

## SIXTY SECOND LEGISLATURE - SECOND SPECIAL SESSION

**FIRST DAY**

House Chamber, Olympia, Monday, November 28, 2011

The House was called to order at 12:00 p.m. by the Speaker (Representative Moeller presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Patty Riley and Maureen Mueller. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Rabbi Seth Goldstein, Temple Beth Hatfiloh, Olympia, Washington.

Rabbi Seth Goldstein: "Source of All Life, we ask that your blessing descend upon this assembly. For the women and men here gather at this special time to do this important and difficult work. We ask that You bless this body with wisdom, patience and strength. Wisdom to know that we all make our own way in this world and carry our own personal responsibilities, yet we are mindful of Your teaching that we have responsibilities to care for and share with one another. That we are judged as a society by how we treat the most vulnerable, the widows and orphans among us. Patience to not only hear but truly listen to each other's voices. To listen to the voices of each other in this room, and to listen to the voices of those outside these walls. No one of us carries the complete truth, and truth is found in the engagement with others. And Strength to make difficult choices, to question oneself and to be, as the ancient teaching says, "supple like the reed, and not rigid like the cedar." And the strength to move, not farther away from each other but towards each other. We have just passed our national day of Thanksgiving, and so we again express gratitude for all that we have, and for the gifts of democracy and civility which govern our state and nation. That we can raise our voice without fear of censure or reprisal. And that we can come together in bodies such as this, without reservation, to do the work of the common good. And we, the citizens of the state of Washington, express gratitude to you, our legislators, for taking on that heavy yoke of leadership and governance. May you wear it with humility, with wisdom, patience and strength, as well as with justice, with mercy and with compassion. Let us say, Amen."

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

**PROCLAMATION BY THE GOVERNOR**

WHEREAS, in accordance with Article II, Section 12 (Amendment 68) of the Washington State Constitution, the Legislature adjourned its 2011 regular session on April 22, 2011, the 103rd day of the session; and

WHEREAS, the Legislature reconvened on Tuesday, April 26, 2011, to continue work on the 2011-2013 biennial operating budget, 2011-2013 capital budget, and related bills; and

WHEREAS, the Legislature adjourned the 1st Special Session of 2011 on May 25, 2011, after approving the 2011-2013 operating budget, 2011-2013 capital budget, and related bills; and

WHEREAS, the Economic and Revenue Forecast Council adopted a September 2011 forecast that reduced expected state revenues by nearly \$1.4 billion in the 2011-2013 biennium; and

WHEREAS, on November 16, 2011, the Caseload Forecast Council will meet and on November 17, 2011, the Economic and Revenue Forecast Council will meet, to provide additional projections for the 2011-2013 biennium; and

WHEREAS, timely legislative action is needed to secure the State's fiscal health and address the shortfall in the 2011-2013 operating budget; and

WHEREAS, the Speaker of the House, House Minority Leader, Senate Majority Leader, and Senate Republican Leader working together with the Governor may agree upon additional matters that are necessary for the Legislature to address;

NOW, THEREFORE, I, Christine O. Gregoire, Governor of the state of Washington, by virtue of the authority vested in me by Article II, Section 12 (Amendment 68) and Article III, Section 7 of the Washington State Constitution, do hereby convene the Washington State Legislature in Special Session in the Capitol at Olympia on Monday, November 28, 2011, at noon for the sole purpose of enacting legislation addressing the 2011-2013 Operating Budget.

Signed and sealed with the official seal of the state of Washington this 27th day of October, A.D. Two-thousand and Eleven at Olympia, Washington.

**RESIGNATION OF REPRESENTATIVE CHRISTINE ROLFES**

July 20, 2011

The Honorable Christine Gregoire Governor of the State of Washington P.O. Box 40002  
Olympia WA 98504

Dear Governor Gregoire,  
State of Washington House of Representatives,

It has been my great honor to serve as a member of the Washington State House of Representatives. My fellow House Members are truly capable leaders who work tirelessly for our state. It is therefore, with some sadness, that I tender my resignation from that body, effective July 20, 2011.

I have been appointed by the Kitsap County Board of Commissioners to fill the remainder of my respected colleague Phil Rockefeller's Senate term. I am fully aware of the dedication he had to his job, to the institution of the Senate, and to the people of the 23rd Legislative District. I will strive to live up to his example, while continuing to work on issues that are important to the people of this state.

I ask that you accept my resignation from the House of Representatives. I look forward to this new opportunity to serve.

Sincerely,  
Christine Rolfes

**MESSAGE FROM THE KITSAP COUNTY BOARD OF COMMISSIONERS**

WHEREAS, Christine Rolfes, a Democrat, serving as Representative for the 23<sup>rd</sup> Legislative District, Position #2, resigned her position effective July 2011;

WHEREAS, Article II, §15 of the Washington State Constitution requires that vacancies in any legislative district elective office shall be filled by appointment by the county legislative authority of the county, and the person appointed to fill the vacancy must be from the same legislative district and the same political party as the partisan legislator whose office was vacated, and must be one of three persons nominated by the county central committee of that party;

WHEREAS, on September 11, 2011, the Democratic Central Committee of Kitsap County officially nominated three persons to fill the vacancy created by the resignation of Christine Rolfes, a Democrat residing in the 23<sup>rd</sup> Legislative District; and

WHEREAS, at a regular meeting on Monday, September 19, 2011, the Board of County Commissioners selected Drew Hansen to fill the vacancy created by the resignation of Christine Rolfes.

Now, therefore, the Board of County Commissioners resolves as follows:

Drew Hansen being duly qualified is hereby appointed to fill the 23<sup>rd</sup> Legislative District House of Representatives, Position #2, vacancy and hold office until the general election of 2012.

Adopted this 19th day of September, 2011

Dana Daniels, Clerk of the Board

Board of County Commissioners Kitsap  
County, Washington

Charlotte Garrido, Chair  
Robert Gelder, Commissioner  
Josh Brown, Commissioner

The Speaker (Representative Moeller presiding) recognized Representative Hansen and asked the chamber to acknowledge him.

#### **RESIGNATION OF REPRESENTATIVE DAVID FROCKT**

November 14, 2011

The Honorable Christine Gregoire  
Governor, State of Washington  
Legislative Building  
Olympia, WA 98504

Dear Governor Gregoire:

I am writing to inform you of the approval, today, by the King County Council of my appointment to the Washington State Senate to replace my colleague, the late Senator Scott White. Accordingly, pursuant to RCW 42.12.020, please accept my resignation from the House of Representatives effective immediately.

It was a terrible tragedy to lose Scott so suddenly and I am humbled at the prospect of replacing him.

It has been an honor to serve the 46<sup>th</sup> District in the House. It will remain my honor to do so in the Senate. I look forward to working with you in the challenging days ahead.

Sincerely,  
David S. Frockt

#### **INTRODUCTIONS AND FIRST READING**

HB 2126 by Representatives Armstrong, Condotta and Hunter

AN ACT Relating to a plan of finance to prevent the default of bonds issued by distressed public facilities districts; amending RCW 82.14.390, 82.14.050, and 43.79A.040; adding new sections to chapter 35.57 RCW; adding new sections to chapter 82.14 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 2127 by Representative Hunter

AN ACT Relating to fiscal matters; amending RCW 15.76.115, 28B.50.837, 28B.76.565, 28B.76.565, 28B.76.605, 28B.76.605, 39.12.080, 43.09.475, 43.21A.660, 43.79.460, 43.320.110, 43.330.250, 43.338.030, 47.66.070, 49.70.170, 77.12.203, 79.64.100, 79.105.150, 80.01.080, and 90.56.335; amending 2011 1st sp.s. c 50 ss 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 701, 703, 704, 713, 801, 802, 803, 805, 910, 920, 921, and 922; reenacting and amending RCW 43.19.791, 70.105D.070, and 79.64.040; adding new sections to 2011 1st sp.s. c 50 (uncodified); repealing 2011 1st sp.s. c 50 ss 139, 722, and 725; making appropriations; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 2128 by Representative Hunter

AN ACT Relating to clarifying the sales tax exemption for local telephone service; reenacting and amending RCW 82.08.0289; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

HCR 4406 by Representatives Sullivan and Kretz

Specifying the status of bills, memorials, and resolutions for the 2011 second special session of the Sixty-second legislature.

There being no objection, HOUSE CONCURRENT RESOLUTION NO. 4406 was read the first time, and under suspension of the rules was placed on the second reading calendar.

There being no objection, the House advanced to the sixth order of business.

#### **SECOND READING**

#### **HOUSE CONCURRENT RESOLUTION 4406**

State of Washington 62nd Legislature 2011 2nd Special Session. By Representatives Sullivan and Kretz

WHEREAS, Bills, joint resolutions, joint memorials, and concurrent resolutions introduced at the 2011 regular and first special sessions of the Sixty-second Legislature may require that they be considered at the 2011 second special session of the Sixty-second Legislature; and

WHEREAS, The public interest requires that the business of the 2011 second special session of the Sixty-second Legislature be considered and acted upon as efficiently and expeditiously as possible;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the state of Washington, the Senate concurring, That all bills, joint resolutions, joint memorials, and concurrent resolutions introduced in the 2011 regular and first special sessions of the Sixty-second Legislature are reintroduced in the house in which they originated and shall retain the same number and be given the highest legislative status that they attained in the original house as shown by the official House and Senate dockets upon the adjournment SINE DIE of the first special session.

Representative Sullivan spoke in favor of the adoption of the resolution.

HOUSE CONCURRENT RESOLUTION NO. 4406 was adopted.

There being no objection, the House reverted to the fourth order of business.

#### **INTRODUCTION & FIRST READING**

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

#### **COMMITTEE APPOINTMENTS**

The Speaker (Representative Moeller presiding) announced the following committee appointments:

Representative Wylie was appointed Vice Chair of the Committee on Environment.

Representative Moscoso was appointed Vice Chair of the Committee on General Government Appropriations and Oversight.

Representative Hansen was appointed to the Committee on Agriculture & Natural Resources, Committee on Education Appropriations & Oversight and the Committee on Transportation

There being no objection, the House adjourned until 10:00 a.m., November 29, 2011, the 2<sup>nd</sup> Day of the 2<sup>nd</sup> Special Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

2126 Introduction & 1st Reading ..... 2

2127 Introduction & 1st Reading ..... 2

2128 Introduction & 1st Reading ..... 2

4406 Introduction & 1st Reading ..... 2

Adopted ..... 2

Other Action ..... 2

HOUSE OF REPRESENTATIVES

Resignation of Representative Christine Rolfes ..... 1

Resignation of Representative David Frockt ..... 1

HOUSE OF REPRESENTATIVES (Representative Moeller presiding)

Appointment of Drew Hansen ..... 1

Committee Appointments ..... 2

WASHINGTON STATE LEGISLATURE

Proclamation by the Governor ..... 1