the proceedings may continue, it must, within thirty days of the determination, fix a date for a public hearing on the proposal, and cause notice of the hearing to be published at least once a week for two weeks prior to the hearing in one or more newspapers of general circulation in the territory proposed for annexation. The notice must also be posted in three public places within the subject territory, specify the time and place of the hearing, and invite interested persons to appear and voice approval or disapproval of the annexation. If the annexation proposal provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice must include a statement of these requirements.

(d) If, following the conclusion of the hearing, a majority of the county legislative authority deems the annexation proposal to be in the best interest of the county, it may adopt a resolution approving of the annexation.

(e) If, following the county legislative authority's adoption of the annexation approval resolution, the legislative body of the city or town proposing annexation determines to effect the annexation, it must do so by ordinance. The ordinance: (i) May only include territory approved for annexation in the resolution adopted under (d) of this subsection; and (ii) must not exclude territory approved for annexation in the resolution adopted under (d) of this subsection. Upon passage of the annexation ordinance, a certified copy must be filed with the applicable county legislative authority.

(2) Any territory annexed through an ordinance adopted under this section is annexed and becomes a part of the city or town upon the date fixed in the ordinance.

Sec. 4. RCW 35A.14.010 and 1967 ex.s. c 119 s 35A.14.010 are each amended to read as follows:

Any portion of a county not incorporated as part of a city or town but lying contiguous to a code city may become a part of the charter code city or noncharter code city by annexation(~~PROVIDED, That property owned by a county, and used for the purpose of an agricultural fair as provided in chapter 15.76 RCW or chapter 36.37 RCW shall not be subject to annexation without the consent of the majority of the board of county commissioners~~). An area proposed to be annexed to a charter code city or noncharter code city shall be deemed contiguous thereto even though separated by water or tide or shore lands and, upon annexation of such area, any such intervening water and/or tide or shore lands shall become a part of such annexing city.

NEW SECTION. Sec. 5. A new section is added to chapter 35A.14 RCW to read as follows:

(1) Territory owned by a county and used for an agricultural fair as provided in chapter 15.76 RCW or chapter 36.37 RCW may only be annexed to a code city through the method prescribed in this section.

(a) The legislative body of the city proposing the annexation must submit a request for annexation and a legal description of the subject territory to the legislative authority of the county within which the territory is located.

(b) Upon receipt of the request and description, the county legislative authority has thirty days to review the proposal and

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determine if the annexation proceedings will continue. As a condition of approval, the county legislative authority may modify the proposal, but it may not add territory that was not included in the request and description. Approval of the county legislative authority is a condition precedent to further proceedings upon the request and there is no appeal of the county legislative authority's decision.

(c) If the county legislative authority determines that the proceedings may continue, it must, within thirty days of the determination, fix a date for a public hearing on the proposal, and cause notice of the hearing to be published at least once a week for two weeks prior to the hearing in one or more newspapers of general circulation in the territory proposed for annexation. The notice must also be posted in three public places within the subject territory, specify the time and place of the hearing, and invite interested persons to appear and voice approval or disapproval of the annexation. If the annexation proposal provides for assumption of indebtedness or adoption of a proposed zoning regulation, the notice must include a statement of these requirements.

(d) If, following the conclusion of the hearing, a majority of the county legislative authority deems the annexation proposal to be in the best interest of the county, it may adopt a resolution approving of the annexation.

(e) If, following the county legislative authority's adoption of the annexation approval resolution, the legislative body of the city proposing annexation determines to effect the annexation, it must do so by ordinance. The ordinance: (i) May only include territory approved for annexation in the resolution adopted under (d) of this subsection; and (ii) must not exclude territory approved for annexation in the resolution adopted under (d) of this subsection. Upon passage of the annexation ordinance, a certified copy must be filed with the applicable county legislative authority.

(2) Any territory annexed through an ordinance adopted under this section is annexed and becomes a part of the code city upon the date fixed in the ordinance."

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

The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Agriculture & Rural Economic Development to House Bill No. 1295.

The motion by Senator Ranker 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 1 of the title, after "fairs;" strike the remainder of the title and insert "amending RCW 35.13.010 and 35A.14.010; adding a new section to chapter 35.13 RCW; adding a new section to chapter 35A.14 RCW; and creating a new section."

MOTION

On motion of Senator Ranker, the rules were suspended, House Bill No. 1295 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 Ranker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of House Bill No. 1295 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1295 as amended by the Senate 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, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown, Fairley and Hatfield
HOUSE BILL NO. 1295 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

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1794, by House Committee on Judiciary (originally sponsored by Representative Moeller)

Concerning the calculation of child support.

The measure was read the second time.

MOTION

On motion of Senator Regala, the rules were suspended, Engrossed Substitute House Bill No. 1794 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Regala and Carrell 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 House Bill No. 1794.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1794 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, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Brown, Fairley and Hatfield
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1794, 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.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced former Senator Steve Johnson, who was present in the rear of the chamber.

SECOND READING

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SUBSTITUTE HOUSE BILL NO. 2071, by House Committee on Early Learning & Children's Services (originally sponsored by Representatives Green, Kagi, Miloscia, Pettigrew, Nelson, Haler, Priest, Goodman, Conway, Ormsby, Santos and Kenney)

Concerning education for parents of needy families.

The measure was read the second time.

MOTION

On motion of Senator Regala, the rules were suspended, Substitute House Bill No. 2071 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator Marr, Senator Murray was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute House Bill No. 2071.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 2071 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, Franklin, Fraser, Hargrove, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Benton, Fairley, Hatfield and Murray

SUBSTITUTE HOUSE BILL NO. 2071, 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. 1869, by House Committee on Health Care & Wellness (originally sponsored by Representatives Bailey, Hinkle, Anderson, Ericksen and Kelley)

Concerning the transparency of health care cost information.

The measure was read the second time.

MOTION

Senator Keiser moved that the following committee striking amendment by the Committee on Health & Long-Term Care be adopted.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 70.01 RCW to read as follows:

(1) Health care providers licensed under Title 18 RCW and health care facilities licensed under Title 70 RCW, shall provide the following to a patient upon request:

(a) An estimate of fees and charges related to a specific service, visit, or stay; and

(b) Information regarding other types of fees or charges a patient may receive in conjunction with their visit to the provider or facility.

(2) Providers and facilities listed in subsection (1) of this section may, after disclosing estimated charges and fees to a patient, refer the patient to the patient's insurer, if applicable, for specific information on the insurer's negotiated charges and fees, and any cost-sharing responsibilities required of the patient.

(3) Providers and facilities listed in subsection (1) of this section must post a notice in a location visible to all patients that says, "You have the right to know the estimated cost of your health services before you consent to the services. Please do not hesitate to ask for information."

MOTION

Senator Keiser moved that the following amendment by Senators Keiser and Becker to the committee striking amendment be adopted.

On page 1, line 12 of the amendment, after "facility," insert "Hospitals licensed under chapter 70.41 RCW may fulfill this requirement by providing a statement and contact information as described in RCW 70.41.400."

On page 1, line 16 of the amendment, after "insurer's" strike "negotiated"

On page 1, line 18 of the amendment, after "(3)" strike "providers" and insert "Except for hospitals licensed under chapter 70.41 RCW, providers"

On page 1, after line 22 of the amendment, insert the following:

"NEW SECTION. Sec. 2. A new section is added to chapter 70.41 RCW to read as follows:

Hospitals licensed under this chapter shall provide notice to patients undergoing scheduled elective procedures containing at least the following language: "You may request information about the estimated charges of your hospital services. Please do not hesitate to ask for information."

Senator Keiser spoke in favor of adoption of the amendment to the committee striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Keiser and Becker on page 1, line 12 to the committee striking amendment to Substitute House Bill No. 1869.

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

MOTION

Senator Pflug moved that the following amendment by Senators Pflug and Keiser to the committee striking amendment be adopted.

On page 1, line 16, after "fees," strike "and"

On page 1, line 17, after "patient", insert ", and the network status of ancillary providers who may or may not share the same network status as the provider or facility"

Senator Pflug spoke in favor of adoption of the amendment to the committee striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Pflug and Keiser on page 1, line 16 to the committee striking amendment to Substitute House Bill No. 1869.

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

Senator Keiser spoke in favor of adoption of the committee striking amendment as amended.

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The President Pro Tempore declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Health & Long-Term Care as amended to Substitute House Bill No. 1869.

The motion by Senator Keiser carried and the committee striking amendment as amended was adopted by voice vote.

MOTION

There being no objection, the following title amendments were adopted:

On page 1, line 1 of the title, after "information;" strike the remainder of the title and insert "and adding a new section to chapter 70.01 RCW."

On page 2, line 2 of the title amendment, after "insert" strike the remainder of the title amendment and insert "adding a new section to chapter 70.01 RCW; and adding a new section to chapter 70.41 RCW."

MOTION

On motion of Senator Keiser, the rules were suspended, Substitute House Bill No. 1869 as amended by the Senate was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Pflug 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 House Bill No. 1869 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Substitute House Bill No. 1869 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Benton, Fairley and Hatfield

SUBSTITUTE HOUSE BILL NO. 1869 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 12:15 p.m., on motion of Senator Eide, the Senate adjourned until 9:00 a.m. Friday, April 3, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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1049 Third Reading Final Passage. 3
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1076 Second Reading. 9
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1078-S2 Second Reading. 5
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1127 Other Action. 6
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1166 Other Action. 7
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1201-S Second Reading. 3
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1217 Second Reading. 9
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1218 Speaker Signed.. 2

1221-S Speaker Signed.. 2

1227 Second Reading. 7
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1254-S Speaker Signed.. 2

1280-S Speaker Signed.. 2

1291-S Speaker Signed.. 2

1295 Other Action. 11
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1322 Speaker Signed.. 2

1328-S Second Reading. 7
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1401-S Speaker Signed.. 2

1414-S Speaker Signed.. 2

1464 Second Reading. 8
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1481-S2 Committee Report. 1

1510-S Speaker Signed.. 2

1569 Speaker Signed.. 2

1794-S Second Reading. 11
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1843-S Third Reading Final Passage. 9
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1878 Speaker Signed.. 2

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2072-S Committee Report. 1
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5184 Speaker Signed.. 1

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5228-S Speaker Signed.. 1

5238-S Speaker Signed.. 1

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5369-S Messages. 1

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5437-S Messages. 1

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