

SEVENTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, March 25, 2011

The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senator Stevens.

The Sergeant at Arms Color Guard consisting of Pages Devon Eslick and Gene Shin, presented the Colors.

REMARKS BY THE PRESIDENT

President Owen: "Ladies and gentlemen of the senate, as part of the proceedings it has been the practice of the President to bring diverse voices from different faith communities to the senate to offer the opening prayer. Over the past few years the President has had the honor of attending several charitable events held by members of the Ismaili Muslim community in Washington to benefit those of lesser means. It is the President's understanding that, in the Ismaili Muslim community, any member of the community may offer the prayers so the President is greatly honored and privileged to be able to ask his friend, Sheliza Adatia, to give the opening prayer this morning. Sheliza is joined at the rostrum by her mother, Shiada."

After a brief statement on Islam, Miss Sheliza Adatia recited from the Qur'an and followed with a translation of the reading.

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

March 24, 2011

HB 1000 Prime Sponsor, Representative Hurst: Concerning overseas and service voters. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Benton; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

March 23, 2011

HB 1040 Prime Sponsor, Representative Pedersen: Regarding the use of electronic signatures and notices. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 23, 2011

SHB 1046 Prime Sponsor, Committee on Transportation: Concerning vehicle and vessel quick title. Reported by Committee on Transportation

MAJORITY recommendation: Do pass as amended. Signed by Senators Haugen, Chair; White, Vice Chair; King; Delvin; Eide; Hobbs; Nelson; Ranker; Shin and Swecker.

Passed to Committee on Rules for second reading.

March 23, 2011

HB 1052 Prime Sponsor, Representative Pedersen: Addressing the authority of shareholders and boards of directors to take certain actions under the corporation act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 23, 2011

HB 1166 Prime Sponsor, Representative Liias: Preventing alcohol poisoning deaths. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Kohl-Welles and Regala.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Baxter; Carrell and Roach.

Passed to Committee on Rules for second reading.

March 23, 2011

SHB 1194 Prime Sponsor, Committee on Public Safety & Emergency Preparedness: Concerning bail for the release of a person arrested and detained for a class A or B felony offense. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 23, 2011

E2SHB 1206 Prime Sponsor, Committee on General Government Appropriations & Oversight: Concerning harassment against criminal justice participants. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

HB 1207 Prime Sponsor, Representative Overstreet: Complying with the constitutional requirement to set a starting time for regular legislative sessions. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Benton; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

ESHB 1265 Prime Sponsor, Committee on Local Government: Limiting residential densities of certain unincorporated portions of urban growth areas. (REVISED FOR ENGROSSED: Addressing land use planning in qualifying unincorporated portions of urban growth areas.) Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Benton; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

E2SHB 1443 Prime Sponsor, Committee on Education Appropriations & Oversight: Concerning continuing education reforms, including implementing recommendations of the quality education council. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow; Eide; Fain; Hill; Hobbs and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators King; Nelson and Rockefeller.

Passed to Committee on Ways & Means.

March 24, 2011

ESHB 1469 Prime Sponsor, Committee on Local Government: Concerning landscape conservation and local infrastructure. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker and Nelson.

MINORITY recommendation: Do not pass. Signed by Senators Benton; Chase and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

ESHB 1478 Prime Sponsor, Committee on Local Government: Delaying or modifying certain regulatory and statutory requirements affecting cities and counties. Reported

by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Benton; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

HB 1491 Prime Sponsor, Representative Goodman: Regarding membership of the early learning advisory council. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow; Eide; Fain; Hill; Hobbs; King; Nelson; Rockefeller and Tom.

Passed to Committee on Rules for second reading.

March 23, 2011

SHB 1493 Prime Sponsor, Committee on Health Care & Wellness: Providing greater transparency to the health professions disciplinary process. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair; Kline; Murray and Pridemore.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Becker; Carrell; Parlette and Pflug.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1506 Prime Sponsor, Committee on Judiciary: Addressing fire suppression efforts and capabilities on unprotected land outside a fire protection jurisdiction. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Benton; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

E2SHB 1546 Prime Sponsor, Committee on Ways & Means: Authorizing creation of innovation schools and innovation zones in school districts. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow; Eide; Fain; Hill; Hobbs; King; Nelson; Rockefeller and Tom.

Passed to Committee on Rules for second reading.

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SHB 1621 Prime Sponsor, Committee on Early Learning & Human Services: Making technical corrections to department of

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early learning statutes. Reported by Committee on Early Learning & K-12 Education

Becker; Carrell; Kline; Murray; Parlette; Pflug and Pridemore.

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow; Eide; Fain; Hill; Hobbs; King; Nelson; Rockefeller and Tom.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

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E2SHB 1789 Prime Sponsor, Committee on Transportation: Addressing accountability for persons driving or being in physical control of a vehicle while under the influence of intoxicating liquor or any drug. Reported by Committee on Judiciary

HB 1953 Prime Sponsor, Representative Springer: Concerning county and city real estate excise taxes. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase and Nelson.

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

MINORITY recommendation: Do not pass. Signed by Senator Benton.

Passed to Committee on Rules for second reading.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Roach.

Passed to Committee on Rules for second reading.

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E2SHB 1808 Prime Sponsor, Committee on Education Appropriations & Oversight: Creating the launch year program. Reported by Committee on Early Learning & K-12 Education

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EHB 1969 Prime Sponsor, Representative Hasegawa: Concerning the exemption of flood control zone districts that are coextensive with a county from certain limitations upon regular property tax levies. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow; Eide; Fain; Hill; Hobbs; King; Nelson; Rockefeller and Tom.

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Benton; Chase; Nelson and Roach.

Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

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SHB 1854 Prime Sponsor, Committee on Ways & Means: Concerning the annexation of territory by regional fire protection service authorities. Reported by Committee on Government Operations, Tribal Relations & Elections

REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS

March 24, 2011

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Benton; Chase; Nelson and Roach.

SGA 9150 VAL OGDEN, appointed on January 20, 2011, for the term ending July 1, 2015, as Member of the State School for the Deaf Board of Trustees. Reported by Committee on Early Learning & K-12 Education

Passed to Committee on Rules for second reading.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Harper, Vice Chair; Litzow; Eide; Fain; Hill; Hobbs; King; Nelson; Rockefeller and Tom.

Passed to Committee on Rules for second reading.

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ESHB 1864 Prime Sponsor, Committee on Business & Financial Services: Concerning the business practices of collection agencies. Reported by Committee on Judiciary

MOTION

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exceptions of Engrossed House Bill No. 1969 which was referred to the Committee on Ways & Means; Engrossed Second Substitute House Bill No. 1808 which was referred to the Committee on Rules; and Engrossed Second Substitute House Bill No. 1789 which was referred to the Committee on Transportation.

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E2SHB 1901 Prime Sponsor, Committee on Health & Human Services Appropriations & Oversight: Creating flexibility in the delivery of long-term care services. Reported by Committee on Health & Long-Term Care

MOTION

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Conway, Vice Chair;

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

INTRODUCTION AND FIRST READING

SB 5908 by Senators Zarelli, Baumgartner, Holmquist Newbry and Parlette

AN ACT Relating to public employee pension reform; amending RCW 41.04.440, 41.04.445, 41.04.450, 41.50.030, 41.50.110, and 43.33A.190; adding a new section to chapter 41.32 RCW; adding a new section to chapter 41.35 RCW; adding a new section to chapter 41.37 RCW; adding a new section to chapter 41.40 RCW; adding a new section to chapter 41.04 RCW; adding a new chapter to Title 41 RCW; creating new sections; 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 Ericksen, Senator Stevens was excused.

MOTION

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

MOTION

Senator Conway moved adoption of the following resolution:

SENATE RESOLUTION 8645

By Senators Conway, Holmquist Newbry, Kohl-Welles, King, Keiser, and Kline

WHEREAS, 100 years ago the industrial revolution in the United States and the State of Washington resulted in an increasing number of hazardous workplaces, where serious workplace injuries and deaths were common and often resulted in destitution to injured workers and their families; and

WHEREAS, The uncertainty of lawsuits was a heavy burden to Washington businesses creating strife between employers and employees, with questions of fault and negligence burdening the courts; and

WHEREAS, Public opinion rapidly crystallized and demanded that the current system be replaced, prompting Governor M.E. Hay to appoint a commission that resulted in a bill introduced in the 12th Washington State Legislative Session as "The Workmen's Compensation Act"; and

WHEREAS, House Bill 14, introduced by Representative Teats, a republican, was passed by the Senate with bipartisan support on March 7, 1911, and signed by the Speaker of the House and the President of the Senate on March 9, 1911, and signed into law by Governor Hay on March 14, 1911, and became the first state workers' compensation law enacted in the nation, and the first

constitutional compulsory state workers' compensation law to go into effect in the United States; and

WHEREAS, Over the 100 years since the Washington "Workmen's Compensation Act" was enacted, hundreds of thousands of Washington workers who have become injured or ill as a result of their work and the families of workers who have died as a result of workplace accidents or diseases have received relief in the form of sure and certain medical, disability, rehabilitation, or survivor benefits; and

WHEREAS, Hundreds of thousands of Washington businesses have been relieved of the uncertainty of a negligence-based litigation system; and

WHEREAS, We recognize that our Workers' Compensation system will continue to evolve as we work collaboratively to refine and update it to maintain its historical value to both employers and workers as was intended by the original sponsors of the Workmen's Compensation Act of 1911;

NOW, THEREFORE, BE IT RESOLVED, That the Senate commemorate the 100th anniversary of Washington's Workers' Compensation system.

Senators Conway, Holmquist Newbry, Keiser, Kohl-Welles and King spoke in favor of adoption of the resolution.

Senator Honeyford spoke on adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8645.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Judy Schurke Director of the Department of Labor & Industries and Vickie Kennedy, Deputy Assistant Director, who were seated in the gallery.

MOTION

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

SECOND READING

SUBSTITUTE HOUSE BILL NO. 1247, by House Committee on Ways & Means (originally sponsored by Representatives Kagi, Hunter, Darneille and Kenney)

Concerning the staffing levels and staff training requirements for secure community transition facilities.

The measure was read the second time.

MOTION

On motion of Senator Murray, the rules were suspended, Substitute House Bill No. 1247 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Murray spoke in favor of passage of the bill.

Senator Carrell spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute House Bill No. 1247.

ROLL CALL

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The Secretary called the roll on the final passage of Substitute House Bill No. 1247 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

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

Voting nay: Senators Benton and Carrell

Excused: Senator Stevens

SUBSTITUTE HOUSE BILL NO. 1247, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5128, by Senators Haugen, King, White, Swecker, Hobbs and Shin

Concerning statewide transportation planning.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5128 was substituted for Senate Bill No. 5128 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 5128 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and King spoke in favor of passage of the bill.

Senators Roach and Carrell spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5128.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5128 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Becker, Brown, Chase, Conway, Eide, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Sheldon, Shin, Swecker, Tom, White and Zarelli

Voting nay: Senators Baxter, Benton, Carrell, Delvin, Ericksen, Honeyford and Roach

Excused: Senator Stevens

SUBSTITUTE SENATE BILL NO. 5128, 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. 1489, by House Committee on Environment (originally sponsored by

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Representatives Billig, Morris, Frockt, Carlyle, Crouse, Ryu, Finn, Jinkins, Fitzgibbon, Tharinger, Rolfes, Liias, Moscoso, Stanford, Dunshee, Pettigrew, Ladenburg, Ormsby, Van De Wege, Moeller, Hunt, Pedersen, Maxwell, Roberts, Reykdal, Kagi, Darneille, Clibborn, Jacks and Kenney)

Limiting the use of fertilizer containing phosphorus. Revised for 1st Substitute: Protecting water quality through restrictions on fertilizer containing phosphorus.

The measure was read the second time.

MOTION

Senator Rockefeller moved that the following committee striking amendment by the Committee on Environment, Water & Energy be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. (1) The legislature finds that:

(a) Phosphorus loading of surface waters can stimulate the growth of weeds and algae and that this growth can have adverse environmental, health, and aesthetic effects;

(b) Turf fertilizer contributes to phosphorus loading. Limits on turf fertilizer labeled as containing phosphorus can significantly reduce the discharge of phosphorus into the state's ground and surface waters;

(c) Turf fertilizer containing no or very low amounts of phosphorus is readily available and maintaining established turf in a healthy and green condition is not dependent upon the addition of turf fertilizer labeled as containing phosphorus; and

(d) While significant reductions of phosphorus from laundry detergent and dishwashing detergent have been achieved, similar progress in reducing phosphorus contributions from turf fertilizer has not been accomplished.

(2) It is the intent of the legislature to significantly limit the use of turf fertilizers labeled as containing phosphorus.

Sec. 2. RCW 15.54.270 and 1998 c 36 s 2 are each amended to read as follows:

~~((Terms used in))~~ The definitions in this section apply throughout this chapter ((have the meaning given to them in this chapter)) unless the context clearly ~~((indicates))~~ requires otherwise.

(1) "Brand" means a term, design, or trademark used in connection with the distribution and sale of one or more grades of commercial fertilizers.

(2) "Bulk fertilizer" means commercial fertilizer distributed in a nonpackaged form such as, but not limited to, tote bags, tote tanks, bins, tanks, trailers, spreader trucks, and railcars.

(3) "Calcium carbonate equivalent" means the acid-neutralizing capacity of an agricultural liming material expressed as a weight percentage of calcium carbonate.

(4) "Commercial fertilizer" means a substance containing one or more recognized plant nutrients and that is used for its plant nutrient content or that is designated for use or claimed to have value in promoting plant growth, and shall include limes, gypsum, and manipulated animal and vegetable manures. It does not include unmanipulated animal and vegetable manures, organic waste-derived material, and other products exempted by the department by rule.

(5) "Composting" means the controlled aerobic degradation of organic waste materials. Natural decay of organic waste under uncontrolled conditions is not composting.

(6) "Customer-formula fertilizer" means a mixture of commercial fertilizer or materials of which each batch is mixed according to the specifications of the final purchaser.

- (7) "Department" means the department of agriculture of the state of Washington or its duly authorized representative.
- (8) "Director" means the director of the department of agriculture.
- (9) "Distribute" means to import, consign, manufacture, produce, compound, mix, or blend commercial fertilizer, or to offer for sale, sell, barter, exchange, or otherwise supply commercial fertilizer in this state.
- (10) "Distributor" means a person who distributes.
- (11) "Fertilizer material" means a commercial fertilizer that either:
 - (a) Contains important quantities of no more than one of the primary plant nutrients: Nitrogen, phosphate, and potash;
 - (b) Has eighty-five percent or more of its plant nutrient content present in the form of a single chemical compound; or
 - (c) Is derived from a plant or animal residue or by-product or natural material deposit that has been processed in such a way that its content of plant nutrients has not been materially changed except by purification and concentration.
- (12) "Grade" means the percentage of total nitrogen, available phosphoric acid, and soluble potash stated in whole numbers in the same terms, order, and percentages as in the "guaranteed analysis," unless otherwise allowed by a rule adopted by the department. Specialty fertilizers may be guaranteed in fractional units of less than one percent of total nitrogen, available phosphorus or phosphoric acid, and soluble potassium or potash. Fertilizer materials, bone meal, manures, and similar materials may be guaranteed in fractional units.
- (13) "Guaranteed analysis."
 - (a) Until the director prescribes an alternative form of "guaranteed analysis" by rule the term "guaranteed analysis" shall mean the minimum percentage of plant nutrients claimed in the following order and form:

Total nitrogen (N)	percent
Available phosphoric acid (P ₂ O ₅)	percent
Soluble potash (K ₂ O)	percent

- The percentage shall be stated in whole numbers unless otherwise allowed by the department by rule.
- The "guaranteed analysis" may also include elemental guarantees for phosphorus (P) and potassium (K).
- (b) For unacidulated mineral phosphatic material and basic slag, bone, tankage, and other organic phosphatic materials, the total phosphoric acid or degree of fineness may also be guaranteed.
- (c) Guarantees for plant nutrients other than nitrogen, phosphorus, and potassium shall be as allowed or required by rule of the department. The guarantees for such other nutrients shall be expressed in the form of the element.
- (d) The guaranteed analysis for limes shall include the percentage of calcium or magnesium expressed as their carbonate; the calcium carbonate equivalent as determined by methods prescribed by the association of official analytical chemists; and the minimum percentage of material that will pass respectively a one hundred mesh, sixty mesh, and ten mesh sieve. The mesh size declaration may also include the percentage of material that will pass additional mesh sizes.
- (e) In commercial fertilizer, the principal constituent of which is calcium sulfate (gypsum), the percentage of calcium sulfate (CaSO₄·2H₂O) shall be given along with the percentage of total sulfur.
- (14) "Imported fertilizer" means any fertilizer distributed into Washington from any other state, province, or country.

- (15) "Label" means the display of all written, printed, or graphic matter, upon the immediate container, or a statement accompanying a fertilizer.
- (16) "Labeling" includes all written, printed, or graphic matter, upon or accompanying a commercial fertilizer, or advertisement, brochures, posters, television, and radio announcements used in promoting the sale of such fertilizer.
- (17) "Licensee" means the person who receives a license to distribute a commercial fertilizer under the provisions of this chapter.
- (18) "Lime" means a substance or a mixture of substances, the principal constituent of which is calcium or magnesium carbonate, hydroxide, or oxide, singly or combined.
- (19) "Manipulation" means processed or treated in any manner, including drying to a moisture content less than thirty percent.
- (20) "Manufacture" means to compound, produce, granulate, mix, blend, repackage, or otherwise alter the composition of fertilizer materials.
- (21) "Micronutrients" are: Boron; chlorine; cobalt; copper; iron; manganese; molybdenum; sodium; and zinc.
- (22) "Micronutrient fertilizer" means a produced or imported commercial fertilizer that contains commercially valuable concentrations of micronutrients but does not contain commercially valuable concentrations of nitrogen, phosphoric acid, available phosphorus, potash, calcium, magnesium, or sulfur.
- (23) "Official sample" means a sample of commercial fertilizer taken by the department and designated as "official" by the department.
- (24) "Organic waste-derived material" means grass clippings, leaves, weeds, bark, plantings, prunings, and other vegetative wastes, uncontaminated wood waste from logging and milling operations, food wastes, food processing wastes, and materials derived from these wastes through composting. "Organic waste-derived material" does not include products that include biosolids.
- (25) "Packaged fertilizer" means commercial fertilizers, either agricultural or specialty, distributed in nonbulk form.
- (26) "Person" means an individual, firm, brokerage, partnership, corporation, company, society, or association.
- (27) "Percent" or "percentage" means the percentage by weight.
- (28) "Produce" means to compound or fabricate a commercial fertilizer through a physical or chemical process, or through mining. "Produce" does not include mixing, blending, or repackaging commercial fertilizer products.
- (29) "Registrant" means the person who registers commercial fertilizer under the provisions of this chapter.
- (30) "Specialty fertilizer" means a commercial fertilizer distributed primarily for nonfarm use, such as, but not limited to, use on home gardens, lawns, shrubbery, flowers, golf courses, municipal parks, cemeteries, greenhouses, and nurseries.
- (31) "Ton" means the net weight of two thousand pounds avoirdupois.
- (32) "Total nutrients" means the sum of the percentages of total nitrogen, available phosphoric acid, and soluble potash as guaranteed and as determined by analysis.
- (33) "Washington application rate" is calculated by using an averaging period of up to four consecutive years that incorporates agronomic rates that are representative of soil, crop rotation, and climatic conditions in Washington state.
- (34) "Waste-derived fertilizer" means a commercial fertilizer that is derived in whole or in part from solid waste as defined in chapter 70.95 or 70.105 RCW, or rules adopted thereunder, but does not include fertilizers derived from biosolids or biosolids products regulated under chapter 70.95J RCW or wastewaters regulated under chapter 90.48 RCW.

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(35)(a) "Turf" means land, including residential property, commercial property, and publicly owned land, which is planted in closely mowed, managed grass.

(b) "Turf" does not include pasture land, land used to grow grass for sod, or any other land used for agricultural production or residential vegetable or flower gardening.

(36)(a) "Turf fertilizer" means a commercial fertilizer that is labeled for use on turf.

(b) "Turf fertilizer" does not include commercial fertilizers derived solely from organic materials, biosolids, or biosolid products.

NEW SECTION. Sec. 3. A new section is added to chapter 15.54 RCW to read as follows:

(1) A person may not:

(a) Except as otherwise provided in this section, apply turf fertilizer that is labeled as containing phosphorus to turf;

(b) Apply turf fertilizer labeled as containing phosphorus to turf when the ground is frozen;

(c) Intentionally apply turf fertilizer labeled as containing phosphorus to an impervious surface;

(d) Except as otherwise provided in this section, sell turf fertilizer that is labeled as containing phosphorus; or

(e) Display turf fertilizer that is labeled as containing phosphorus in a retail store unless the turf fertilizer is also clearly labeled for a use permitted by this section.

(2) The prohibitions in this section on the application, sale, and retail display of turf fertilizer that is labeled as containing phosphorus, other than the prohibitions in subsection (1)(b) and (c) of this section, do not apply in the following instances:

(a) Application for the purpose of establishing grass or repairing damaged grass, using either seeds or sod, during the growing season in which the grass is established;

(b) Application to an area if the soil in the area is deficient in plant available phosphorus, as shown by a soil test performed no more than thirty-six months before the application; or

(c) Application to pasture, interior house plants, flower and vegetable gardens located on either public or private property, land used to grow grass for sod, or any land used for agricultural or silvicultural production.

(3) If a retailer can show proof that a product prohibited for sale under subsection (1)(d) and (e) of this section was in stock and physically in the retail location before January 1, 2012, that retail location may sell that product until it is sold out.

(4)(a) Nothing in this section:

(i) Requires the enforcement or monitoring of compliance with this section by local governments; or

(ii) Requires local governments to participate in the administration of this section, including the verification of soil tests under subsection (2)(b) of this section.

(b) A city or county may not adopt a local ordinance regarding the application or sale of turf fertilizer that is labeled as containing phosphorus that is less restrictive than this section.

Sec. 4. RCW 15.54.470 and 1998 c 36 s 11 are each amended to read as follows:

(1) Except for violations of section 3 of this act, any person who violates any provision of this chapter shall be guilty of a misdemeanor, and the fines collected shall be disposed of as provided under RCW 15.54.480.

(2) Nothing in this chapter shall be considered as requiring the department to report for prosecution or to cancel the registration of a commercial fertilizer product or to stop the sale of fertilizers for violations of this chapter, when violations are of a minor character, and/or when the department believes that the public interest will be served and protected by a suitable notice of the violation in writing.

(3) It shall be the duty of each prosecuting attorney to whom any violation of this chapter is reported, to cause appropriate proceedings to be instituted and prosecuted in a court of competent jurisdiction without delay. Before the department reports a violation of this chapter for such prosecution, an opportunity shall be given the distributor to present his or her view in writing or orally to the department.

(4) The department is hereby authorized to apply for, and the court authorized to grant, a temporary or permanent injunction restraining any person from violating or continuing to violate any of the provisions of this chapter or any rule adopted under this chapter, notwithstanding the existence of any other remedy at law. Any such injunction shall be issued without bond.

Sec. 5. RCW 15.54.474 and 1998 c 36 s 12 are each amended to read as follows:

Except for violations of section 3 of this act, every person who fails to comply with this chapter, or any rule adopted under it, may be subjected to a civil penalty, as determined by the director, in an amount of not more than seven thousand five hundred dollars for every such violation. Each and every such violation shall be a separate and distinct offense. Every person, who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have violated this chapter and may be subject to the penalty provided for in this section.

NEW SECTION. Sec. 6. This act takes effect January 1, 2013."

MOTION

Senator Rockefeller moved that the following committee amendment by the Committee on Environment, Water & Energy to the committee striking amendment be adopted:

On page 6, line 2 of the amendment, after "materials," insert "organic-based products where the phosphorus component is derived solely from organic materials,"

Senator Rockefeller spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the committee amendment by the Committee on Environment, Water & Energy to the committee striking amendment to Engrossed Substitute House Bill No. 1489

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

MOTION

Senator Hatfield moved that the following amendment by Senators Hatfield and Schoesler to the committee striking amendment be adopted:

On page 1, beginning on line 3 of the amendment, strike all of section 1

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

Senators Hatfield, Schoesler and Rockefeller spoke in favor of adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Hatfield and Schoesler on page 1, line 3 to the committee striking amendment to Engrossed Substitute House Bill No. 1489.

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

MOTION

Senator Hatfield moved that the following amendment by Senators Hatfield and Schoesler to the committee striking amendment be adopted:

On page 5, line 36 of the amendment, after "(36)" strike "(a)"

On page 6, beginning on line 1 of the amendment, strike all of subsection "(b)"

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

Senator Nelson spoke against adoption of the amendment to the committee striking amendment.

Senators Carrell and Kline spoke on adoption of the amendment to the committee striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Hatfield and Schoesler on page 5, line 36 to the committee striking amendment to Engrossed Substitute House Bill No. 1489.

The motion by Senator Hatfield carried and the amendment to the committee striking amendment was adopted by a rising vote.

MOTION

Senator Honeyford moved that the following amendment by Senator Honeyford to the committee striking amendment be adopted:

On page 6, line 26 of the amendment, after "application;" strike "or"

On page 6, line 30 of the amendment, after "production" insert "; or

(d) Application by a professional turf manager trained in the proper use of fertilizer."

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

Senator Nelson spoke against adoption of the amendment to the committee striking amendment.

POINT OF INQUIRY

Senator Brown: "Would Senator Honeyford yield to a question? Is there a definition in statute of professional turf manager?"

Senator Honeyford: "I'd have to do some research, I'm not sure."

Senator Brown: "I would be surprised if there is Senator so I think this is a little vague to be putting into law. I could stand up and call myself a professional turf manager. I think it actually looks like a fairly big loop hole in the bill."

The President declared the question before the Senate to be the adoption of the amendment by Senator Honeyford on page 6, line 26 to the committee striking amendment to Engrossed Substitute House Bill No. 1489.

The motion by Senator Honeyford failed and the amendment to the committee striking amendment was not adopted by voice vote.

MOTION

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

On page 8, after line 7 of the amendment, insert the following:

"NEW SECTION. Sec. 7. By January 1, 2015, the Washington State University agricultural research center, within existing resources, shall deliver to the governor and the appropriate committees of the house of representatives and the senate, a formal report that outlines the correlation between the implementation of limitations on turf fertilizer containing phosphorus and improvements in water body phosphorus levels.

NEW SECTION. Sec. 8. Sections 1 through 7 of this act expire June 30, 2015."

On page 8, beginning on line 10 of the title amendment, after "creating" strike the remainder of the title amendment and insert "new sections; providing an effective date; and providing an expiration date."

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

WITHDRAWAL OF AMENDMENT

On motion of Senator Honeyford, the amendment by Senator Honeyford on page 8, line 7 to the committee striking amendment to Engrossed Substitute House Bill No. 1489 was withdrawn.

The President declared the question before the Senate to be the adoption of the committee striking amendment by the Committee on Environment, Water & Energy as amended to Engrossed Substitute House Bill No. 1489

The motion by Senator Rockefeller 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 2 of the title, after "phosphorus;" strike the remainder of the title and insert "amending RCW 15.54.270, 15.54.470, and 15.54.474; adding a new section to chapter 15.54 RCW; creating a new section; and providing an effective date."

On page 8, beginning on line 10 of the title amendment, after "RCW;" strike "creating a new section;"

MOTION

On motion of Senator Rockefeller, the rules were suspended, Engrossed Substitute House Bill No. 1489 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 Nelson spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute House Bill No. 1489 as amended by the Senate.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute House Bill No. 1489 as amended by the Senate and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Baumgartner, Benton, Brown, Chase, Conway, Eide, Fain, Fraser, Hargrove, Harper, Hewitt, Hobbs, Kastama, Keiser, Kilmer, Kline, Kohl-Welles, Litzow, McAuliffe, Murray, Nelson, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Shin, Swecker, Tom and White

Voting nay: Senators Baxter, Becker, Carrell, Delvin, Ericksen, Hatfield, Haugen, Hill, Holmquist Newbry, Honeyford, King, Morton, Roach, Schoesler, Sheldon and Zarelli

Excused: Senator Stevens

SEVENTY FIFTH DAY, MARCH 25, 2011

2011 REGULAR SESSION

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489 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

SENATE BILL NO. 5251, by Senators Haugen, Swecker, Sheldon, Hobbs and White

Imposing an additional vehicle license fee on electric vehicles. Revised for 1st Substitute: Concerning electric vehicle license fees.

MOTION

On motion of Senator Haugen, Substitute Senate Bill No. 5251 was substituted for Senate Bill No. 5251 and the substitute bill was placed on the second reading and read the second time.

MOTION

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

On page 2, line 28, after "of" strike "transportation" and insert "licensing"

Senator Benton spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Benton on page 2, line 28 to Substitute Senate Bill No. 5251.

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

MOTION

On motion of Senator Haugen, the rules were suspended, Engrossed Substitute Senate Bill No. 5251 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen, Nelson, King and Rockefeller spoke in favor of passage of the bill.

Senator Carrell spoke against passage of the bill.

POINT OF ORDER

Senator Ericksen: "Thank you Mr. President. The underlying bill being discussed today contains a one hundred dollar fee at the time of purchase of an automobile and a yearly fees one hundred dollars, upon re-registration of the car, commonly referred to by many people as their car tabs. Under Initiative 1053, the people of Washington State asked for two-thirds vote for all tax increases in Washington State. So, the question I have Mr. President, is the underlying bill, is it a fee increase or a tax increase with a one hundred dollar yearly tab fee being placed on the cars at renewal time?"

REPLY BY THE PRESIDENT

President Owen: "The President believes you're raising to a Point of Order as to the number of votes necessary to pass the bill based on whether or not is it a tax or a fee."

Senator Haugen spoke against the point of order.

MOTION

On motion of Senator Eide, further consideration of Engrossed Substitute Senate Bill No. 5251 was deferred and the bill held its place on the third reading calendar.

MOTION

At 11:17 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 4:02 p.m. by President Owen.

MOTION

On motion of Senator Fraser, the Senate reverted to the first order of business.

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

March 24, 2011

SB 5176 Prime Sponsor, Senator Haugen: Making 2011-13 transportation appropriations. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5176 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; White, Vice Chair; King; Fain; Delvin; Eide; Hill; Hobbs; Litzow; Nelson; Prentice; Ranker; Shin and Swecker.

MINORITY recommendation: Do not pass. Signed by Senator Ericksen.

Passed to Committee on Rules for second reading.

March 24, 2011

SB 5289 Prime Sponsor, Senator Murray: Concerning a business and occupation tax deduction for payments made to certain property management companies for personnel performing on-site functions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli; Parlette; Baumgartner; Baxter; Brown; Conway; Fraser; Hatfield; Hewitt; Holmquist Newbry; Honeyford; Kastama; Keiser; Kohl-Welles; Pflug; Rockefeller; Schoesler and Tom.

Passed to Committee on Rules for second reading.

March 24, 2011

SB 5539 Prime Sponsor, Senator Kohl-Welles: Concerning Washington's motion picture competitiveness. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5539 be substituted therefor, and the second substitute bill do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Baumgartner; Baxter; Brown; Conway; Fraser; Hatfield; Holmquist Newbry; Keiser; Kohl-Welles and Pridemore.

MINORITY recommendation: Do not pass. Signed by Senators Hewitt; Honeyford; Kastama; Pflug; Rockefeller and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zarelli and Parlette.

Passed to Committee on Rules for second reading.

March 24, 2011

SB 5844 Prime Sponsor, Senator Kilmer: Concerning financing local government infrastructure. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5844 be substituted therefor, and the substitute bill do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli; Parlette; Baumgartner; Baxter; Brown; Conway; Fraser; Hatfield; Hewitt; Holmquist Newbry; Honeyford; Kastama; Keiser; Kohl-Welles; Pflug; Pridemore; Rockefeller; Schoesler and Tom.

Passed to Committee on Rules for second reading.

March 24, 2011

SB 5875 Prime Sponsor, Senator Hargrove: Addressing the terms of supervision for offenders sentenced to a first time offender waiver. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5875 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

SB 5877 Prime Sponsor, Senator Carrell: Creating the office of program integrity. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Ways & Means.

March 25, 2011

SB 5907 Prime Sponsor, Senator Kohl-Welles: Implementing the policy recommendations resulting from the national institute of corrections review of prison safety. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5907 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Hewitt; Keiser and Kline.

MINORITY recommendation: Do not pass. Signed by Senators Holmquist Newbry and King.

Passed to Committee on Ways & Means.

March 24, 2011

SJR 8215 Prime Sponsor, Senator Kilmer: Concerning the debt reduction act of 2011. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Joint Resolution No. 8215 be substituted therefor, and the substitute joint resolution do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli; Parlette; Baumgartner; Baxter; Conway; Fraser; Hatfield; Hewitt; Holmquist Newbry; Honeyford; Keiser; Kohl-Welles; Pflug; Pridemore; Rockefeller; Schoesler and Tom.

Passed to Committee on Rules for second reading.

March 25, 2011

ESHB 1009 Prime Sponsor, Committee on Agriculture & Natural Resources: Concerning the authority of certain state agencies to enter into agreements with the federal government under the endangered species act. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: Do pass as amended. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1019 Prime Sponsor, Committee on Public Safety & Emergency Preparedness: Constraining the department of corrections' authority to transfer offenders out of state. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

HB 1021 Prime Sponsor, Representative Goodman: Concerning persons appointed by the court to provide information in family law and adoption cases. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 25, 2011

ESHB 1026 Prime Sponsor, Committee on Judiciary: Changing provisions relating to adverse possession claims. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

SEVENTY FIFTH DAY, MARCH 25, 2011

2011 REGULAR SESSION

SHB 1037 Prime Sponsor, Committee on Judiciary: Placing restrictions on legal claims initiated by persons serving criminal sentences in correctional facilities. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

ESHB 1041 Prime Sponsor, Committee on Judiciary: Including correctional employees who have completed government-sponsored law enforcement firearms training to the lists of law enforcement personnel that are exempt from certain firearm restrictions. (REVISED FOR PASSED LEGISLATURE: Including certain correctional employees and community corrections officers who have completed government-sponsored law enforcement firearms training to the lists of law enforcement personnel that are exempt from certain firearm restrictions.) Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

EHB 1050 Prime Sponsor, Representative McCoy: Regarding residential provisions for children of parents with military duties. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1051 Prime Sponsor, Committee on Judiciary: Amending trusts and estates statutes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 25, 2011

SHB 1053 Prime Sponsor, Committee on Judiciary: Implementing recommendations from the Washington state bar association elder law section's executive committee report of the guardianship task force. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Hargrove; Kohl-Welles and Regala.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Baxter; Carrell and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1105 Prime Sponsor, Committee on Early Learning & Human Services: Addressing child fatality review in child welfare cases. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1127 Prime Sponsor, Committee on Labor & Workforce Development: Addressing bargaining with certified exclusive bargaining representatives. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

March 24, 2011

2SHB 1128 Prime Sponsor, Committee on Ways & Means: Providing support for eligible foster youth up to age twenty-one. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1148 Prime Sponsor, Committee on Agriculture & Natural Resources: Concerning the establishment of a license limitation program for the harvest and delivery of spot shrimp originating from coastal or offshore waters into the state. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: Do pass. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Hargrove and Swecker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Fraser.

Passed to Committee on Rules for second reading.

March 24, 2011

2SHB 1153 Prime Sponsor, Committee on General Government Appropriations & Oversight: Concerning costs for the collection of DNA samples. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1167 Prime Sponsor, Committee on Judiciary: Expanding provisions relating to driving or being in physical control of a motor vehicle while under the influence of alcohol or drugs. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1170 Prime Sponsor, Committee on Judiciary: Concerning triage facilities. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

E2SHB 1186 Prime Sponsor, Committee on General Government Appropriations & Oversight: Concerning requirements under the state's oil spill program. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: Do pass as amended. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser and Hargrove.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Swecker.

Passed to Committee on Ways & Means.

March 25, 2011

SHB 1205 Prime Sponsor, Committee on Judiciary: Licensing court reporters. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass as amended. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Carrell; Hargrove; Kohl-Welles and Regala.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Baxter.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1243 Prime Sponsor, Committee on Judiciary: Concerning crimes against animals belonging to another person. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1253 Prime Sponsor, Committee on Judiciary: Revising the uniform interstate family support act. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Harper and McAuliffe.

MINORITY recommendation: Do not pass. Signed by Senators Baxter and Carrell.

Passed to Committee on Rules for second reading.

March 24, 2011

HB 1298 Prime Sponsor, Representative Kelley: Concerning child support order summary report forms. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

HB 1334 Prime Sponsor, Representative Nealey: Authorizing civil judgments for assault. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

HB 1419 Prime Sponsor, Representative Kagi: Allowing the department of early learning and the department of social and health services to share background check information. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell and Harper.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1422 Prime Sponsor, Committee on Technology, Energy & Communications: Authorizing a forest biomass to aviation fuel demonstration project. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: Do pass as amended. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1438 Prime Sponsor, Committee on Public Safety & Emergency Preparedness: Concerning the interstate compact for adult offender supervision. Reported by Committee on Human Services & Corrections

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MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

March 24, 2011

SHB 1485 Prime Sponsor, Committee on Judiciary: Regarding charitable solicitations. Reported by Committee on Labor, Commerce & Consumer Protection

SHB 1567 Prime Sponsor, Committee on Public Safety & Emergency Preparedness: Requiring background investigations for peace officers and reserve officers as a condition of employment. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

March 24, 2011

EHB 1490 Prime Sponsor, Representative Kenney: Concerning a business and occupation tax deduction for certified community development financial institutions. Reported by Committee on Ways & Means

SHB 1697 Prime Sponsor, Committee on Early Learning & Human Services: Providing for unannounced visits to homes with dependent children. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli; Parlette; Baumgartner; Baxter; Brown; Conway; Fraser; Hatfield; Hewitt; Holmquist Newbry; Honeyford; Kastama; Keiser; Kohl-Welles; Pflug; Rockefeller; Schoesler and Tom.

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

March 24, 2011

ESHB 1492 Prime Sponsor, Committee on Judiciary: Concerning the Uniform Commercial Code Article 9A on secured transactions. Reported by Committee on Judiciary

ESHB 1708 Prime Sponsor, Committee on Labor & Workforce Development: Concerning mechanics' and materialmen's claims of liens. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Baxter; Carrell; Kohl-Welles; Regala and Roach.

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Keiser and Kline.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

March 24, 2011

ESHB 1547 Prime Sponsor, Committee on Ways & Means: Concerning the deportation of criminal alien offenders. Reported by Committee on Human Services & Corrections

SHB 1718 Prime Sponsor, Committee on Ways & Means: Concerning offenders with developmental disabilities or traumatic brain injuries. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter and Carrell.

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Harper.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

March 24, 2011

SHB 1565 Prime Sponsor, Committee on Judiciary: Concerning the modification and termination of domestic violence protection orders. Reported by Committee on Human Services & Corrections

SHB 1756 Prime Sponsor, Committee on Early Learning & Human Services: Authorizing implementation of a nonexpiring license for early learning providers. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

ESHB 1774 Prime Sponsor, Committee on Early Learning & Human Services: Recognizing adopted siblings and half siblings as relatives and adoptive parents of siblings or half siblings as suitable persons in adoption and dependency proceedings. (REVISED FOR PASSED LEGISLATURE: Concerning dependency matters.) Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Carrell; Harper and McAuliffe.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Baxter.

Passed to Committee on Rules for second reading.

March 24, 2011

EHB 1775 Prime Sponsor, Representative Goodman: Encouraging juvenile restorative justice programs. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

E2SHB 1776 Prime Sponsor, Committee on Education Appropriations & Oversight: Regarding licensing requirements for child care centers located in publicly owned or operated buildings. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1793 Prime Sponsor, Committee on Early Learning & Human Services: Restricting access to juvenile records. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Carrell; Harper and McAuliffe.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Baxter.

Passed to Committee on Rules for second reading.

March 24, 2011

HB 1794 Prime Sponsor, Representative Ladenburg: Adding court-related employees to the assault in the third degree statute. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Harper, Vice Chair; Pflug; Baxter; Hargrove; Kohl-Welles; Regala and Roach.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1811 Prime Sponsor, Committee on Community Development & Housing: Allowing for informed telephonic consent for access to housing or homelessness services. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1858 Prime Sponsor, Committee on Early Learning & Human Services: Concerning the department of social and health services' authority with regard to semi-secure and secure crisis residential centers and HOPE centers. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

SHB 1874 Prime Sponsor, Committee on Public Safety & Emergency Preparedness: Addressing police investigations of commercial sexual exploitation of children and human trafficking. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Baxter; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

March 24, 2011

2SHB 1903 Prime Sponsor, Committee on Education Appropriations & Oversight: Requiring background checks for all child care licensees and employees. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass as amended. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Carrell; Harper and McAuliffe.

MINORITY recommendation: Do not pass. Signed by Senator Baxter.

Passed to Committee on Ways & Means.

March 24, 2011

ESHB 2002 Prime Sponsor, Committee on Labor & Workforce Development: Concerning industrial insurance employer wage subsidies and reimbursements for light duty or transitional work. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass as amended. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Keiser and Kline.

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MINORITY recommendation: Do not pass. Signed by Senators Holmquist Newbry; King and Hewitt.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS

March 24, 2011

SGA 9000 HAROLD J ABBE, appointed on September 4, 2008, for the term ending June 12, 2012, as Member of the Columbia River Gorge Commission. Reported by Committee on Natural Resources & Marine Waters

SGA 9106 BRADLEY F SMITH, appointed on June 18, 2009, for the term ending December 31, 2014, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

SGA 9006 HARRY BARBER, reappointed on February 15, 2010, for the term ending July 15, 2013, as Member of the Salmon Recovery Funding Board. Reported by Committee on Natural Resources & Marine Waters

March 24, 2011
SGA 9140 ELIZABETH W BLOOMFIELD, appointed on January 13, 2011, for the term ending December 31, 2013, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

SGA 9017 SONDRAL CLARK, appointed on March 29, 2010, for the term ending June 11, 2013, as Member of the Columbia River Gorge Commission. Reported by Committee on Natural Resources & Marine Waters

March 24, 2011
SGA 9145 WILLIAM H CHAPMAN, reappointed on February 1, 2011, for the term ending December 31, 2013, as Chair of the Recreation and Conservation Funding Board. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 24, 2011

SGA 9060 MARTHA KONGSGAARD, reappointed on July 27, 2010, for the term ending June 25, 2014, as Chair of the Puget Sound Partnership. Reported by Committee on Natural Resources & Marine Waters

March 24, 2011
SGA 9146 PETER M MAYER, appointed on January 13, 2011, for the term ending December 31, 2013, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Swecker.

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

MOTION

On motion of Fraser, all measures listed on the Supplemental Standing Committee report were referred to the committees as designated with the exception of Substitute House Bill No. 1167 which was referred to the Committee on Transportation.

MOTION

At 4:03 p.m., on motion of Senator Fraser, the Senate adjourned until 10:00 a.m. Monday, March 28, 2011.

March 24, 2011
SGA 9099 ROLLAND A SCHMITTEN, appointed on June 18, 2009, for the term ending December 31, 2014, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources & Marine Waters

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

1000	Committee Report	1	1419	Committee Report	12
1009-S	Committee Report	10	1422-S	Committee Report	12
1019-S	Committee Report	10	1438-S	Committee Report	12
1021	Committee Report	10	1443-S2	Committee Report	2
1026-S	Committee Report	10	1469-S	Committee Report	2
1037-S	Committee Report	11	1478-S	Committee Report	2
1040	Committee Report	1	1485-S	Committee Report	13
1041-S	Committee Report	11	1489-S	Other Action	7, 8
1046-S	Committee Report	1		Second Reading	5, 7, 8
1050	Committee Report	11		Third Reading Final Passage.....	8
1051-S	Committee Report	11	1490	Committee Report	13
1052	Committee Report	1	1491	Committee Report	2
1053-S	Committee Report	11	1492-S	Committee Report	13
1105-S	Committee Report	11	1493-S	Committee Report	2
1127-S	Committee Report	11	1506-S	Committee Report	2
1128-S2	Committee Report	11	1546-S2	Committee Report	2
1148-S	Committee Report	11	1547-S	Committee Report	13
1153-S2	Committee Report	11	1565-S	Committee Report	13
1166	Committee Report	1	1567-S	Committee Report	13
1167-S	Committee Report	12	1621-S	Committee Report	2
	Other Action	15	1697-S	Committee Report	13
1170-S	Committee Report	12	1708-S	Committee Report	13
1186-S2	Committee Report	12	1718-S	Committee Report	13
1194-S	Committee Report	1	1756-S	Committee Report	13
1205-S	Committee Report	12	1774-S	Committee Report	14
1206-S2	Committee Report	1	1775	Committee Report	14
1207	Committee Report	2	1776-S2	Committee Report	14
1243-S	Committee Report	12	1789-S2	Committee Report	3
1247-S	Second Reading	4		Other Action	3
	Third Reading Final Passage	5	1793-S	Committee Report	14
1253-S	Committee Report	12	1794	Committee Report	14
1265-S	Committee Report	2	1808-S2	Committee Report	3
1298	Committee Report	12		Other Action	3
1334	Committee Report	12	1811-S	Committee Report	14
			1854-S	Committee Report	3

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1864-S	Committee Report	3	5907	Committee Report	10
1874-S	Committee Report	14	5908	Introduction & 1 st Reading.....	4
1901-S2	Committee Report	3	8215	Committee Report	10
1903-S2	Committee Report	14	8645	Adopted.....	4
1953	Committee Report	3		Introduced	4
1969	Committee Report	3	9000 Harold Abbe	Committee Report	15
	Other Action	3	9006 Harry Barber	Committee Report	15
2002-S	Committee Report	14	9017 Sondra Clark	Committee Report	15
5128	Second Reading	5	9060 Martha Kongsgaard	Committee Report	15
5128-S	Second Reading	5	9099 Rolland Schmitten	Committee Report	15
	Third Reading Final Passage	5	9106 Bradley Smith	Committee Report	15
5176	Committee Report	9	9140 Elizabeth Bloomfield	Committee Report	15
5251	Second Reading	9	9145 William Chapman	Committee Report	15
5251-S	Second Reading	9	9146 Peter Mayer	Committee Report	15
5289	Committee Report	9	9150 Val Ogden	Committee Report	3
5539	Committee Report	9	PRESIDENT OF THE SENATE		
5844	Committee Report	10	Intro. Special Guests, Department of Labor & Industries		4
5875	Committee Report	10	Remarks by the President.....		1
5877			Reply by the President		9
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			Point of Inquiry, Senator Brown		8
			Point of Order, Senator Ericksen.....		9