

**FIFTY EIGHTH DAY**

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NOON SESSION

---

Senate Chamber, Olympia, Tuesday, March 8, 2011

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

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

March 5, 2011

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1177,  
ENGROSSED HOUSE BILL NO. 1364,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.

1952.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 7, 2011

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1021,  
SUBSTITUTE HOUSE BILL NO. 1053,  
HOUSE BILL NO. 1166,  
HOUSE BILL NO. 1625,  
SUBSTITUTE HOUSE BILL NO. 1663,  
SUBSTITUTE HOUSE BILL NO. 1874.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

March 7, 2011

MR. PRESIDENT:

The House has passed:

ENGROSSED HOUSE BILL NO. 1223,  
ENGROSSED HOUSE BILL NO. 1357,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1367,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1494,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.  
1546,  
SUBSTITUTE HOUSE BILL NO. 1689,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.

1789,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1826,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1846,

ENGROSSED HOUSE BILL NO. 2011.  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5869 by Senators Tom, Becker and Ericksen

AN ACT Relating to requiring insurance benefits with wellness incentives for public employees; amending RCW 41.05.065 and 28A.400.350; and creating a new section.

Referred to Committee on Health & Long-Term Care.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1042 by House Committee on Ways & Means (originally sponsored by Representatives Seaquist, Walsh, Kirby, Appleton, Miloscia, Blake and Goodman)

AN ACT Relating to providing a property tax exemption for property held under lease, sublease, or lease-purchase by a nonprofit organization that provides job training, placement, or preemployment services; amending RCW 84.36.030; and creating a new section.

Referred to Committee on Ways & Means.

SHB 1046 by House Committee on Transportation (originally sponsored by Representatives Moeller, Condotta and Morris)

AN ACT Relating to vehicle and vessel quick title; amending RCW 88.02.640 and 46.17.040; adding a new section to chapter 46.12 RCW; adding a new section to chapter 46.17 RCW; adding a new section to chapter 46.68 RCW; adding a new section to chapter 88.02 RCW; creating new sections; and providing effective dates.

Referred to Committee on Transportation.

ESHB 1055 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Hudgins, Green, McCoy, Eddy, Kenney and Reykdal)

AN ACT Relating to streamlining contractor appeals; and amending RCW 18.27.250, 18.27.270, and 18.27.370.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 1135 by House Committee on Environment (originally sponsored by Representatives Finn, Armstrong and Uptegrove)

AN ACT Relating to refrigerants for motor vehicles; and amending RCW 46.37.470.

Referred to Committee on Environment, Water & Energy.

SHB 1167 by House Committee on Judiciary (originally sponsored by Representatives Liias, Goodman, Probst, Rolfes, Moscoso, Roberts, Fitzgibbon, Billig, Miloscia and Maxwell)

AN ACT Relating to driving or being in physical control of a motor vehicle while under the influence of alcohol or drugs; amending RCW 2.28.190, 46.61.5056, and 46.61.5152; reenacting and amending RCW 46.61.5054; adding a new section to chapter 2.28 RCW; and adding a new section to chapter 10.01 RCW.

Referred to Committee on Judiciary.

EHB 1177 by Representatives Hunt and McCoy

AN ACT Relating to archaeological investigations on private land; amending RCW 27.53.030; and reenacting and amending RCW 27.53.070.

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

HB 1179 by Representatives Hunt, Hudgins, Appleton, Liias, Miloscia, McCoy, Reykdal, Goodman, Darneille, Van De Wege, Upthegrove, Ormsby, Billig, Orwall, Green, Kenney, Dickerson, Santos, Frock, Tharinger and Moscoso

AN ACT Relating to public employees' attendance at informational or educational meetings regarding legislative issues; and adding a new section to chapter 42.52 RCW.

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

ESHB 1224 by House Committee on Ways & Means (originally sponsored by Representatives Green, Dammeier, Cody, Appleton, Darneille, Harris and Roberts)

AN ACT Relating to a business and occupation tax deduction for amounts received with respect to mental health services; amending RCW 82.04.4297 and 82.04.431; adding a new section to chapter 82.04 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

SHB 1253 by House Committee on Judiciary (originally sponsored by Representatives Fitzgibbon, Rivers, Pedersen and Rodne)

AN ACT Relating to revising the uniform interstate family support act; amending RCW 26.21A.010, 26.21A.015, 26.21A.020, 26.21A.100, 26.21A.110, 26.21A.115, 26.21A.125, 26.21A.130, 26.21A.135, 26.21A.140, 26.21A.150, 26.21A.200, 26.21A.215, 26.21A.220, 26.21A.225, 26.21A.230, 26.21A.235, 26.21A.245, 26.21A.250, 26.21A.260, 26.21A.275, 26.21A.280, 26.21A.285, 26.21A.290, 26.21A.350, 26.21A.415, 26.21A.420, 26.21A.430, 26.21A.500, 26.21A.505, 26.21A.510, 26.21A.515, 26.21A.520, 26.21A.525, 26.21A.530, 26.21A.535, 26.21A.540, 26.21A.545, 26.21A.550, and 26.21A.570; adding new sections to chapter

26.21A RCW; repealing RCW 26.21A.105, 26.21A.145, and 26.21A.600; and providing a contingent effective date.

Referred to Committee on Human Services & Corrections.

SHB 1257 by House Committee on Business & Financial Services (originally sponsored by Representatives Stanford, Kirby and Kelley)

AN ACT Relating to adopting the investments of insurers model act; amending RCW 48.13.350; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.13 RCW; repealing RCW 48.13.010, 48.13.020, 48.13.030, 48.13.040, 48.13.050, 48.13.060, 48.13.070, 48.13.080, 48.13.090, 48.13.100, 48.13.110, 48.13.120, 48.13.125, 48.13.130, 48.13.140, 48.13.150, 48.13.160, 48.13.170, 48.13.180, 48.13.190, 48.13.200, 48.13.210, 48.13.218, 48.13.220, 48.13.230, 48.13.240, 48.13.250, 48.13.260, 48.13.265, 48.13.270, 48.13.273, 48.13.275, 48.13.280, 48.13.285, 48.13.290, and 48.13.340; and providing an effective date.

Referred to Committee on Financial Institutions, Housing & Insurance.

ESHB 1346 by House Committee on Ways & Means (originally sponsored by Representative Hunter)

AN ACT Relating to making changes to laws administered by the department of revenue that do not create any new or broaden any existing tax preference as defined in RCW 43.136.021 or increase any person's tax burden; amending RCW 82.04.220, 82.12.040, and 43.06.400; and repealing RCW 82.16.140 and 82.32.570.

Referred to Committee on Ways & Means.

HB 1347 by Representatives Hunter and Orcutt

AN ACT Relating to sales and use tax exemptions for certain property and services used in manufacturing, research and development, or testing operations, not including changes to RCW 82.08.02565 and 82.12.02565 that reduce state revenue; amending RCW 82.08.02565, 82.04.120, and 82.32.585; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

EHB 1382 by Representatives Clibborn, Maxwell, Liias, Eddy, Hunter and Springer

AN ACT Relating to the use of express toll lanes in the eastside corridor; amending RCW 47.56.810; reenacting and amending RCW 43.84.092; adding new sections to chapter 47.56 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Transportation.

SHB 1384 by House Committee on Transportation (originally sponsored by Representatives Moscoso, Liias, Clibborn, Billig, Ryu, Kenney, Stanford and Reykdal)

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AN ACT Relating to public improvement contracts involving certain federally funded transportation projects; reenacting and amending RCW 60.28.011; and creating a new section.

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

Referred to Committee on Transportation.

EHB 1409 by Representatives Appleton, Hurst and McCoy

ESHB 1635 by House Committee on Transportation (originally sponsored by Representatives Upthegrove, Clibborn, Eddy, Armstrong, Liias, Rivers, Angel, Van De Wege, Wilcox, Maxwell, Rolfes, Finn, Sullivan, Dammeier, Orwall, Warnick and Moscoco)

AN ACT Relating to the sale, exchange, transfer, or lease of public property; and amending RCW 39.33.010.

AN ACT Relating to reducing customer wait times at driver licensing offices; amending RCW 28A.220.030, 46.20.049, 46.20.117, 46.20.161, 46.20.181, 46.20.505, and 46.20.515; reenacting and amending RCW 46.20.120; adding a new section to chapter 46.01 RCW; adding a new section to chapter 46.82 RCW; and creating new sections.

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

Referred to Committee on Transportation.

ESHB 1421 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Rolfes, Lytton, Moscoco, Van De Wege, Green, Sells, Blake, Sullivan, Eddy, Fitzgibbon, Frockt, Dunshee, Ryu, Upthegrove, Kenney, Reykdal and Tharinger)

ESHB 1676 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Reykdal, Kenney, Green, McCoy, Ormsby, Hudgins and Hunt)

AN ACT Relating to providing the authority to create a community forest trust to be managed by the department of natural resources; amending RCW 79.17.210, 43.30.385, 79.64.020, and 79.64.040; reenacting and amending RCW 79.02.010; and adding a new chapter to Title 79 RCW.

AN ACT Relating to the abatement of violations of the Washington industrial safety and health act during an appeal; and amending RCW 49.17.140.

Referred to Committee on Ways & Means.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 1473 by Representatives Parker, Hurst, Ormsby and Billig

HB 1694 by Representatives Stanford and Kirby

AN ACT Relating to the use of existing fees collected for the cost of traffic schools; and adding new sections to chapter 46.83 RCW.

AN ACT Relating to unauthorized insurance; amending RCW 48.15.040, 48.15.040, 48.15.090, 48.15.110, and 48.15.120; adding new sections to chapter 48.15 RCW; creating a new section; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1483 by House Committee on Transportation (originally sponsored by Representative Pearson)

SHB 1700 by House Committee on Transportation (originally sponsored by Representatives Fitzgibbon, Angel, Appleton, Armstrong, Rolfes, Johnson, Clibborn, Rivers, Reykdal, Ormsby, Upthegrove, Liias, Billig and Moeller)

AN ACT Relating to traffic infractions; and amending RCW 46.63.060.

AN ACT Relating to modifying the requirements related to designing various transportation projects; amending RCW 35.75.060, 35.78.030, 36.82.145, and 43.32.020; adding a new section to chapter 35.78 RCW; adding a new section to chapter 47.04 RCW; and creating a new section.

Referred to Committee on Transportation.

Referred to Committee on Transportation.

ESHB 1487 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Springer and Condotta)

ESHB 1716 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Asay, Hurst, Klippert, Pearson and Miloscia)

AN ACT Relating to claims management by retrospective rating plan employers and groups; adding new sections to chapter 51.18 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Labor, Commerce & Consumer Protection.

AN ACT Relating to the regulation of secondhand dealers; amending RCW 19.60.010 and 19.60.085; adding new sections to chapter 19.60 RCW; creating a new section; and prescribing penalties.

SHB 1518 by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Hunt, Reykdal and Kenney)

AN ACT Relating to pretax payroll deductions for qualified transit and parking benefits; and amending RCW 41.04.230.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 1718 by House Committee on Ways & Means (originally sponsored by Representatives Roberts, Moeller, Dammeier and Green)

AN ACT Relating to offenders with developmental disabilities or traumatic brain injuries; amending RCW 2.28.180 and 74.09.555; and adding a new section to chapter 70.48 RCW.

Referred to Committee on Human Services & Corrections.

ESHB 1725 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Sells, Reykdal, Ormsby, Kenney and Uptegrove)

AN ACT Relating to administrative efficiencies for the workers' compensation program; amending RCW 51.04.030, 51.04.082, 51.24.060, 51.32.240, 51.48.120, 51.48.150, and 51.52.050; adding a new section to chapter 51.18 RCW; and adding a new section to chapter 51.36 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 1726 by Representatives Sells, Roberts, Ormsby, Reykdal, Kenney, Miloscia, Moeller and Uptegrove

AN ACT Relating to recommendations of the vocational rehabilitation subcommittee for workers' compensation; amending RCW 51.32.095 and 51.32.099; and providing an expiration date.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 1770 by Representatives Hasegawa, Kenney, Orcutt, Frockt and Stanford

AN ACT Relating to enhancing small business participation in state purchasing; amending RCW 39.29.050, 43.19.1901, and 43.19.1905; adding new sections to chapter 43.19 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Economic Development, Trade & Innovation.

SHB 1793 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Darneille, Roberts and Kagi)

AN ACT Relating to restricting access to juvenile records; amending RCW 13.50.010; adding new sections to chapter 13.50 RCW; and creating new sections.

Referred to Committee on Human Services & Corrections.

HB 1805 by Representatives Kelley, Fitzgibbon, Green, Stanford and Santos

AN ACT Relating to increasing the criminal penalty for making unlicensed small loans; amending RCW 31.45.180; and prescribing penalties.

Referred to Committee on Judiciary.

SHB 1854 by House Committee on Ways & Means (originally sponsored by Representatives Uptegrove, Rolles, Finn, Hunt, Hope, Fitzgibbon, Stanford, Kenney and Ormsby)

AN ACT Relating to annexation of territory by regional fire protection service authorities; amending RCW 52.26.100 and 84.52.044; and adding a new section to chapter 52.26 RCW.

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

SHB 1860 by House Committee on State Government & Tribal Affairs (originally sponsored by Representative Hurst)

AN ACT Relating to partisan elections; amending RCW 29A.04.216, 29A.20.021, 29A.24.031, 29A.24.091, 29A.24.131, 29A.28.071, 29A.36.151, 29A.56.020, 29A.56.060, 29A.80.041, and 29A.80.051; reenacting and amending RCW 29A.40.061; adding a new section to chapter 29A.80 RCW; creating a new section; and recodifying RCW 29A.28.071.

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

SHB 1861 by House Committee on Transportation (originally sponsored by Representatives Armstrong, Clibborn, Hargrove, Liias, Billig and Schmick)

AN ACT Relating to the sale or lease of surplus state-owned railroad properties; amending RCW 47.76.280 and 47.76.290; adding a new section to chapter 46.68 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SHB 1897 by House Committee on Transportation (originally sponsored by Representatives Billig, Johnson, Clibborn, Armstrong, Liias, Takko, Walsh, Blake, Dunshee, Rolles, Van De Wege, Lytton, Fitzgibbon and Ormsby)

AN ACT Relating to establishing a rural mobility grant program; reenacting and amending RCW 43.84.092; adding a new section to chapter 46.68 RCW; and adding a new section to chapter 47.66 RCW.

Referred to Committee on Transportation.

ESHB 1902 by House Committee on Ways & Means (originally sponsored by Representatives Kagi, Goodman and Stanford)

AN ACT Relating to a business and occupation tax deduction for amounts received with respect to child welfare services; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Ways & Means.

ESHB 1922 by House Committee on Transportation (originally sponsored by Representatives Shea, Taylor and McCune)

AN ACT Relating to requiring certain vehicles to stop at a weigh station for inspection and weight measurement; adding

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a new section to chapter 46.44 RCW; and prescribing penalties.

an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 1933 by House Committee on Transportation (originally sponsored by Representative Finn)

MOTION

AN ACT Relating to license plate fraud and law enforcement safety; amending RCW 46.18.220; adding a new section to chapter 46.18 RCW; prescribing penalties; and providing effective dates.

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

Referred to Committee on Transportation.

MOTION

E2SHB 1952 by House Committee on General Government Appropriations & Oversight (originally sponsored by Representatives Uptegrove, Short, Fagan and McCune)

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

MOTION

AN ACT Relating to streamlining the state environmental policy act process; adding new sections to chapter 43.21C RCW; creating a new section; and providing expiration dates.

Senator Kohl-Welles moved adoption of the following resolution:

SENATE RESOLUTION  
8632

Referred to Committee on Environment, Water & Energy.

SHB 1966 by House Committee on Transportation (originally sponsored by Representatives Pearson, Haler and Bailey)

By Senators Kohl-Welles, Ranker, Haugen, Rockefeller, Pridemore, Eide, Kline, White, Murray, Keiser, Harper, Hatfield, Ericksen, Kilmer, Swecker, Fraser, Sheldon, and Prentice

AN ACT Relating to clarifying that manure is an agricultural product for the purposes of commercial drivers' licenses; and amending RCW 46.25.050.

WHEREAS, The Washington state commercial fishing fleet begins leaving in March for the Pacific and Alaskan waters, and the Blessing of the Fleet will occur March 13, 2011, at Fisherman's Terminal in Ballard; and

Referred to Committee on Transportation.

WHEREAS, This is the 83rd year that the Ballard First Lutheran Church has held the blessing; and

ESHB 1967 by House Committee on Transportation (originally sponsored by Representatives Fitzgibbon, Armstrong, Liias, Nealey, Clibborn, Billig, Frockt and Reykdal)

WHEREAS, The Washington state commercial fishing fleet begins leaving Blaine waters in May, and the Blessing of the Fleet will occur at Saw Tooth Dock in Blaine Harbor, May 1, 2011; and

AN ACT Relating to public transportation systems; amending RCW 35.58.2795, 35.58.2796, 47.01.101, 47.01.141, 47.04.280, and 47.06.140; adding a new section to chapter 43.19 RCW; and adding a new section to chapter 47.04 RCW.

WHEREAS, The Washington state commercial fishing fleet is one of the world's largest distant water fleets; and

Referred to Committee on Transportation.

WHEREAS, The commercial fishing industry directly and indirectly employs thousands of people and is one of the largest industries in Washington state; and

SHB 1998 by House Committee on Ways & Means (originally sponsored by Representatives Bailey and Seaquist)

WHEREAS, The harvest annually contributes significantly to the Washington state economy; and

AN ACT Relating to actuarial services for the state's public employee retirement systems; reenacting and amending RCW 44.44.040; adding a new section to chapter 41.45 RCW; and providing an effective date.

WHEREAS, The life of a fisher is fraught with danger and hardship that most people will never face; and

Referred to Committee on Ways & Means.

WHEREAS, Strength and courage are requirements for anyone who chooses to work on the sea, braving the elements in order to harvest the ocean's resources; and

ESHB 2002 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Sells, Ryu, Ormsby and Kenney)

WHEREAS, The men and women who work on fishing boats, at times in dangerous circumstances, deserve our admiration, thanks, and, when tragedy strikes, our remembrance; and

AN ACT Relating to industrial insurance employer wage subsidies and reimbursements for light duty or transitional work; reenacting and amending RCW 51.32.090; providing

WHEREAS, Too often fishers lose their lives, devastating not only the close-knit community of fishing families in our region, but also our entire state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate extend its condolences to the families and friends of all our fishers who have lost their lives at sea, wish the entire commercial fishing fleet a safe and prosperous season, and express its hope that all of our fishers will return home safely to their families, friends, and communities.

Senators Kohl-Welles 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. 8632.

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

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

MOTION

At 12:07 p.m., on motion of Senator Rockefeller, the Senate adjourned until 10:00 a.m. Wednesday, March 9, 2011.



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