

THIRTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, February 9, 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 Senators Ericksen and Sheldon.

The Sergeant at Arms Color Guard consisting of Eagle Scouts Brian Kinder and Kyle Kinder, presented the Colors. Senator Shin offered the prayer.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 4, 2011

SB 5043 Prime Sponsor, Senator Stevens: 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; Stevens; Carrell; Harper and McAuliffe.

Passed to Committee on Rules for second reading.

February 4, 2011

SB 5080 Prime Sponsor, Senator Sheldon: Reducing water pollution by replacing or repairing failing on-site sewage systems or connecting failing on-site sewage systems to a sewerage system. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: Do pass. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford; Chase; Delvin; Fraser; Holmquist Newbry; Morton and Ranker.

Passed to Committee on Rules for second reading.

February 8, 2011

SB 5231 Prime Sponsor, Senator Nelson: Regarding the safety of certain children's products. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5231 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Chase; Fraser and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Holmquist Newbry.

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

Passed to Committee on Rules for second reading.

February 8, 2011

SB 5239 Prime Sponsor, Senator Honeyford: Allocating federal forest revenue to public schools based on resident students. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5239 as recommended by Committee on Early Learning & K-12 Education be substituted therefor, and the substitute bill do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Parlette; Baumgartner; Conway; Fraser; Honeyford; Kastama; Keiser; Kohl-Welles; Pflug; Pridemore; Regala; Rockefeller; Schoesler and Tom.

Passed to Committee on Rules for second reading.

February 8, 2011

SB 5241 Prime Sponsor, Senator Roach: Modifying the authority of a watershed management partnership. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: Do pass. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Chase; Fraser; Morton and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Holmquist Newbry.

Passed to Committee on Rules for second reading.

February 4, 2011

SB 5362 Prime Sponsor, Senator Chase: Authorizing public utility districts to request voluntary contributions to assist low-income customers with payment of water and sewer bills. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: Do pass. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford; Chase; Delvin; Fraser; Holmquist Newbry; Morton and Ranker.

Passed to Committee on Rules for second reading.

February 8, 2011

SB 5364 Prime Sponsor, Senator Swecker: Concerning public water system operating permits. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5364 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Chase; Fraser and Ranker.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Holmquist Newbry.

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

Passed to Committee on Ways & Means.

February 4, 2011

SB 5395 Prime Sponsor, Senator Hargrove: Changing provisions involving domestic violence fatality review panels. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

February 8, 2011

SB 5440 Prime Sponsor, Senator Rockefeller: Limiting regulation of electric vehicle battery charging facilities. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That Substitute Senate Bill No. 5440 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford; Chase; Delvin; Fraser; Holmquist Newbry; Morton and Ranker.

Passed to Committee on Rules for second reading.

February 8, 2011

SB 5451 Prime Sponsor, Senator Ranker: Concerning shoreline structures in a master program adopted under the shoreline management act. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford; Chase; Delvin; Fraser; Holmquist Newbry; Morton and Ranker.

Passed to Committee on Natural Resources & Marine Waters.

REPORTS OF STANDING COMMITTEES GUBERNATORIAL APPOINTMENTS

February 8, 2011

SGA 9139 CHRIS MARR, appointed on February 1, 2011, for the term ending January 15, 2017, as Member of the Liquor Control Board. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Keiser and Kline.

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5080 which was referred to the Committee on Ways & Means.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5720 by Senator Honeyford

AN ACT Relating to penalties for violations concerning electrical and telecommunications installations; and amending RCW 19.28.131.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5721 by Senators Swecker, Delvin and Hewitt

AN ACT Relating to allowing booking photographs and electronic images at jails to be open to the public; and amending RCW 70.48.100.

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

SB 5722 by Senators Hargrove, Morton, Stevens, Regala, Shin and McAuliffe

AN ACT Relating to the use of moneys collected from the local option sales tax to support chemical dependency or mental health treatment programs and therapeutic courts; and amending RCW 82.14.460.

Referred to Committee on Human Services & Corrections.

SB 5723 by Senators Schoesler, Ericksen, Haugen, Hatfield, Delvin and Shin

AN ACT Relating to establishing a process for addressing water quality issues associated with livestock operations; amending RCW 90.48.260; adding a new chapter to Title 90 RCW; and providing a contingent effective date.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5724 by Senators Murray, Litzow, Tom, Shin, McAuliffe, Chase, Kohl-Welles, Nelson, Sheldon, Swecker, Hargrove, Harper and Conway

AN ACT Relating to "Music Matters" special license plates; amending RCW 46.18.200, 46.17.220, and 46.68.420; and adding a new section to chapter 46.04 RCW.

Referred to Committee on Transportation.

SB 5725 by Senators McAuliffe, King, Litzow, Tom, Hill and Shin

AN ACT Relating to science, technology, engineering, and mathematics instruction; adding a new section to chapter 28A.410 RCW; and providing an expiration date.

Referred to Committee on Early Learning & K-12 Education.

SB 5726 by Senators Harper, McAuliffe, Litzow, Tom and Hobbs

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AN ACT Relating to innovation schools; adding a new section to chapter 28A.300 RCW; and creating a new section.

RCW 42.56.230; and adding a new section to chapter 43.31 RCW.

Referred to Committee on Early Learning & K-12 Education.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5727 by Senators White, Haugen and Shin

SB 5734 by Senators Kastama, Chase and Shin

AN ACT Relating to renewal notice fees for vehicle registrations; amending RCW 46.01.230 and 46.01.235; and adding a new section to chapter 46.17 RCW.

AN ACT Relating to tax credits for economic development for eligible business projects in rural counties; amending RCW 82.62.010, 82.62.020, and 82.62.030; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5728 by Senator Zarelli

AN ACT Relating to state collective bargaining and competitive contracting; amending RCW 41.80.010, 41.80.020, 41.80.040, and 41.06.142; creating a new section; and declaring an emergency.

SB 5735 by Senators Chase, Kastama, Kilmer and McAuliffe

Referred to Committee on Labor, Commerce & Consumer Protection.

AN ACT Relating to encouraging economic development by removing the expiration date from the research and development spending business and occupation tax credit; and amending RCW 82.04.4452.

SB 5729 by Senators Carrell, Pflug, Morton, Becker, King, Delvin, Parlette, Stevens, Hill, Holmquist Newbry, Roach and Honeyford

Referred to Committee on Economic Development, Trade & Innovation.

AN ACT Relating to the definition of controlled substances; amending RCW 69.50.101; and providing an effective date.

SB 5736 by Senators Chase, Kastama and Shin

Referred to Committee on Judiciary.

AN ACT Relating to promoting economic development through commercialization and sharing of technologies; amending RCW 28B.20.287; and adding new sections to chapter 28B.20 RCW.

SB 5730 by Senator Rockefeller

AN ACT Relating to mileage-based automobile insurance; amending RCW 48.18.140, 48.18.180, and 46.29.490; adding a new section to chapter 48.19 RCW; and creating new sections.

Referred to Committee on Economic Development, Trade & Innovation.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5737 by Senators Kastama and Chase

AN ACT Relating to economic development through the establishment of an intuitive trade assistance web portal; and amending RCW 43.330.060.

SB 5731 by Senators Chase, Kastama, Shin and Conway

AN ACT Relating to Washington manufacturing services; and amending RCW 24.50.010.

Referred to Committee on Economic Development, Trade & Innovation.

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SB 5738 by Senators Kastama, Chase, Shin and McAuliffe

AN ACT Relating to public and private sector economic development collaboration; and adding new sections to chapter 43.330 RCW.

SB 5732 by Senators Chase and Kastama

AN ACT Relating to exempting certain manufacturing research and development activities from business and occupation taxation; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Economic Development, Trade & Innovation.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5739 by Senators Kastama and Chase

AN ACT Relating to uniform laws on interstate provision of governmental services; and adding a new section to chapter 43.56 RCW.

SB 5733 by Senators Kastama, Chase and Shin

AN ACT Relating to economic development through the establishment of an international contact database; amending

Referred to Committee on Economic Development, Trade & Innovation.

SB 5740 by Senators Kastama, Chase and Roach

AN ACT Relating to preventing predatory guardianships of incapacitated adults; amending RCW 11.88.030, 11.88.040, 11.88.120, 11.88.090, and 43.190.060; and adding a new section to chapter 2.56 RCW.

Referred to Committee on Human Services & Corrections.

SB 5741 by Senators Kastama and Chase

AN ACT Relating to the economic development commission; amending RCW 43.162.005, 43.162.010, 43.162.015, 43.162.020, 43.162.025, and 43.162.030; reenacting and amending RCW 43.84.092; and adding new sections to chapter 43.162 RCW.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5742 by Senators Haugen, Ranker and Shin

AN ACT Relating to the administration and distribution of Washington state ferry system revenue; amending RCW 47.60.530, 47.60.315, 82.08.0255, and 82.12.0256; and adding a new section to chapter 47.60 RCW.

Referred to Committee on Transportation.

SB 5743 by Senators Honeyford and Holmquist Newbry

AN ACT Relating to the submission of new master applications by persons seeking minor work permits; and adding a new section to chapter 19.02 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5744 by Senators Chase and Prentice

AN ACT Relating to the training of code enforcement officials; and adding new sections to chapter 49.04 RCW.

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

SB 5745 by Senators Kilmer, Parlette, Conway, Hobbs and Keiser

AN ACT Relating to state assistance for financing local government infrastructure; amending RCW 43.155.010, 43.155.020, 43.155.030, 43.155.055, 43.155.060, 43.155.065, 43.155.068, 43.155.070, 43.155.075, 43.155.090, 43.155.100, 43.160.030, 43.160.035, 43.160.060, 36.135.010, 36.135.020, 36.135.030, 36.135.040, 82.18.040, 82.16.020, and 82.16.020; reenacting and amending RCW 43.155.050; adding a new section to chapter 36.135 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5746 by Senators Kline and King

AN ACT Relating to prevailing wage affidavits; amending RCW 39.12.040; and prescribing penalties.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5747 by Senators Hewitt, Kohl-Welles and Conway

AN ACT Relating to Washington horse racing funds; and amending RCW 67.16.105 and 67.16.280.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5748 by Senators Rockefeller, Honeyford and Chase

AN ACT Relating to cottage food operations; amending RCW 69.07.010, 69.07.080, and 69.07.100; and adding a new section to chapter 69.07 RCW.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5749 by Senators Brown, Hewitt and Shin

AN ACT Relating to the Washington advanced college tuition payment program; amending RCW 28B.95.020, 28B.95.030, and 28B.95.110; adding new sections to chapter 28B.95 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education & Workforce Development.

SB 5750 by Senators Holmquist Newbry, King, Honeyford and Morton

AN ACT Relating to limitations on withdrawing various waters from additional appropriations; and reenacting and amending RCW 90.54.050.

Referred to Committee on Environment, Water & Energy.

SB 5751 by Senators Holmquist Newbry, Morton and Honeyford

AN ACT Relating to delaying implementation of the 2009 adopted changes to the Washington state energy code until April 2012; amending RCW 19.27A.020; adding a new section to chapter 19.27A RCW; creating a new section; and providing expiration dates.

Referred to Committee on Environment, Water & Energy.

SB 5752 by Senators Kline, Rockefeller, White and Shin

AN ACT Relating to the uniform correction or clarification of defamation act; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

SB 5753 by Senators Kline, Kohl-Welles, Conway, Nelson, Keiser and White

AN ACT Relating to imposing penalties for violations by certain self-insurers, third-party administrators, and claims management entities; amending RCW 51.32.200; and adding new sections to chapter 51.08 RCW.

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Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5754 by Senators Kline, Kohl-Welles, Keiser, Rockefeller, White and Conway

AN ACT Relating to the publication of tax data to ensure the transparency of Washington's tax preferences; amending RCW 84.08.210; and reenacting and amending RCW 82.32.330.

Referred to Committee on Ways & Means.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5729 which was referred to the Committee on Judiciary.

MOTION

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

MOTION

Senator Benton moved adoption of the following resolution:

SENATE RESOLUTION 8620

By Senators Benton, Roach, and Stevens

WHEREAS, The Boy Scouts of America will mark the close of their 100th year of service to America on February 8th, and will begin their 2nd century of service to their communities; and

WHEREAS, The mission of the Boy Scouts of America is to prepare young people to make ethical and moral choices over their lifetimes by instilling in them the values of the Scout Oath and Scout Law; and

WHEREAS, The Scouting program has maintained a strong ethical standard among every community of which the program has influence; and

WHEREAS, Through the Boy Scouts of America, programs such as the Venturing and Varsity Crew, Sea Scouts, Cub Scouts, and Order of the Arrow have received outstanding recognition for the training and life experiences taught to our young scouts, exemplifying commitment and dedication to their communities; and

WHEREAS, In 2009 alone, the Boy Scouts of America program reported over 36 million service hours across the nation in areas such as food collection and distribution, litter cleanup/community beautification, conservation projects, serving food at shelters, and military support/appreciation; and

WHEREAS, In 2009 over one million volunteers gave of their time assuming leadership positions for various Scouting programs; and

WHEREAS, Baden Powell, founder of the Boy Scouts of America and decorated military leader, be recognized for his sincere devotion and countless hours of service to the preservation of America and the exceptional success of the Boy Scouts of America program; and

WHEREAS, Since 1910, more than 100 million citizens have become registered members; and

WHEREAS, Over 2 million scouts have served and worked diligently in their communities to receive the high honor and prestigious award of Eagle Scout;

NOW, THEREFORE, BE IT RESOLVED, That after 100 years of service it is with great respect that the Washington State Senate honor and recognize the service, character, and strong ethical standing that the Boy Scouts of America have exemplified within our state, nation, and throughout the world; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the National Boy Scouts of America office, the National Director of the Boy Scouts of America, and the Boy Scouts of America Councils in Washington: Chief Seattle Council, Pacific Harbors Council, Mount Baker Council, Grand Columbia Council, Blue Mountain Council, and Inland Northwest Council.

Senators Benton, Pridemore, Hewitt, Hargrove, Roach, Shin and Parlette spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8620.

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

REMARKS BY THE PRESIDENT

President Owen: "Each year the Senate has the great privilege of having the Boy Scouts come down here and give the report on Scouting, the Report to the State on Scouting and we that this morning but I do want to take a moment to introduce the marvelous, wonderful, young man that is going to present that report to you because he and his family are a wonderful American success story. Chiem Saeturn, Seattle boast another first as Chiem Saeturn demonstrates the powerful and positive influence of a program called Scout Reach, It's an initiative offering scouting to inner-city low income kids regardless of the social, cultural and economic barriers that they face every day of their lives. Saeturn, Chiem from Chief Seattle Council Troop 222 is a true success story for the Chief Seattle Council Scout Reach initiative that was launched only five years ago in 2005. Well-known Seattle philanthropist Scott Oki is the current President of the Scout Reach foundation and Saeturn was also recently lauded by Bill Gates when Gates received the Silver Buffalo Award from the Boy Scouts of America, Chief Seattle Council. Chiem's dad immigrated from Thailand and his mother is from Laos. His parents moved to the United States during the 1970s because of the Vietnam War. After spending two years in a refugee camp they settled in Seattle and have lived in the Rainier Valley ever since. Chiem has told us last night, in a letter that he wrote, that while in his neighborhood, kids from the Chiem neighborhood in the Rainier Valley were breaking into cars and getting involved with gangs he was focused on Scouting and being mentored by his Scout Master Scout John Peterson. And I quote from Chiem, 'Scouting has definitely made me more mature, but I still have a child inside. If I had one wish, I would wish that all boys could be in Scouts even if they didn't stay in, because it changes your life. Ladies and Gentlemen, it is a great privilege for the President to be able to present to you this wonderful, highly-accomplished, young man to give the Report to the State on Scouting: Eagle Scout Chiem Saeturn.'

REMARKS BY CHIEM SAETURN

Chiem Saeturn: "Good morning, my name is Chiem Saeturn and I am an Eagle Scout with the Boy Scout Troop 222 in Seattle Washington. I along with twenty-five other Eagle Scouts are here today in our capital city representing six different councils in our

state including; Blue Mountain Council in Tri-Cities; Chief Seattle Council in Seattle Washington; Grand Columbia Council in Yakima; and then Northwest Council in Spokane; Mt. Baker Council in Everett; and Pacific Harbors Council in Tacoma. I'd also like to thank Darla and Josh from the Chief Seattle Council on behalf of us Eagle Scouts for bringing us to the State Capitol. We get to see this magnificent marble building. It's really cool. Collectively, we are here today to present the annual report of State of Washington. This past year nearly sixty-eight thousand, one hundred fifty-eight young people in Washington State have participated in the Scouting program during a mentorship of more than twenty thousand adult volunteers. Of the Scouts, twenty-one thousand three hundred ten attended camp and a record one thousand four hundred eighty-nine achieved a pinnacle of Scouting by earning the rank of Eagle in our state last year. The Boy Scouts of America was founded on the premise that to be a good citizen you must do for others. Since this inception, Scouts and volunteers have committed to serving others at all times with enthusiasm and conviction. In Scouting earliest years we sold bonds and collected scrap to help win wars. Over the years, Scouts have also worked diligently to protect environment and learn the value of 'leave no trace.' Through these and many other efforts the Boy Scouts of American has established a tradition of service. In 2004 the BSA launched Good Turn for America, a national service initiative that addresses the issues of hunger, homelessness and poor health. Good Turn for America is a collaborative effort of Habitat for Humanity, the American Red Cross and the Salvation Army through the ten fold. Good Turn for America, the work of the single group is duplicated through the ten fold when hundreds of other organizations, volunteers joined in the improvement of their community. While the program teaches you a lot of lessons about service and leadership, it has also enhanced the lives of adult volunteers by making a difference in happiness and health in our state. In 2010, Washington Scouts and volunteers donated more than three hundred seventy-four thousand hours of community service to our state. This volunteered time is valued nearly eight million dollars. That's a lot of taxes. By continuing to recruit quality leadership inviting youth from all backgrounds and circumstances to join and offering a fun and exciting program we seek to help ordinary young people become extraordinary adults. On behalf of the six Boy Scouts Councils in Washington State, I would like to present Lieutenant Governor Brad Owen with a copy of the 2011 Report to the State."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Boy Scouts of America who were seated in the gallery.

MOTION

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

MOTION

On motion of Senator White, Senator Sheldon was excused.

MOTION

On motion of Senator Delvin, Senator Ericksen was excused.

SECOND READING

SENATE BILL NO. 5195, by Senators Kline, Regala and Hargrove

Requiring information to be filed by the prosecuting attorney for certain violations under driving while license is suspended or revoked provisions.

MOTIONS

On motion of Senator Kline, Substitute Senate Bill No. 5195 was substituted for Senate Bill No. 5195 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kline, the rules were suspended, Substitute Senate Bill No. 5195 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5195.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5195 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, 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, Shin, Stevens, Swecker, Tom, White and Zarelli

Excused: Senators Ericksen and Sheldon

SUBSTITUTE SENATE BILL NO. 5195, 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. 5141, by Senators Rockefeller, Haugen, Delvin, Benton, Kilmer, Swecker, Hatfield, Sheldon, Shin and Roach

Limiting the issuance of motorcycle instruction permits.

The measure was read the second time.

MOTION

On motion of Senator Rockefeller, the rules were suspended, Senate Bill No. 5141 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

REMARKS BY SENATOR BENTON

Senator Benton: ...so commend this bill to you but I'm a little concerned. Mr. President just about the procedure. I was under the impression we were going to go to caucus, have an opportunity to talk about these bills and while I may not need to

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be informed on this bill, maybe some of my other members are. Our caucus was notified a little after nine o'clock this morning that we would be doing these bills and we haven't gone to caucus to discuss any of them. I'm just a little concerned about the process. It's not the end of session where things come up as surprises. It's the beginning of session and so I would just like to ask Mr. President that the Senate Secretary's staff and the majority party be a little more conscience of the fact that, you know, our members like to know exactly what they're voting on. There's not books on the desks. There's a shortage of that. We don't have a caucus to discuss it and so I'd just like to ask that in the future, Mr. President, we have more time to discuss these bills before we're asked to vote on them."

REMARKS BY SENATOR EIDE

Senator Eide: "Thank you Mr. President. Well, for the member's information the calendar that we are working off of is date February 2, Wednesday, so I believe you've had how many days to take a look at this. In fact we have caucused and had plenty of time but the bills before us this morning ladies and gentleman have been unanimously voted out of committee, they are not contentious, but I apologize if I did not let you know which bills were coming before us this morning. However, the books have been on your desks for well over a week. Thank you Mr. President."

The President declared the question before the Senate to be the final passage of Senate Bill No. 5141.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5141 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Hatfield and Holmquist Newbry

Excused: Senators Ericksen and Sheldon

SENATE BILL NO. 5141, 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. 5260, by Senators King, Haugen, Eide, Swecker, Delvin, Hobbs and Ericksen

Modifying combination of vehicle provisions.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 5260 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King spoke in favor of passage of the bill.

POINT OF INQUIRY

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Senator Honeyford: "Would Senator King yield to a question? Senator King, is this a recent change of Federal Law?"

Senator King: "I'm not honestly sure. I think it's a change that has occurred in the last couple of years if that's recent."

Senator Honeyford: "Ok, that would be recent because I had a bill similar to this and they said they couldn't do it because they would lose federal funding so I'm a little concerned. Either I was misinformed then or the law was changed."

Senator King: "Well, I honestly can't say what date but I think it was relatively recent, let's put it that way."

The President declared the question before the Senate to be the final passage of Senate Bill No. 5260.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5260 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, 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, Shin, Stevens, Swecker, Tom, White and Zarelli

Excused: Senators Ericksen and Sheldon

SENATE BILL NO. 5260, 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. 5185, by Senate Committee on Transportation (originally sponsored by Senators Delvin, Sheldon, Becker, Honeyford, Swecker, Stevens, Benton, Holmquist Newbry, Zarelli, Baumgartner, King, Schoesler, Hewitt, Ericksen and Roach)

Temporarily suspending certain motorcycle rules when operating in parades or public demonstrations.

MOTIONS

On motion of Senator Delvin, Senate Bill No. 5185 was substituted for Substitute Senate Bill No. 5185 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Delvin, the rules were suspended, Substitute Senate Bill No. 5185 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5185.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5185 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, 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, Shin, Stevens, Swecker, Tom, White and Zarelli

Excused: Senators Ericksen and Sheldon

SUBSTITUTE SENATE BILL NO. 5185, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:59 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, February 10, 2011.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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