

FIFTY-FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Tuesday, March 3, 2009

The Senate was called to order at 9:00 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 Kastama, Kilmer, Pflug and Roach.

The Sergeant at Arms Color Guard consisting of Pages Hannah Bell and Meagan O'Keefe, presented the Colors. Pastor Leif Holmes of Rochester Life Church 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

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

INTRODUCTION AND FIRST READING

SB 6109 by Senators Haugen, Rockefeller, Kilmer, Sheldon, King and Swecker

AN ACT Relating to ferries; and creating a new section.

Referred to Committee on Transportation.

SB 6110 by Senator Haugen

AN ACT Relating to transportation financing; and creating a new section.

Referred to Committee on Transportation.

SB 6111 by Senator Haugen

AN ACT Relating to transportation funding in the central Puget Sound region; and creating a new section.

Referred to Committee on Transportation.

SB 6112 by Senator Haugen

AN ACT Relating to transportation funding and appropriations; and creating a new section.

Referred to Committee on Transportation.

SB 6113 by Senator Haugen

AN ACT Relating to tolling; and creating a new section.

Referred to Committee on Transportation.

SB 6114 by Senator Haugen

AN ACT Relating to authorizing bonds for transportation funding; and creating a new section.

Referred to Committee on Transportation.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1016 by Representative Hunt

AN ACT Relating to changing the membership on the capitol campus design advisory committee; and amending RCW 43.34.080.

Referred to Committee on Government Operations & Elections.

EHB 1053 by Representatives Moeller, Williams, Conway, Wood, Chase and Hunt

AN ACT Relating to raffle ticket prices; and amending RCW 9.46.0277.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 1058 by Representatives Goodman and Rodne

AN ACT Relating to editorial standards for the publication of the Revised Code of Washington; and amending RCW 1.08.015 and 1.08.017.

Referred to Committee on Judiciary.

HB 1068 by Representatives Pedersen and Rodne

AN ACT Relating to the Washington business corporation act; amending RCW 23B.01.410, 23B.02.020, 23B.02.050, 23B.02.060, 23B.06.020, 23B.06.040, 23B.06.210, 23B.06.220, 23B.06.260, 23B.06.310, 23B.06.400, 23B.07.030, 23B.07.040, 23B.07.060, 23B.07.070, 23B.07.200, 23B.07.250, 23B.07.260, 23B.07.270, 23B.07.280, 23B.07.320, 23B.08.030, 23B.08.210, 23B.08.230, 23B.08.240, 23B.08.250, 23B.08.500, 23B.08.550, 23B.08.700, 23B.10.020, 23B.10.060, 23B.10.070, 23B.10.080, 23B.10.200, 23B.10.205, 23B.10.210, 23B.11.030, 23B.11.040, 23B.12.020, 23B.13.020, 23B.13.200, 23B.13.210, 23B.13.220, 23B.13.240, 23B.13.260, 23B.13.270, 23B.13.280, 23B.14.010, 23B.14.020, 23B.14.030, 23B.14.040, 23B.14.050, 23B.16.010, 23B.16.020, and 23B.19.040; and reenacting and amending RCW 23B.01.400.

Referred to Committee on Judiciary.

HB 1257 by Representatives Goodman, Rodne, O'Brien, Simpson and Moeller

AN ACT Relating to deferred prosecution files; and amending RCW 10.05.060.

Referred to Committee on Judiciary.

SHB 1261 by House Committee on Judiciary (originally sponsored by Representatives Goodman, Moeller, Green, Williams, Pedersen, Appleton, Morrell and Ormsby)

AN ACT Relating to adult guardianship and protective proceedings jurisdiction; adding a new chapter to Title 11 RCW; and providing an effective date.

Referred to Committee on Judiciary.

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HB 1281 by Representatives Hurst, Pearson, Appleton, O'Brien, Goodman, Orcutt, Morrell, Ormsby, Simpson and Orwall

AN ACT Relating to the rights of victims, survivors, and witnesses of crimes to be heard before the indeterminate sentence review board and clemency and pardons board; amending RCW 9.95.420, 9.95.420, 9.94A.885, and 7.69.030; adding a new section to chapter 7.69 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

HB 1431 by Representatives Sells, Lias, Morris, Clibborn, Eddy, McCoy and Kenney

AN ACT Relating to the designation of certain state routes as highways of statewide significance; and adding a new section to chapter 47.05 RCW.

Referred to Committee on Transportation.

HB 1448 by Representatives Hurst, Roach, Simpson, McCoy, Sullivan, Hunt, Goodman, Appleton, Ormsby and Nelson

AN ACT Relating to speed limits on nonlimited access state highways within tribal reservation boundaries; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

HB 1578 by Representatives Driscoll, Ormsby, Wood and Williams

AN ACT Relating to the board of directors of an air pollution control authority; and amending RCW 70.94.100 and 70.94.120.

Referred to Committee on Government Operations & Elections.

SHB 1583 by House Committee on Local Government & Housing (originally sponsored by Representatives Alexander, Simpson, Angel, Miloscia, Short and Nelson)

AN ACT Relating to county auditors; amending RCW 36.17.045, 36.17.050, 36.22.010, 36.22.090, 36.22.170, 36.32.210, 36.40.010, 36.40.030, 36.40.050, 36.40.130, 36.40.210, 36.96.020, 36.96.090, and 43.09.280; reenacting and amending RCW 36.40.040; and repealing RCW 28A.350.010, 28A.350.020, 28A.350.030, 28A.350.040, 28A.350.050, 28A.350.060, 28A.350.070, 36.18.110, 36.18.120, and 36.18.130.

Referred to Committee on Government Operations & Elections.

SHB 1592 by House Committee on Judiciary (originally sponsored by Representatives Pedersen, Rodne, Kelley and Kenney)

AN ACT Relating to business entities and associations registered with the secretary of state; amending RCW 25.15.270, 25.15.290, 25.05.500, and 25.05.560; adding a new section to chapter 25.15 RCW; adding new sections to

chapter 24.12 RCW; adding new sections to chapter 25.05 RCW; and creating a new section.

Referred to Committee on Judiciary.

SHB 1730 by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Linville, Kretz, Ericks, Hunt, Armstrong and Short)

AN ACT Relating to the office of regulatory assistance; amending RCW 43.42.005, 43.42.020, 43.42.030, 43.42.050, 43.42.060, 43.42.070, 43.21A.690, 43.70.630, 43.300.080, and 70.94.085; reenacting and amending RCW 43.42.010 and 43.30.490; and adding a new section to chapter 43.42 RCW.

Referred to Committee on Economic Development, Trade & Innovation.

SHB 1791 by House Committee on Human Services (originally sponsored by Representatives Dickerson, O'Brien, Hurst, Green, Dammeier, Morrell, Orwall, Walsh and Wood)

AN ACT Relating to clarifying certain community custody and drug offender sentencing alternative sentencing provisions; amending RCW 9.94A.505 and 9.94A.660; and providing an effective date.

Referred to Committee on Human Services & Corrections.

HB 1835 by Representatives Angel, Rolfes, Hinkle, Anderson, Haler, Short, Parker, Johnson, Bailey, Pedersen and Warnick

AN ACT Relating to using respectful language in state laws; and amending RCW 44.04.280.

Referred to Committee on Health & Long-Term Care.

SHB 1943 by House Committee on Early Learning & Children's Services (originally sponsored by Representatives Kagi, Goodman, Priest, Walsh, Probst, Quall, Rolfes, Kenney, Dickerson, Kelley and Santos)

AN ACT Relating to creating a comprehensive statewide integrated pathway of preparation and professional development for the early learning and school-age program workforce; creating new sections; and providing an expiration date.

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

HB 2025 by Representatives Orwall, Hinkle, Dickerson, Green, Appleton, Driscoll, Morrell, Kagi, Van De Wege and Kenney

AN ACT Relating to sharing of health care information to promote coordination of behavioral and medical care services; and amending RCW 71.05.630.

Referred to Committee on Health & Long-Term Care.

HB 2132 by Representatives Quall, Anderson, Carlyle, Dammeier, Probst, Sullivan, Johnson, Hudgins, Kelley, Chase, Wood and Santos

AN ACT Relating to instruction in civics; amending RCW

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28A.230.090; adding a new section to chapter 28A.230 RCW; and creating a new section.

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

HJM 4014 by Representatives Kessler, DeBolt and Orcutt

Requesting that House Resolution 6922 or substantially similar legislation be enacted to help stabilize the trucking industry.

Referred to Committee on Transportation.

MOTION

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

MOTION

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

MOTION

Senator Kohl-Welles moved adoption of the following resolution:

SENATE RESOLUTION
8641

By Senators Kohl-Welles, Fraser, McAuliffe, Prentice, Eide, Jarrett, Kilmer, Berkey, Keiser, and Kauffman

WHEREAS, Women of every age, race, ethnicity, religion, sexual orientation, economic status, occupation, and degree of ability or disability have made considerable contributions to the growth and development of our communities, states, country, and nations around the world; and

WHEREAS, Women have played a critical role in the social, cultural, and spiritual development of communities around the globe; and

WHEREAS, Women of all backgrounds have constituted significant portions of the labor force, whether working outside or inside the home, whether paid or as a volunteer, and have played a critical role in nurturing our children; and

WHEREAS, Women have served as leaders of progressive social movements to secure individual rights and freedoms, and continue to lead efforts to eliminate discrimination and violence against all people and to promote equality, security, and peace; and

WHEREAS, Women have been largely unrecognized and undervalued for their historical and contemporary scientific, governmental, athletic, literary, and artistic accomplishments; and

WHEREAS, Women continue to experience day-to-day discrimination and continue to be victims of violence around the globe; and

WHEREAS, Washington state has been a champion of women's rights and a national leader in promoting progress for women, having been one of the first states to grant suffrage to women in 1910; and

WHEREAS, Our state continues to have one of the highest proportions of women legislators in the country, at 32% currently, and the highest in the United States from 1993 through 2004, with the highest at 40.8% in 2000; and

WHEREAS, Washington state is the first state in the nation to have two female United States Senators and female Governor

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at the same time, Senators Patty Murray and Maria Cantwell and Governor Christine Gregoire; and

WHEREAS, The United States of America, as a world leader, recognized the critical role of women in America by establishing March as National Women's History Month; and

WHEREAS, Since 1975, the United Nations has proclaimed March 8th to be International Women's Day;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and celebrate the women of our state, country, and the world on March 8th, International Women's Day, and during the month of March, National Women's History Month.

Senator Kohl-Welles spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8641.

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

MOTION

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

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Marr moved that Gubernatorial Appointment No. 9035, Courtney R. Fleming, as a member of the Board of Trustees, Eastern Washington University, be confirmed.

Senator Marr spoke in favor of the motion.

MOTION

On motion of Senator Brandland, Senators Pflug and Roach were excused.

MOTION

On motion of Senator Marr, Senators Kastama, Kilmer, Oemig and Sheldon were excused.

APPOINTMENT OF COURTNEY R. FLEMING

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9035, Courtney R. Fleming as a member of the Board of Trustees, Eastern Washington University.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9035, Courtney R. Fleming as a member of the Board of Trustees, Eastern Washington University and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Kastama, Kilmer, Pflug and Roach

Gubernatorial Appointment No. 9035, Courtney R. Fleming, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Eastern Washington University.

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 SECOND READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS
 MOTION

Senator Holmquist moved that Gubernatorial Appointment No. 9063, Katherine Kenison, as a member of the Board of Trustees, Big Bend Community College District No. 18, be confirmed.

Senator Holmquist spoke in favor of the motion.

APPOINTMENT OF KATHERINE KENISON

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9063, Katherine Kenison as a member of the Board of Trustees, Big Bend Community College District No. 18.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9063, Katherine Kenison as a member of the Board of Trustees, Big Bend Community College District No. 18 and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Kastama, Kilmer, Pflug and Roach

Gubernatorial Appointment No. 9063, Katherine Kenison, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Big Bend Community College District No. 18.

SECOND READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS
 MOTION

Senator Holmquist moved that Gubernatorial Appointment No. 9093, Angela M. Pixton, as a member of the Board of Trustees, Big Bend Community College District No. 18, be confirmed.

Senator Holmquist spoke in favor of the motion.

APPOINTMENT OF ANGELA M. PIXTON

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9093, Angela M. Pixton as a member of the Board of Trustees, Big Bend Community College District No. 18.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9093, Angela M. Pixton as a member of the Board of Trustees, Big Bend Community College District No. 18 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Kastama and Pflug

Gubernatorial Appointment No. 9093, Angela M. Pixton, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Big Bend Community College District No. 18.

SECOND READING
 CONFIRMATION OF GUBERNATORIAL APPOINTMENTS
 MOTION

Senator Holmquist moved that Gubernatorial Appointment No. 9136, Mike Wren, as a member of the Board of Trustees, Big Bend Community College District No. 18, be confirmed.

Senator Holmquist spoke in favor of the motion.

APPOINTMENT OF MIKE WREN

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9136, Mike Wren as a member of the Board of Trustees, Big Bend Community College District No. 18.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9136, Mike Wren as a member of the Board of Trustees, Big Bend Community College District No. 18 and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Kastama and Pflug

Gubernatorial Appointment No. 9136, Mike Wren, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Big Bend Community College District No. 18.

MOTION

On motion of Senator Kline, Substitute Senate Bill No. 5013 was not substituted for Senate Bill No. 5013 and the substitute bill was not adopted.

SECOND READING

SENATE BILL NO. 5013, by Senators Hargrove, Brandland, Fraser, Hatfield and Parlette

Concerning fees collected by county clerks.

The measure was read the second time.

MOTION

Senator Kline moved that the following striking amendment by Senators Kline and McCaslin be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 36.18.012 and 2006 c 192 s 1 are each amended to read as follows:

(1) Revenue collected under this section is subject to division with the state for deposit in the public safety and education account under RCW 36.18.025.

(2) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a district court in the

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county of issuance, shall pay at the time of filing a fee of twenty dollars.

(3) The clerk shall collect a fee of twenty dollars for: Filing a ~~((paper))~~ document not related to or a part of a proceeding, civil or criminal, or a probate matter, required or permitted to be filed in the clerk's office for which no other charge is provided by law.

(4) If the defendant serves or files an answer to an unlawful detainer complaint under chapter 59.18 or 59.20 RCW, the plaintiff shall pay before proceeding with the unlawful detainer action one hundred twelve dollars.

(5) Any party filing a counterclaim, cross-claim, or third-party claim in an unlawful detainer action under chapter 59.18 or 59.20 RCW shall pay the equivalent to the total filing fee of an unlawful detainer action pursuant to RCW 36.18.020, including the fee for an unlawful detainer answer pursuant to subsection (4) of this section.

(6) For a restrictive covenant for filing a petition to strike discriminatory provisions in real estate under RCW 49.60.227 a fee of twenty dollars must be charged.

(7) A fee of twenty dollars must be charged for filing a will only, when no probate of the will is contemplated.

(8) A fee of twenty dollars must be charged for filing a petition, written agreement, or written memorandum in a nonjudicial probate dispute under RCW 11.96A.220, if it is filed within an existing case in the same court.

(9) A fee of thirty-five dollars must be charged for filing a petition regarding a common law lien under RCW 60.70.060.

(10) For the filing of a tax warrant for unpaid taxes or overpayment of benefits by any agency of the state of Washington, a fee of five dollars on or after July 22, 2001, and for the filing of such a tax warrant or overpayment of benefits on or after July 1, 2003, a fee of twenty dollars, of which forty-six percent of the first five dollars is directed to the public safety and education account established under RCW 43.08.250.

Sec. 2. RCW 36.18.016 and 2007 c 496 s 204 are each amended to read as follows:

(1) Revenue collected under this section is not subject to diversion under RCW 36.18.025 or 27.24.070.

(2)(a) For the filing of a petition for modification of a decree of dissolution or paternity, within the same case as the original action, and any party filing a counterclaim, cross-claim, or third-party claim in any such action, a fee of thirty-six dollars must be paid.

(b) The party filing the first or initial petition for dissolution, legal separation, or declaration concerning the validity of marriage shall pay, at the time and in addition to the filing fee required under RCW 36.18.020, a fee of thirty dollars. The clerk of the superior court shall transmit monthly twenty-four dollars of the thirty-dollar fee collected under this subsection to the state treasury for deposit in the domestic violence prevention account. The remaining six dollars shall be retained by the county for the purpose of supporting community-based services within the county for victims of domestic violence, except for five percent of the six dollars, which may be retained by the court for administrative purposes.

(3)(a) The party making a demand for a jury of six in a civil action shall pay, at the time, a fee of one hundred twenty-five dollars; if the demand is for a jury of twelve, a fee of two hundred fifty dollars. If, after the party demands a jury of six and pays the required fee, any other party to the action requests a jury of twelve, an additional one hundred twenty-five dollar fee will be required of the party demanding the increased number of jurors.

(b) Upon conviction in criminal cases a jury demand charge of one hundred twenty-five dollars for a jury of six, or two hundred fifty dollars for a jury of twelve may be imposed as costs under RCW 10.46.190.

(4) For preparing a certified copy of an instrument on file or of record in the clerk's office, for the first page or portion of the first page, a fee of five dollars, and for each additional page or portion of a page, a fee of one dollar must be charged. For authenticating or exemplifying an instrument, a fee of two dollars for each additional seal affixed must be charged. For preparing a copy of an instrument on file or of record in the clerk's office without a seal, a fee of fifty cents per page must be charged. When copying a document without a seal or file that is in an electronic format, a fee of twenty-five cents per page must be charged. For copies made on a compact disc, an additional fee of twenty dollars for each compact disc must be charged.

(5) For executing a certificate, with or without a seal, a fee of two dollars must be charged.

(6) For a garnishee defendant named in an affidavit for garnishment and for a writ of attachment, a fee of twenty dollars must be charged.

(7) For filing a supplemental proceeding, a fee of twenty dollars must be charged.

(8) For approving a bond, including justification on the bond, in other than civil actions and probate proceedings, a fee of two dollars must be charged.

(9) For the issuance of a certificate of qualification and a certified copy of letters of administration, letters testamentary, or letters of guardianship, there must be a fee of ~~((two))~~ five dollars.

(10) For the preparation of a passport application, the clerk may collect an execution fee as authorized by the federal government.

(11) For clerk's services such as processing ex parte orders, performing historical searches, compiling statistical reports, and conducting exceptional record searches, the clerk may collect a fee not to exceed ~~((twenty))~~ thirty dollars per hour ~~((or portion of an hour))~~.

(12) For duplicated recordings of court's proceedings there must be a fee of ten dollars for each audio tape and twenty-five dollars for each video tape or other electronic storage medium.

(13) For registration of land titles, Torrens Act, under RCW 65.12.780, a fee of twenty dollars must be charged.

(14) For the issuance of extension of judgment under RCW 6.17.020 and chapter 9.94A RCW, a fee of two hundred dollars must be charged. When the extension of judgment is at the request of the clerk, the two hundred dollar charge may be imposed as court costs under RCW 10.46.190.

(15) A facilitator surcharge of up to twenty dollars must be charged as authorized under RCW 26.12.240.

(16) For filing a water rights statement under RCW 90.03.180, a fee of twenty-five dollars must be charged.

(17) For filing a claim of frivolous lien under RCW 60.04.081, a fee of thirty-five dollars must be charged.

(18) For preparation of a change of venue, a fee of twenty dollars must be charged by the originating court in addition to the per page charges in subsection (4) of this section.

(19) A service fee of ~~((three))~~ five dollars for the first page and one dollar for each additional page must be charged for receiving faxed documents, pursuant to Washington state rules of court, general rule 17.

(20) For preparation of clerk's papers under RAP 9.7, a fee of fifty cents per page must be charged.

(21) For copies and reports produced at the local level as permitted by RCW 2.68.020 and supreme court policy, a variable fee must be charged.

(22) Investment service charge and earnings under RCW 36.48.090 must be charged.

(23) Costs for nonstatutory services rendered by clerk by authority of local ordinance or policy must be charged.

(24) For filing a request for mandatory arbitration, a filing fee may be assessed against the party filing a statement of arbitrability not to exceed two hundred twenty dollars as

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established by authority of local ordinance. This charge shall be used solely to offset the cost of the mandatory arbitration program.

(25) For filing a request for trial de novo of an arbitration award, a fee not to exceed two hundred fifty dollars as established by authority of local ordinance must be charged.

(26) A public agency may not charge a fee to a law enforcement agency, for preparation, copying, or mailing of certified copies of the judgment and sentence, information, affidavit of probable cause, and/or the notice of requirement to register, of a sex offender convicted in a Washington court, when such records are necessary for risk assessment, preparation of a case for failure to register, or maintenance of a sex offender's registration file.

(27) For the filing of a will or codicil under the provisions of chapter 11.12 RCW, a fee of twenty dollars must be charged.

(28) In probate proceedings, the party filing a creditor's claim pursuant to chapter 11.40 RCW, a fee of one hundred dollars must be charged. No fee shall be collected for claims filed pursuant to chapter 43.20B RCW.

(29) For the collection of unpaid legal financial obligations, the clerk may impose an annual fee of up to one hundred dollars, pursuant to RCW 9.94A.780.

(30) A surcharge of up to twenty dollars may be charged in dissolution and legal separation actions as authorized by RCW 26.12.260.

The revenue to counties from the fees established in this section shall be deemed to be complete reimbursement from the state for the state's share of benefits paid to the superior court judges of the state prior to July 24, 2005, and no claim shall lie against the state for such benefits.

Sec. 3. RCW 36.18.020 and 2005 c 457 s 19 and 2005 c 374 s 5 are each reenacted and amended to read as follows:

(1) Revenue collected under this section is subject to division with the state public safety and education account under RCW 36.18.025 and with the county or regional law library fund under RCW 27.24.070.

(2) Clerks of superior courts shall collect the following fees for their official services:

(a) In addition to any other fee required by law, the party filing the first or initial (~~paper~~) document in any civil action, including, but not limited to an action for restitution, adoption, or change of name, and any party filing a counterclaim, cross-claim, or third-party claim in any such civil action, shall pay, at the time the (~~paper~~) document is filed, a fee of two hundred dollars except, in an unlawful detainer action under chapter 59.18 or 59.20 RCW for which the plaintiff shall pay a case initiating filing fee of forty-five dollars, or in proceedings filed under RCW 28A.225.030 alleging a violation of the compulsory attendance laws where the petitioner shall not pay a filing fee. The forty-five dollar filing fee under this subsection for an unlawful detainer action shall not include an order to show cause or any other order or judgment except a default order or default judgment in an unlawful detainer action.

(b) Any party, except a defendant in a criminal case, filing the first or initial (~~paper~~) document on an appeal from a court of limited jurisdiction or any party on any civil appeal, shall pay, when the (~~paper~~) document is filed, a fee of two hundred dollars.

(c) For filing of a petition for judicial review as required under RCW 34.05.514 a filing fee of two hundred dollars.

(d) For filing of a petition for unlawful harassment under RCW 10.14.040 a filing fee of fifty-three dollars.

(e) For filing the notice of debt due for the compensation of a crime victim under RCW 7.68.120(2)(a) a fee of two hundred dollars.

(f) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first (~~paper~~) document therein, a fee of two hundred dollars.

(g) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, or a petition objecting to a written agreement or memorandum as provided in RCW 11.96A.220, there shall be paid a fee of two hundred dollars.

(h) Upon conviction or plea of guilty, upon failure to prosecute an appeal from a court of limited jurisdiction as provided by law, or upon affirmance of a conviction by a court of limited jurisdiction, a defendant in a criminal case shall be liable for a fee of two hundred dollars.

(i) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972: PROVIDED, That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(3) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.33.080 or for forms and instructional brochures provided under RCW 26.50.030.

(4) No fee shall be collected when an abstract of judgment is filed by the county clerk of another county for the purposes of collection of legal financial obligations."

Senator Kline spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Kline and McCaslin to Senate Bill No. 5013.

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

MOTION

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

On page 1, line 1 of the title, after "clerks," strike the remainder of the title and insert "amending RCW 36.18.012 and 36.18.016; and reenacting and amending RCW 36.18.020."

MOTION

On motion of Senator Kline, the rules were suspended, Engrossed Senate Bill No. 5013 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kline spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5013.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5013 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Kastama and Pflug

ENGROSSED SENATE BILL NO. 5013, 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.

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 SECOND READING

2009 REGULAR SESSION
 MOTION

SENATE BILL NO. 5001, by Senators Jacobsen and Kauffman

Eliminating the matching fund requirement for the American Indian endowed scholarship program.

MOTIONS

On motion of Senator Jacobsen, Substitute Senate Bill No. 5001 was substituted for Senate Bill No. 5001 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Jacobsen, the rules were suspended, Substitute Senate Bill No. 5001 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen 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. 5001.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5001 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

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

Voting nay: Senators Holmquist and Stevens

Excused: Senators Kastama and Pflug

SUBSTITUTE SENATE BILL NO. 5001, 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. 5437, by Senators Schoesler, Hatfield and Haugen

Regarding the operation and authority of the state conservation commission.

MOTION

On motion of Senator Hatfield, Substitute Senate Bill No. 5437 was substituted for Senate Bill No. 5437 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hatfield moved that the following amendment by Senator Hatfield be adopted.

On page 2, line 10, after "commission" insert "and the office of financial management under the provisions of chapter 43.82 RCW"

Senator Hatfield 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 Hatfield on page 2, line 10 to Substitute Senate Bill No. 5437.

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

On motion of Senator Hatfield, the rules were suspended, Engrossed Substitute Senate Bill No. 5437 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5437.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5437 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator Honeyford

Excused: Senators Kastama and Pflug

ENGROSSED SUBSTITUTE SENATE BILL NO. 5437, 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. 5356, by Senators Haugen and Jacobsen

Regarding direct retail licenses issued by the department of fish and wildlife.

The measure was read the second time.

MOTION

On motion of Senator Jacobsen, the rules were suspended, Senate Bill No. 5356 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5356.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5356 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Kastama and Pflug

SENATE BILL NO. 5356, 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.

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SECOND READING

SENATE BILL NO. 5452, by Senators Kauffman, Kohl-Welles, Tom, Delvin, Kline, Honeyford, Kilmer, Jarrett, McCaslin, Fraser, Prentice, Shin and McDermott

Increasing the debt limit of the housing finance commission.

The measure was read the second time.

MOTION

On motion of Senator Kauffman, the rules were suspended, Senate Bill No. 5452 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kauffman, Berkey, Fraser and Brown spoke in favor of passage of the bill.

Senators Benton, Schoesler and Stevens spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5452.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5452 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 10; Absent, 0; Excused, 2.

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

Voting nay: Senators Becker, Benton, Carrell, Hewitt, Morton, Parlette, Roach, Schoesler, Stevens and Swecker
Excused: Senators Kastama and Pflug

SENATE BILL NO. 5452, 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. 5720, by Senators Hewitt, Hobbs, Brandland and Shin

Including stepchildren in tuition waivers for children of veterans and national guard members.

The measure was read the second time.

MOTION

On motion of Senator Kilmer, the rules were suspended, Senate Bill No. 5720 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kilmer spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5720.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5720 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser,

Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Jarrett, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Voting nay: Senator Morton

Excused: Senators Kastama and Pflug

SENATE BILL NO. 5720, 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. 5561, by Senators Kline, Fairley and Kohl-Welles

Requiring carbon monoxide alarms to be installed in dwelling units built or manufactured after December 31, 2009. Revised for 1st Substitute: Requiring the building code council to adopt rules that require certain buildings to be equipped with carbon monoxide alarms.

MOTIONS

On motion of Senator Kline, Substitute Senate Bill No. 5561 was substituted for Senate Bill No. 5561 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. 5561 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senators Holmquist and Roach spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5561.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5561 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brandland, Brown, Eide, Fairley, Franklin, Fraser, Hargrove, Honeyford, Jacobsen, Jarrett, Kauffman, Keiser, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Morton, Murray, Oemig, Parlette, Prentice, Pridemore, Ranker, Regala, Rockefeller, Sheldon, Shin, Tom and Zarelli

Voting nay: Senators Becker, Benton, Carrell, Delvin, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Kilmer, King, McCaslin, Pflug, Roach, Schoesler, Stevens and Swecker

Excused: Senator Kastama

SUBSTITUTE SENATE BILL NO. 5561, 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. 5038, by Senators Kohl-Welles, King, Keiser, Franklin and Pridemore

Making technical corrections to gender-based terms.

The measure was read the second time.

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MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Senate Bill No. 5038 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kohl-Welles spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5038.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5038 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

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

Voting nay: Senators Benton, Stevens and Zarelli

Excused: Senator Kastama

SENATE BILL NO. 5038, 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. 5017, by Senators McDermott, Parlette, Fairley, Oemig, Hatfield, Shin, Honeyford and Haugen

Eliminating the requirement that auditors send a ballot or an application to receive a ballot to inactive voters.

The measure was read the second time.

MOTION

On motion of Senator McDermott, the rules were suspended, Senate Bill No. 5017 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McDermott spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5017.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5017 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SENATE BILL NO. 5017, 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.

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SECOND READING

SENATE BILL NO. 5074, by Senators Marr, Jacobsen, Sheldon, Fairley, Franklin, Regala, Oemig, Hargrove, Hobbs, Keiser, Jarrett, Kline, Kilmer and Tom

Concerning scoliosis screening in schools.

The measure was read the second time.

MOTION

On motion of Senator Marr, the rules were suspended, Senate Bill No. 5074 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5074.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5074 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Senators Benton, Carrell, Holmquist and Roach

Excused: Senator Kastama

SENATE BILL NO. 5074, 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. 5232, by Senators Delvin, Holmquist, Hewitt, Schoesler, Carrell, King, Swecker, Pflug, Shin, Kastama, Benton, Kohl-Welles and Roach

Protecting registered school students from sexual misconduct by school employees. Revised for 1st Substitute: Protecting enrolled school students from sexual misconduct by school employees.

MOTIONS

On motion of Senator Delvin, Substitute Senate Bill No. 5232 was substituted for Senate Bill No. 5232 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. 5232 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Delvin and Kohl-Welles 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. 5232.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5232 and the bill passed the Senate

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by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SUBSTITUTE SENATE BILL NO. 5232, 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. 5130, by Senators Carrell, Hargrove, Swecker, Hatfield, Holmquist, Brandland, Sheldon, Tom, King, Hobbs, McCaslin, Stevens and Marr

Regarding prisoner access to public records.

MOTIONS

On motion of Senator Carrell, Substitute Senate Bill No. 5130 was substituted for Senate Bill No. 5130 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Carrell, the rules were suspended, Substitute Senate Bill No. 5130 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Carrell spoke in favor of passage of the bill.

MOTION

On motion of Senator Regala, Senator Fairley was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5130.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5130 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fairley and Kastama

SUBSTITUTE SENATE BILL NO. 5130, 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. 5261, by Senators Regala, Stevens, Hargrove and Shin

Creating an electronic statewide unified sex offender registry program. Revised for 1st Substitute: Creating an electronic statewide unified sex offender notification and registration program.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 5261 was substituted for Senate Bill No. 5261 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Regala, the rules were suspended, Substitute Senate Bill No. 5261 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Regala spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5261.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5261 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Fairley and Kastama

SUBSTITUTE SENATE BILL NO. 5261, 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. 5767, by Senators Rockefeller, Pridemore, Regala and Shin

Making nonsubstantive changes clarifying outdoor burning provisions of the Washington clean air act.

The measure was read the second time.

MOTION

On motion of Senator Rockefeller, the rules were suspended, Senate Bill No. 5767 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rockefeller and Honeyford spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5767.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5767 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SENATE BILL NO. 5767, having received the constitutional majority, was declared passed. There being no

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objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5717, by Senators Schoesler and Sheldon

Modifying provisions related to the distribution of tax proceeds from thermal electric generating facilities.

The measure was read the second time.

MOTION

On motion of Senator Schoesler, the rules were suspended, Senate Bill No. 5717 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Rockefeller spoke in favor of passage of the bill.

Senator Delvin spoke against passage of the bill.

MOTION

On motion of Senator Marr, Senator Brown was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5717.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5717 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 7; Absent, 0; Excused, 2.

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

Voting nay: Senators Benton, Delvin, Hewitt, McCaslin, Morton, Pflug and Zarelli

Excused: Senators Brown and Kastama

SENATE BILL NO. 5717, 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 11:04 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 2:04 p.m. by President Owen.

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Ranker moved that Gubernatorial Appointment No. 9005, Sonia Arevalo-Hayes, as a member of the Board of Trustees, Bellingham Technical College District No. 25, be confirmed.

Senators Ranker and Marr spoke in favor of passage of the motion.

MOTION

On motion of Senator Brandland, Senator Hewitt was excused.

APPOINTMENT OF SONIA AREVALO-HAYES

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9005, Sonia Arevalo-Hayes as a member of the Board of Trustees, Bellingham Technical College District No. 25.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9005, Sonia Arevalo-Hayes as a member of the Board of Trustees, Bellingham Technical College District No. 25 and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

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

Absent: Senator Delvin

Excused: Senators Brown, Hewitt and Kastama

Gubernatorial Appointment No. 9005, Sonia Arevalo-Hayes, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Bellingham Technical College District No. 25.

MOTION

On motion of Senator Brandland, Senator Delvin was excused.

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Ranker moved that Gubernatorial Appointment No. 9006, Mark Asmundson, as a member of the Board of Trustees, Bellingham Technical College District No. 25, be confirmed.

Senator Ranker spoke in favor of the motion.

APPOINTMENT OF MARK ASMUNDSON

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9006, Mark Asmundson as a member of the Board of Trustees, Bellingham Technical College District No. 25.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9006, Mark Asmundson as a member of the Board of Trustees, Bellingham Technical College District No. 25 and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

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Swecker, Tom and Zarelli

ROLL CALL

Excused: Senators Brown, Hewitt and Kastama

Gubernatorial Appointment No. 9006, Mark Asmundson, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Bellingham Technical College District No. 25.

SECOND READING

SENATE BILL NO. 5012, by Senators Kilmer, Swecker, Haugen, King, Sheldon, Marr, Kauffman, McAuliffe, Parlette and Roach

Directing the Washington state patrol to develop a plan to assist in the recovery of missing persons.

MOTIONS

On motion of Senator Kilmer, Substitute Senate Bill No. 5012 was substituted for Senate Bill No. 5012 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kilmer, the rules were suspended, Substitute Senate Bill No. 5012 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kilmer and Pflug 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. 5012.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5012 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brown and Kastama

SUBSTITUTE SENATE BILL NO. 5012, 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. 5011, by Senators Kauffman, Kohl-Welles, Kline and Keiser

Prohibiting the sale or distribution of certain novelty lighters.

MOTIONS

On motion of Senator Kauffman, Substitute Senate Bill No. 5011 was substituted for Senate Bill No. 5011 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kauffman, the rules were suspended, Substitute Senate Bill No. 5011 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kauffman 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. 5011.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5011 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 3; Absent, 1; Excused, 2.

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

Voting nay: Senators Benton, McCaslin and Zarelli

Absent: Senator Sheldon

Excused: Senators Brown and Kastama

SUBSTITUTE SENATE BILL NO. 5011, 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. 5028, by Senator Haugen

Transferring jurisdictional route transfer responsibilities from the transportation improvement board to the transportation commission.

The measure was read the second time.

MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 5028 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

NOTICE OF RECONSIDERATION

Senator Roach gave notice of her intent to move to reconsider the vote by which Substitute Senate Bill No. 5011 passed the Senate.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5028.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5028 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 3; Absent, 0; Excused, 2.

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

Voting nay: Senators Benton, Carrell and Holmquist

Excused: Senators Brown and Kastama

SENATE BILL NO. 5028, 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

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SENATE BILL NO. 5436, by Senators Murray, Keiser, Pflug, Marr, Parlette, Kastama and Roach

Concerning direct patient-provider primary care practice arrangements.

MOTIONS

On motion of Senator Murray, Substitute Senate Bill No. 5436 was substituted for Senate Bill No. 5436 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Murray, the rules were suspended, Substitute Senate Bill No. 5436 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Murray and Pflug 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. 5436.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5436 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brown and Kastama

SUBSTITUTE SENATE BILL NO. 5436, 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. 5276, by Senators Schoesler, Jarrett, Oemig, Shin and Holmquist

Eliminating the exclusive authority of the University of Washington and Washington State University to offer certain engineering courses. Revised for 1st Substitute: Increasing the availability of engineering programs in public universities.

MOTIONS

On motion of Senator Kilmer, Substitute Senate Bill No. 5276 was substituted for Senate Bill No. 5276 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kilmer, the rules were suspended, Substitute Senate Bill No. 5276 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Schoesler 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. 5276.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5276 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Becker, Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford,

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Jacobsen, Jarrett, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

Excused: Senators Brown and Kastama

SUBSTITUTE SENATE BILL NO. 5276, 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. 5481, by Senators Marr, Becker, Hobbs, Haugen, Franklin, Parlette, Eide, Rockefeller, Hatfield, Jarrett, Jacobsen, Kilmer, Berkey, Tom, Swecker, King, Kastama, Shin, McDermott, Prentice, Fairley, Holmquist, Brandland, McCaslin, Ranker, McAuliffe, Roach, Honeyford and Kauffman

Concerning veterans' burials.

MOTIONS

On motion of Senator Marr, Substitute Senate Bill No. 5481 was substituted for Senate Bill No. 5481 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Marr, the rules were suspended, Substitute Senate Bill No. 5481 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Marr 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. 5481.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5481 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SUBSTITUTE SENATE BILL NO. 5481, 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. 5581, by Senators Delvin, Marr and Shin

Modifying provisions relating to suncreening devices.

The measure was read the second time.

MOTION

Senator Benton moved that the following amendment by Senators Benton and Delvin be adopted.

On page 3, beginning on line 19, strike all material through "vehicles" on line 22, and insert the following:

"(b) Hearses, collector vehicles, limousines and passenger

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buses used to transport persons for compensation, ambulances, rescue squad vehicles, any other emergency medical vehicle licensed under RCW 18.73.130 that is used to transport patients, and any vehicle(s)"

On page 5, after line 30, insert the following:

"**NEW SECTION. Sec. 2.** A new section is added to chapter 46.04 RCW to read as follows:

"Collector vehicle" means any motor vehicle that is more than thirty years old."

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 Senators Benton and Delvin on page 3, line 19 to Senate Bill No. 5581.

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

MOTION

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

On page 1, line 1 of the title, after "devices," strike the remainder of the title and insert "amending RCW 46.37.430; and adding a new section to chapter 46.04 RCW."

MOTION

On motion of Senator Delvin, the rules were suspended, Engrossed Senate Bill No. 5581 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Delvin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5581.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5581 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

ENGROSSED SENATE BILL NO. 5581, 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 JOINT MEMORIAL NO. 8001, by Senators Hatfield and Haugen

Requesting the United States fish and wildlife service to work cooperatively with the state's regulatory agencies and energy producers with respect to the federal endangered species act.

The measure was read the second time.

MOTION

On motion of Senator Hatfield, the rules were suspended, Senate Joint Memorial No. 8001 was advanced to third reading,

the second reading considered the third and the memorial was placed on final passage.

Senator Hatfield spoke in favor of passage of the memorial.

The President declared the question before the Senate to be the final passage of Senate Joint Memorial No. 8001.

ROLL CALL

The Secretary called the roll on the final passage of Senate Joint Memorial No. 8001 and the memorial passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SENATE JOINT MEMORIAL NO. 8001, having received the constitutional majority, was declared passed.

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Mr. Aelric Riggs, a 5th grader from Camano Island who was seated at the rostrum and celebrating his birthday.

SECOND READING

SENATE BILL NO. 5752, by Senators Marr, Pflug, Hobbs and Keiser

Regarding cost recovery in disciplinary proceedings involving dentists.

MOTIONS

On motion of Senator Marr, Substitute Senate Bill No. 5752 was substituted for Senate Bill No. 5752 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Marr, the rules were suspended, Substitute Senate Bill No. 5752 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Marr 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. 5752.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5752 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SUBSTITUTE SENATE BILL NO. 5752, 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

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SENATE BILL NO. 5826, by Senators Keiser and Parlette

Requiring tamper-resistant prescription pads.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5826 was substituted for Senate Bill No. 5826 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5826 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Parlette 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. 5826.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5826 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SUBSTITUTE SENATE BILL NO. 5826, 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. 5117, by Senators Hargrove, Kauffman, Stevens, Kline and Marr

Establishing intensive behavior support services.

MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 5117 was substituted for Senate Bill No. 5117 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 5117 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove 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. 5117.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5117 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Stevens, Swecker, Tom and Zarelli

Excused: Senator Kastama

SUBSTITUTE SENATE BILL NO. 5117, 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. 5193, by Senators Delvin, Hewitt, Kastama, Carrell, Kilmer, Zarelli, Stevens, King, Schoesler, Swecker, Pridemore, Roach and Holmquist

Allowing a nonresident alien to possess weapons when hunting with a Washington-licensed hunter.

The measure was read the second time.

MOTION

On motion of Senator Delvin, the rules were suspended, Senate Bill No. 5193 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Delvin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5193.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5193 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

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

Voting nay: Senators Fairley, Regala and Tom

Excused: Senator Kastama

SENATE BILL NO. 5193, 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. 5014, by Senators McAuliffe, Hargrove, Brandland and Stevens

Concerning the exemption of the special commitment center under the public records act.

The measure was read the second time.

MOTION

Senator McAuliffe moved that the following striking amendment by Senator McAuliffe and others be adopted:

Strike everything after the enacting clause and insert the following:

"Sec.1 RCW 42.56.420 and 2005 c 274 s 422 are each amended to read as follows:

The following information relating to security is exempt from disclosure under this chapter:

(1) Those portions of records assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist

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acts, which are acts that significantly disrupt the conduct of government or of the general civilian population of the state or the United States and that manifest an extreme indifference to human life, the public disclosure of which would have a substantial likelihood of threatening public safety, consisting of:

(a) Specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments, or to the response or deployment plans; and

(b) Records not subject to public disclosure under federal law that are shared by federal or international agencies, and information prepared from national security briefings provided to state or local government officials related to domestic preparedness for acts of terrorism;

(2) Those portions of records containing specific and unique vulnerability assessments or specific and unique emergency and escape response plans at a city, county, or state adult or juvenile correctional facility, secure facility for persons civilly confined under chapter 71.09 RCW, or private detention facility, the public disclosure of which would have a substantial likelihood of threatening the security of a city, county, or state adult or juvenile correctional facility, secure facility for persons civilly confined under chapter 71.09 RCW, private detention facility, or any individual's safety;

(3) Information compiled by school districts or schools in the development of their comprehensive safe school plans under RCW 28A.320.125, to the extent that they identify specific vulnerabilities of school districts and each individual school;

(4) Information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities; and

(5) The security section of transportation system safety and security program plans required under RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, and 81.112.180."

Senator McAuliffe spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator McAuliffe and others to Senate Bill No. 5014.

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

MOTION

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

On page 1, line 1 of the title, after "Relating to" strike the remainder of the title and insert "exempting special commitment center and private detention facility security information from disclosure under the public records act; and amending RCW 42.56.420."

MOTION

On motion of Senator McAuliffe, the rules were suspended, Engrossed Senate Bill No. 5014 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McAuliffe spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5014.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5014 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

ENGROSSED SENATE BILL NO. 5014, 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. 5252, by Senators Brandland, Hargrove and Shin

Addressing correctional facility policies regarding medication management.

MOTIONS

On motion of Senator Brandland, Substitute Senate Bill No. 5252 was substituted for Senate Bill No. 5252 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brandland, the rules were suspended, Substitute Senate Bill No. 5252 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brandland 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. 5252.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5252 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Kastama

SUBSTITUTE SENATE BILL NO. 5252, 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. 5277, by Senators Hatfield, Kline and Delvin

Regarding fees allowed as court costs in district courts.

The measure was read the second time.

MOTION

On motion of Senator Hatfield, the rules were suspended, Senate Bill No. 5277 was advanced to third reading, the second

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reading considered the third and the bill was placed on final passage.

Senator Hatfield spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5277.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5277 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 15; Absent, 0; Excused, 0.

Voting yea: Senators Brown, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Murray, Oemig, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Sheldon, Shin, Swecker and Tom

Voting nay: Senators Becker, Benton, Berkey, Brandland, Carrell, Hewitt, Holmquist, Honeyford, Kilmer, Morton, Parlette, Roach, Schoesler, Stevens and Zarelli

SENATE BILL NO. 5277, 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. 5367, by Senator Kohl-Welles

Creating a spirits, beer, and wine nightclub license and eliminating the cap on spirits, beer, and wine restaurant licenses. Revised for 1st Substitute: Creating a spirits, beer, and wine nightclub license.

MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5367 was substituted for Senate Bill No. 5367 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kohl-Welles, the rules were suspended, Substitute Senate Bill No. 5367 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Honeyford 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. 5367.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5367 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 11; Absent, 0; Excused, 0.

Voting yea: Senators Becker, Berkey, Brandland, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Hatfield, Hewitt, Hobbs, Honeyford, Jacobsen, Jarrett, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Pflug, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Tom and Zarelli

Voting nay: Senators Benton, Carrell, Hargrove, Haugen, Holmquist, McCaslin, Morton, Parlette, Prentice, Stevens and Swecker

SUBSTITUTE SENATE BILL NO. 5367, 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.

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SECOND READING

SENATE BILL NO. 5661, by Senators Pridemore, Roach, King, Zarelli, Swecker, Hargrove, Fairley, Stevens, Kastama, Oemig, Shin, McAuliffe and Benton

Exempting the annual parental declaration of intent to home school from the public disclosure act.

The measure was read the second time.

MOTION

On motion of Senator Pridemore, the rules were suspended, Senate Bill No. 5661 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5661.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5661 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5661, 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. 5378, by Senator Eide

Regarding accreditation of digital learning programs.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, Senate Bill No. 5378 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5378.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5378 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

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Sheldon, Shin, Stevens, Swecker, Tom and Zarelli

SENATE BILL NO. 5378, 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. 5166, by Senators Regala, Stevens and Kline

Modifying the child support license suspension program. Revised for 1st Substitute: Modifying license suspension provisions for the failure to pay child support.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 5166 was substituted for Senate Bill No. 5166 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Regala, the rules were suspended, Substitute Senate Bill No. 5166 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5166.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5166 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5166, 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. 5270, by Senators McDermott, Swecker, Fairley, Oemig, Tom and Shin

Modifying voter registration provisions.

MOTIONS

On motion of Senator McDermott, Substitute Senate Bill No. 5270 was substituted for Senate Bill No. 5270 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McDermott, the rules were suspended, Substitute Senate Bill No. 5270 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McDermott spoke in favor of passage of the bill.

Senator Roach spoke against passage of the bill.

MOTION

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On motion of Senator Rockefeller, Senator Prentice was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5270.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5270 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

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

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

Excused: Senator Prentice

SUBSTITUTE SENATE BILL NO. 5270, 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. 5354, by Senators Haugen and Ranker

Regarding public hospital capital facility areas.

The measure was read the second time.

MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 5354 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Haugen spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Roach: "Would Senator Haugen yield to a question? As I recall from committee there's some association with this proposal with the Skagit Valley Public Hospital. I'm not sure why this bill is needed and is this bill creating, it's not creating its own public hospital district which they could do, could they not?"

Senator Haugen: "Well they certainly could but there's only about twenty thousand people living on this island, about five thousand of them are not permanent. There just isn't the need to create a hospital district. We're served very well by the Skagit Valley Hospital District which, by the way, is you have to go out of Island County into Snohomish County to get to Skagit County, so it's no way we can annex without - at this point we're not looking to annex any hospital district. There is a hospital district in Island County however it's on the other island and in order to get to it you got to go off Camano into Snohomish County through Skagit County to Island County. It would take you about an hour and a half to get to that hospital."

Senator Roach: "This hospital district then, how does it differ from a public hospital district that may be formed through the same process of having put to the voters whether or not, yes or no, they wish to create a jurisdiction and number two the vote

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would be to tax themselves to pay for the jurisdiction because it would be involved in putting a hospital together? How is this different, for the edification of the body, from actually just creating a hospital district.”

Senator Haugen: “It’s very different. It’s simply a capital facility. They would not have any funding to operate it. It’s only to construct the building, to enlarge the existing building so that the services can continue in an adequate form. They will not maintain it or operate it, just build the facility much like a library capital district which many of us have had formed in our community where a community can come together, build a facility then it’s operated by another jurisdiction.”

Senator Roach spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5354.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5354 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

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

Voting nay: Senators McCaslin, Roach, Schoesler and Stevens

Excused: Senator Prentice

SENATE BILL NO. 5354, 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. 5383, by Senators Morton, Jacobsen, Swecker, Stevens, Hargrove, Schoesler, Pflug and King

Including a wolf-hybrid in the definition of a "potentially dangerous wild animal." Revised for 1st Substitute: Regarding wolf-hybrids.

MOTIONS

On motion of Senator Jacobsen, Substitute Senate Bill No. 5383 was substituted for Senate Bill No. 5383 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Jacobsen, the rules were suspended, Substitute Senate Bill No. 5383 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Morton and Jacobsen 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. 5383.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5383 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Benton, Berkey, Brandland,

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

Excused: Senator Prentice

SUBSTITUTE SENATE BILL NO. 5383, 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. 5485, by Senators Rockefeller, Honeyford, Pridemore and Kilmer

Authorizing water-sewer districts to construct, condemn and purchase, add to, maintain, and operate systems for wastewater reclamation. Revised for 1st Substitute: Authorizing water-sewer districts to construct, condemn and purchase, add to, maintain, and operate systems for reclaimed water.

MOTION

On motion of Senator Rockefeller, Substitute Senate Bill No. 5485 was substituted for Senate Bill No. 5485 and the substitute bill was placed on the second reading and read the second time.

MOTION

On motion of Senator Eide, further consideration of Substitute Senate Bill No. 5485 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5551, by Senators Franklin, Keiser, Kastama, Marr, Murray, McDermott, Shin, McAuliffe, Fairley, Kline, Pridemore, Oemig, Regala, Kauffman and Kohl-Welles

Regarding recess periods for elementary school students.

MOTIONS

On motion of Senator Franklin, Substitute Senate Bill No. 5551 was substituted for Senate Bill No. 5551 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Franklin, the rules were suspended, Substitute Senate Bill No. 5551 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Franklin spoke in favor of passage of the bill. Senator King spoke against passage of the bill.

PARLIAMENTARY INQUIRY

Senator Honeyford: “When do we get our recess?”

POINT OF INQUIRY

Senator Roach: “Would Senator Franklin yield to a question? Senator, does this, if this bill passes, will this allow direct access to children to ask them questions about recess activities?”

Senator Franklin: “I’m sorry?”

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Senator Roach: "If we enact this bill and a study goes forward, will participants in the survey have direct access to children to ask them their opinions about recess?"

Senator Franklin: "No, they will not."

Senator Roach: "They won't be talking to children. Just with the adults?"

Senator Franklin: "They will not be talking to children. They will be doing the school survey with the adults."

Senator Roach 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. 5551.

MOTION

On motion of Senator Hatfield, Senator Jacobsen was excused.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5551 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 6; Absent, 0; Excused, 2.

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

Voting nay: Senators Brandland, Hatfield, Holmquist, Honeyford, King and Schoesler

Excused: Senators Jacobsen and Prentice

SUBSTITUTE SENATE BILL NO. 5551, 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. 5412, by Senators Eide, McDermott, Honeyford, Keiser, Jacobsen and Shin

Controlling saltwater algae.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, Senate Bill No. 5412 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Eide 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 Senate Bill No. 5412.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5412 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 16; Absent, 0; Excused, 2.

Voting yea: Senators Berkey, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Jarrett, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr,

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McAuliffe, McDermott, Murray, Oemig, Parlette, Pridemore, Ranker, Regala, Rockefeller, Schoesler, Shin and Tom

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

Excused: Senators Jacobsen and Prentice

SENATE BILL NO. 5412, 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.

The Senate resumed consideration of Substitute Senate Bill No. 5485 which was deferred earlier in the day.

MOTION

Senator Rockefeller moved that the following amendment by Senator Rockefeller be adopted.

On page 11, line 22, after "of" insert "reclaimed"

On page 11, line 26, after "of the" insert "reclaimed"

Senator Rockefeller 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 Rockefeller on page 11, line 22 to Substitute Senate Bill No. 5485.

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

MOTION

On motion of Senator Rockefeller, the rules were suspended, Engrossed Substitute Senate Bill No. 5485 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rockefeller spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5485.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5485 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 12; Absent, 0; Excused, 2.

Voting yea: Senators Berkey, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Jarrett, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Parlette, Pflug, Pridemore, Ranker, Regala, Roach, Rockefeller, Sheldon, Shin and Tom

Voting nay: Senators Becker, Benton, Brandland, Holmquist, Honeyford, King, McCaslin, Morton, Schoesler, Stevens, Swecker and Zarelli

Excused: Senators Jacobsen and Prentice

ENGROSSED SUBSTITUTE SENATE BILL NO. 5485, 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. 5431, by Senators Stevens, Hargrove, Regala, McAuliffe, Carrell, Brandland and King

Regarding placement of a child returning to out-of-home care.

MOTIONS

On motion of Senator Stevens, Substitute Senate Bill No. 5431 was substituted for Senate Bill No. 5431 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stevens, the rules were suspended, Substitute Senate Bill No. 5431 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stevens 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. 5431.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5431 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Jacobsen

SUBSTITUTE SENATE BILL NO. 5431, 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 4:59 p.m., on motion of Senator Eide, the Senate adjourned until 9:00 a.m. Wednesday, March 4, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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