

FIFTY FIRST DAY

MORNING SESSION

Senate Chamber, Olympia, Tuesday, March 1, 2011

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

The Sergeant at Arms Color Guard consisting of Pages Caitlin Rouse and Langston Ward, presented the Colors. Senator Morton 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 third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 28, 2011

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JAMES MCDEVITT, appointed February 18, 2011, for the term ending September 25, 2014, as Member of the Clemency and Pardons Board.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Human Services & Corrections.

MOTION

On motion of Senator Eide, the appointee listed on the Gubernatorial Appointment report was referred to the committee as designated.

MOTION

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

MESSAGE FROM THE HOUSE

February 28, 2011

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1071,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.

1186,

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.

1267,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1489,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1721,

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1886.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 28, 2011

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1106,

SUBSTITUTE HOUSE BILL NO. 1254,

SUBSTITUTE HOUSE BILL NO. 1294,

HOUSE BILL NO. 1340,

HOUSE BILL NO. 1395,

HOUSE BILL NO. 1413,

HOUSE BILL NO. 1582,

HOUSE BILL NO. 1698.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 28, 2011

MR. PRESIDENT:

The House has passed:

HOUSE BILL NO. 1168,

SUBSTITUTE HOUSE BILL NO. 1218,

SUBSTITUTE HOUSE BILL NO. 1402,

HOUSE BILL NO. 1419,

HOUSE BILL NO. 1477,

SUBSTITUTE HOUSE BILL NO. 1506,

SUBSTITUTE HOUSE BILL NO. 1543,

SUBSTITUTE HOUSE BILL NO. 1549,

SUBSTITUTE HOUSE BILL NO. 1564,

HOUSE BILL NO. 1594,

SUBSTITUTE HOUSE BILL 1595,

HOUSE BILL NO. 1613,

SUBSTITUTE HOUSE BILL NO. 1614,

HOUSE BILL NO. 1618,

SUBSTITUTE HOUSE BILL NO. 1621,

HOUSE BILL NO. 1677,

HOUSE BILL NO. 1833,

HOUSE BILL NO. 1926.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5860 by Senator Murray

AN ACT Relating to state government employee compensation; amending RCW 43.03.030, 41.60.150, 41.06.560, 41.26.030, 43.43.120, and 41.45.070; reenacting and amending RCW 41.06.070, 41.06.133, 41.06.500, 43.03.040, 41.32.010, 41.37.010, and 41.40.010; adding a

new section to chapter 41.06 RCW; adding a new section to chapter 43.03 RCW; adding a new section to chapter 41.50 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5861 by Senators Carrell, Hobbs, Schoesler, Swecker, Conway, Baxter, Roach, Litzow, Stevens, Benton and Shin

AN ACT Relating to veteran scoring criteria status; and amending RCW 41.04.010.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1003 by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Stanford, Frockt, Moeller and Uptegrove)

AN ACT Relating to efficiency standards for consumer products; amending RCW 19.260.030, 19.260.040, and 19.260.050; and reenacting and amending RCW 19.260.020.

Referred to Committee on Environment, Water & Energy.

HB 1069 by Representatives Alexander and Moeller

AN ACT Relating to the disposition of unclaimed remains; and amending RCW 36.24.155.

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

SHB 1105 by House Committee on Early Learning & Human Services (originally sponsored by Representatives Kagi, Walsh, Kenney, Maxwell and Roberts)

AN ACT Relating to child fatality review in child welfare cases; amending RCW 74.13.640; and reenacting and amending RCW 68.50.105.

Referred to Committee on Human Services & Corrections.

HB 1181 by Representatives Green, Hinkle, Santos and Dickerson

AN ACT Relating to creating the Washington state board of naturopathy; amending RCW 18.36A.020, 18.36A.030, 18.36A.060, 18.36A.080, 18.36A.090, 18.36A.100, 18.36A.110, and 18.36A.120; reenacting and amending RCW 18.130.040; adding new sections to chapter 18.36A RCW; and repealing RCW 18.36A.070.

Referred to Committee on Health & Long-Term Care.

SHB 1188 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Goodman, Kelley, Hurst, Kenney, Moscoso, Warnick, Roberts, Maxwell, Liias, Frockt, Rolfes, Sullivan, Carlyle, Finn, Hudgins, Kagi, Miloscia, Appleton, Ladenburg and Fitzgibbon)

AN ACT Relating to suffocation and other domestic violence offenses; amending RCW 9A.36.021, 9A.04.110, and 9.94A.525; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1191 by Representatives Ryu, Kirby, Buys, Fitzgibbon and Bailey

AN ACT Relating to the expiration dates of the mortgage lending fraud prosecution account and its revenue source; amending RCW 43.320.140 and 36.22.181; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1194 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Kelley and Ladenburg)

AN ACT Relating to bail for felony offenses; amending 2010 c 254 s 2 (uncodified); and adding a new section to chapter 10.19 RCW.

Referred to Committee on Judiciary.

SHB 1205 by House Committee on Judiciary (originally sponsored by Representatives Goodman, Kirby and Bailey)

AN ACT Relating to licensing of court reporters; amending RCW 18.145.005, 18.145.010, 18.145.050, 18.145.090, 18.145.100, 18.145.110, 18.145.120, 18.145.125, 18.145.127, and 18.145.130; reenacting and amending RCW 18.145.030 and 18.145.080; and adding new sections to chapter 18.145 RCW.

Referred to Committee on Judiciary.

ESHB 1214 by House Committee on Judiciary (originally sponsored by Representatives Goodman and Rodne)

AN ACT Relating to private transfer fee obligations; and adding a new chapter to Title 64 RCW.

Referred to Committee on Judiciary.

HB 1231 by Representatives Takko, Armstrong, Condotta, Warnick, Van De Wege, Crouse, Blake and Rodne

AN ACT Relating to the liability of owners of recreational land and water areas; and amending RCW 4.24.210.

Referred to Committee on Natural Resources & Marine Waters.

EHB 1234 by Representatives Moscoso, Hope, Klippert, Lytton, Johnson, Rivers, Jinkins, Ladenburg, Ryu, Reykdal, Fitzgibbon and Maxwell

AN ACT Relating to law enforcement crime prevention efforts regarding security alarm systems and crime watch programs for residential and commercial locations; and reenacting and amending RCW 42.56.240.

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

HB 1236 by Representatives Warnick, Hinkle, Condotta, Armstrong, Klippert and Moeller

AN ACT Relating to increasing the number of judges to be elected in Grant county; and reenacting and amending RCW 3.34.010.

Referred to Committee on Judiciary.

HB 1239 by Representatives Orcutt, Hunter, Johnson and Rivers

AN ACT Relating to allowing the department of revenue to issue a notice of lien to secure payment of delinquent excise taxes in lieu of a warrant; amending RCW 82.32.210; adding a new section to chapter 82.32 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SHB 1243 by House Committee on Judiciary (originally sponsored by Representatives Kretz, Blake, Haigh, Smith, Johnson, Kelley, Finn, Warnick, Moeller, Harris, Roberts, McCune, Stanford, Haler, Taylor and Condotta)

AN ACT Relating to crimes against animals belonging to another person; amending RCW 4.24.320 and 16.52.011; adding a new section to chapter 16.52 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1244 by Representatives Condotta, Hunt, Taylor and Miloscia

AN ACT Relating to liquor permits and licenses; and amending RCW 66.20.010 and 66.24.400.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 1263 by Representatives Crouse, Bailey and Seaquist

AN ACT Relating to public corrections entities formed by counties or cities under RCW 39.34.030; reenacting and amending RCW 41.37.010; and creating a new section.

Referred to Committee on Ways & Means.

SHB 1266 by House Committee on Judiciary (originally sponsored by Representatives Pedersen, Rodne, Warnick, Kenney and Kelley)

AN ACT Relating to modifying the landlord-tenant act and other related provisions; amending RCW 59.18.060, 3.66.100, 59.18.063, 59.18.100, 59.18.110, 59.18.130, 59.18.150, 59.18.180, 59.18.230, 59.18.253, 59.18.260, 59.18.270, 59.18.285, 59.18.310, 59.18.312, 59.18.380, 59.18.390, and 59.18.410; reenacting and amending RCW 59.18.030; adding a new section to chapter 59.18 RCW; and prescribing penalties.

Referred to Committee on Financial Institutions, Housing & Insurance.

HB 1281 by Representatives McCune, Finn, Lias, Reykdal, Wilcox and Hunt

AN ACT Relating to providing limited access to motor vehicle records for driver and pedestrian safety in private communities; and reenacting and amending RCW 46.12.635.

Referred to Committee on Transportation.

ESHB 1295 by House Committee on Local Government (originally sponsored by Representatives Van De Wege, Hurst, Tharinger, Fitzgibbon and Lias)

AN ACT Relating to installation of residential fire sprinkler systems; amending RCW 18.160.050, 82.02.100, and 70.119A.180; adding a new section to chapter 70.119A RCW; and creating a new section.

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

HB 1298 by Representative Kelley

AN ACT Relating to child support order summary report forms; amending RCW 26.18.210 and 26.19.025; and repealing RCW 26.09.173 and 26.10.195.

Referred to Committee on Human Services & Corrections.

SHB 1315 by House Committee on Health Care & Wellness (originally sponsored by Representatives Kelley, Schmick, Cody, Hinkle, Van De Wege, Miloscia, Jinkins, Seaquist, Angel and Harris)

AN ACT Relating to employment of physicians by nursing homes; reenacting and amending RCW 74.42.010; and adding a new section to chapter 18.51 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1327 by Representatives Kirby, Warnick, Miloscia, Fitzgibbon and Roberts

AN ACT Relating to increasing the permissible deposit of public funds with credit unions and authorizing the deposit of public funds at federally chartered credit unions; and amending RCW 39.58.240.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1328 by House Committee on Transportation (originally sponsored by Representatives Van De Wege, DeBolt, Blake, Klippert, Hinkle, Ross, Hasegawa, Kirby, Billig, Lias, Takko, Stanford, Finn, Alexander, Short, Angel, Dammeier, Zeiger, Upthegrove, Tharinger, Green, Kelley, Hurst, McCune, Kenney and Maxwell)

AN ACT Relating to the operation of motorcycles in connection with a parade or public demonstration; and amending RCW 46.61.613.

Referred to Committee on Transportation.

SHB 1336 by House Committee on Local Government (originally sponsored by Representatives Springer, Goodman, Kagi, Hunter, Rodne, Eddy, Asay, Ryu, Fitzgibbon, Stanford and Kenney)

AN ACT Relating to allowing the use of federal census data to determine the resident population of annexed territory; and amending RCW 35.13.260 and 35A.14.700.

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

HB 1343 by Representatives Kirby and Bailey

AN ACT Relating to insurance; amending RCW 4.28.080, 48.02.150, 48.02.190, 48.03.060, 48.05.200, 48.05.215, 48.10.170, 48.14.0201, 48.15.150, 48.17.380, 48.36A.350, 48.85.030, 48.94.010, 48.102.011, 48.102.021, 48.110.030, 48.110.055, and 48.155.020; and repealing RCW 48.05.210.

Referred to Committee on Financial Institutions, Housing & Insurance.

HB 1353 by Representatives Rivers, Cody, Schmick, Moeller, Orcutt, Ladenburg, Dahlquist, Harris, Moscoso, Green and Kenney

AN ACT Relating to requiring continuing education for pharmacy technicians; and amending RCW 18.64A.020.

Referred to Committee on Health & Long-Term Care.

ESHB 1365 by House Committee on Environment (originally sponsored by Representatives Eddy, Warnick, Morris and Hinkle)

AN ACT Relating to distributed generation; amending RCW 19.285.030; and adding a new section to chapter 19.285 RCW.

Referred to Committee on Environment, Water & Energy.

ESHB 1406 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Hunt, Ross, Appleton, Armstrong, Hurst and Stanford)

AN ACT Relating to intrastate building safety mutual aid in the event of emergencies and other situations that temporarily render a jurisdiction incapable of providing required building safety services; and adding a new chapter to Title 24 RCW.

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

HB 1407 by Representatives Ryu, Hope, Dunshee, Angel and Kagi

AN ACT Relating to the negotiated sale and conveyance of all or part of water systems owned by a municipal corporation; and amending RCW 54.16.180 and 35.92.070.

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

HB 1425 by Representative Haler

AN ACT Relating to health sciences and services authorities; and amending RCW 35.104.040.

Referred to Committee on Higher Education & Workforce Development.

HB 1432 by Representatives Rodne, Kelley, Shea, Green, Van De Wege, Ahern and Orwall

AN ACT Relating to veterans' relief by permitting private employers to exercise a voluntary veterans' preference in employment; and adding a new section to chapter 73.16 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 1438 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Kelley and Dammeier)

AN ACT Relating to the interstate compact for adult offender supervision; and creating new sections.

Referred to Committee on Human Services & Corrections.

HB 1440 by Representatives Kenney, Ryu, Liias and Hasegawa

AN ACT Relating to the building communities fund program competitive process; and amending RCW 43.63A.125.

Referred to Committee on Ways & Means.

SHB 1453 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Rolfes, Chandler, Blake, Van De Wege, Uptegrove, Stanford, Jinkins and Kretz)

AN ACT Relating to commercial shellfish enforcement; amending RCW 69.30.010, 69.30.020, 69.30.030, 69.30.050, 69.30.060, 69.30.080, 69.30.085, 69.30.110, and 69.30.140; and prescribing penalties.

Referred to Committee on Natural Resources & Marine Waters.

HB 1465 by Representatives Hunt, Taylor, McCoy, Appleton, Condotta, Miloscia and Dunshee

AN ACT Relating to conditions and restrictions for liquor licenses; amending RCW 66.24.010 and 66.24.410; and reenacting and amending RCW 66.04.010.

Referred to Committee on Labor, Commerce & Consumer Protection.

SHB 1467 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Buys, Blake, Chandler, Pearson, Fagan, Overstreet, Harris, Wilcox, Johnson, Haler, Warnick, McCune and Kelley)

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AN ACT Relating to the definition of a well; and amending RCW 18.104.020.

Referred to Committee on Environment, Water & Energy.

SHB 1470 by House Committee on Education (originally sponsored by Representative Bailey)

AN ACT Relating to access to K-12 campuses for occupational or educational information; and amending RCW 28A.230.180.

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

HB 1479 by Representatives Goodman and Rodne

AN ACT Relating to the publications of the statute law committee; amending RCW 1.08.070, 34.05.210, 40.04.031, and 44.20.050; adding a new section to chapter 1.08 RCW; and creating a new section.

Referred to Committee on Judiciary.

SHB 1485 by House Committee on Judiciary (originally sponsored by Representatives Rodne, Kirby, Pedersen, Johnson and Kelley)

AN ACT Relating to charitable solicitations; amending RCW 19.09.010, 19.09.020, 19.09.062, 19.09.065, 19.09.075, 19.09.079, 19.09.085, 19.09.097, 19.09.200, 19.09.210, 19.09.230, 19.09.271, 19.09.275, 19.09.276, 19.09.277, 19.09.279, 19.09.305, 19.09.315, 19.09.340, 19.09.355, 19.09.400, and 19.09.430; reenacting and amending RCW 19.09.100; adding new sections to chapter 19.09 RCW; repealing RCW 19.09.076, 19.09.190, 19.09.240, 19.09.500, and 19.09.540; and prescribing penalties.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 1520 by Representatives Moscoso, Stanford and Clibborn

AN ACT Relating to state route number 527; and amending RCW 47.17.745.

Referred to Committee on Transportation.

SHB 1524 by House Committee on Education (originally sponsored by Representative Orwall)

AN ACT Relating to recognizing the international baccalaureate diploma; amending RCW 28A.230.170; reenacting and amending RCW 28A.230.090; and adding a new section to chapter 28A.230 RCW.

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

SHB 1538 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Buys, Blake, Chandler, Taylor, Orcutt, Hinkle, Haler, Johnson and Warnick)

AN ACT Relating to animal health inspections; amending RCW 16.36.040, 16.36.050, 16.36.060, 16.36.113,

16.36.140, 16.57.160, and 16.57.360; adding a new section to chapter 16.57 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Economic Development.

SHB 1567 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Ross, Hurst, Upthegrove, Kelley and Moscoso)

AN ACT Relating to background investigations for peace officers and reserve officers; and amending RCW 43.101.080, 43.101.095, and 43.101.105.

Referred to Committee on Human Services & Corrections.

SHB 1568 by House Committee on Education Appropriations & Oversight (originally sponsored by Representatives Sells, Anderson, Probst, Liias, Upthegrove, Hinkle, Carlyle, Zeiger, Ormsby, Haler, Buys, Hasegawa, Stanford, Maxwell, Springer, Miloscia, Sullivan, Haigh, Hunt, Rolfes, Jacks, Dahlquist, Crouse, Kenney and Moscoso)

AN ACT Relating to appointing student members to the boards of trustees for community colleges and the state board for community and technical colleges; amending RCW 28B.50.100 and 28B.50.050; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1572 by House Committee on Local Government (originally sponsored by Representatives Pettigrew, Kagi, Reykdal, Haigh, Takko, Kenney, Moscoso, Hasegawa, Moeller and Frockt)

AN ACT Relating to authorizing public utility districts to request voluntary contributions to assist low-income customers with payment of water and sewer bills; and amending RCW 54.52.010.

Referred to Committee on Environment, Water & Energy.

SHB 1585 by House Committee on Public Safety & Emergency Preparedness (originally sponsored by Representatives Eddy, Springer and Ryu)

AN ACT Relating to intrastate mutual aid in the event of emergencies; amending RCW 38.52.040; and adding a new chapter to Title 38 RCW.

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

SHB 1596 by House Committee on Local Government (originally sponsored by Representatives Tharinger, Nealey, Haler, Takko, Walsh and Fitzgibbon)

AN ACT Relating to requirements that cities and towns with ambulance utilities allocate funds toward the total cost necessary to regulate, operate, and maintain the ambulance utility; and amending RCW 35.21.766.

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

SHB 1600 by House Committee on Education (originally sponsored by Representatives Probst, Anderson, Maxwell and Roberts)

AN ACT Relating to elementary math specialists; adding a new section to chapter 28A.410 RCW; and creating a new section.

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

SHB 1608 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Billig, Probst, Haigh, Santos, Seaquist, Anderson, Haler, Maxwell, Dammeier, Sells, Carlyle, Sullivan, Ladenburg, Dahlquist, Frockt, Fitzgibbon, Ryu, Orwall, Moscoso, Stanford, Jinkins, Ormsby, Jacks, McCoy, Appleton, Kelley, Van De Wege, Clibborn, Kenney, Roberts, Upthegrove, Goodman, Hasegawa and Tharinger)

AN ACT Relating to modifying the opportunity internship program; amending RCW 28C.18.162, 28C.18.164, 28C.18.166, and 28B.92.084; amending 2009 c 238 s 11 (uncodified); and reenacting and amending RCW 28B.92.030.

Referred to Committee on Higher Education & Workforce Development.

SHB 1615 by House Committee on Judiciary (originally sponsored by Representatives Ladenburg, Kelley, Rodne, Moscoso, Kirby, Appleton and Stanford)

AN ACT Relating to service members' civil relief; and amending RCW 38.42.010 and 38.42.050.

Referred to Committee on Judiciary.

HB 1640 by Representatives Green, Hinkle, Cody and Moeller

AN ACT Relating to respiratory care practitioners; and amending RCW 18.89.020 and 18.89.040.

Referred to Committee on Health & Long-Term Care.

SHB 1652 by House Committee on Judiciary (originally sponsored by Representatives Frockt, Kenney, Reykdal, Rolfes, Probst, Goodman, Maxwell, McCoy, Jacks, Jinkins, Ryu, Kagi, Ladenburg, Stanford, Hasegawa, Fitzgibbon, Blake, Billig, Roberts, Clibborn, Ormsby, Moscoso, Hudgins and Liias)

AN ACT Relating to electronic impersonation; adding a new section to chapter 4.24 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1667 by Representatives Kagi, Armstrong, Ryu, Liias, Clibborn, Angel, Goodman, Stanford and Moscoso

AN ACT Relating to state route number 522; and creating new sections.

Referred to Committee on Transportation.

HB 1669 by Representatives Santos, Parker, Dammeier, McCoy, Kenney, Hasegawa, Moscoso and Maxwell

AN ACT Relating to the educational opportunity gap, including implementing recommendations made by the achievement gap oversight and accountability committee; amending RCW 28A.150.198, 28A.175.025, 28A.300.136, 28A.300.1361, 28A.300.137, 28A.345.070, 28A.405.100, 28A.410.260, 28A.415.370, 28A.642.005, 28A.655.115, 28A.657.070, 28A.657.110, and 43.215.005; and reenacting and amending RCW 28A.290.010.

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

SHB 1691 by House Committee on Business & Financial Services (originally sponsored by Representatives Kirby, Anderson, Springer, Eddy, Ryu, Morris and Stanford)

AN ACT Relating to embalmers; and amending RCW 68.50.070.

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

HB 1709 by Representatives Kirby and Bailey

AN ACT Relating to group disability insurance; and amending RCW 48.21.010.

Referred to Committee on Financial Institutions, Housing & Insurance.

SHB 1710 by House Committee on Education (originally sponsored by Representatives Moscoso, Liias, Probst, Ladenburg, Hasegawa, McCoy, Haler, Dahlquist, Green, Wilcox, McCune, Zeiger, Roberts, Stanford, Billig, Maxwell, Hunt and Kenney)

AN ACT Relating to creating a strategic plan for career and technical education; and creating new sections.

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

SHB 1712 by House Committee on Environment (originally sponsored by Representatives Harris, Crouse, Short, Jacks and McCune)

AN ACT Relating to null power; and amending RCW 19.29A.010 and 19.29A.060.

Referred to Committee on Environment, Water & Energy.

SHB 1728 by House Committee on Judiciary (originally sponsored by Representatives Eddy, Rodne, Green, Goodman, Kagi and Kenney)

AN ACT Relating to requiring businesses where food for human consumption is sold or served to allow persons with disabilities to bring their service animals onto the business premises; amending RCW 49.60.215; and adding a new section to chapter 49.60 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

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SHB 1745 by House Committee on Business & Financial Services (originally sponsored by Representative Goodman)

AN ACT Relating to collection agencies; amending RCW 19.16.500; and reenacting and amending RCW 19.16.250.

Referred to Committee on Judiciary.

EHB 1775 by Representatives Goodman and Kagi

AN ACT Relating to juvenile restorative justice programs; and amending RCW 13.40.020 and 13.40.080.

Referred to Committee on Human Services & Corrections.

SHB 1811 by House Committee on Community Development & Housing (originally sponsored by Representatives Springer, Roberts and Stanford)

AN ACT Relating to allowing for informed telephonic consent for access to housing or homelessness services; and amending RCW 43.185C.180.

Referred to Committee on Human Services & Corrections.

HB 1812 by Representatives Kirby, Kagi and Moeller

AN ACT Relating to community municipal corporations; and amending RCW 35.14.010 and 35.14.060.

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

SHB 1822 by House Committee on Higher Education (originally sponsored by Representatives Kenney, Parker, Seaquist, Pettigrew, Dickerson and Zeiger)

AN ACT Relating to establishing the first Washington nonprofit online university; adding a new section to chapter 28B.76 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

ESHB 1869 by House Committee on Labor & Workforce Development (originally sponsored by Representatives Sells, Santos and Ormsby)

AN ACT Relating to occupational health best practices in industrial insurance through creation of a state-approved medical provider network and expansion of centers for occupational health and education; and amending RCW 51.36.010.

Referred to Committee on Labor, Commerce & Consumer Protection.

HB 1900 by Representatives Stanford, Ladenburg, Ryu and Green

AN ACT Relating to establishing continuing education requirements for engineers; amending RCW 18.43.080; and providing an effective date.

Referred to Committee on Labor, Commerce & Consumer Protection.

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 Pflug moved adoption of the following resolution:

SENATE RESOLUTION
8628

By Senators Pflug, Parlette, Rockefeller, and Eide

WHEREAS, The students of Tahoma Senior High School in Maple Valley, Washington, enrolled in the program known as "We The People, The Citizen and Constitution," have exhibited that they have an exceptional grasp of the Constitution of the United States and the lessons our forefathers taught; and

WHEREAS, The students of Tahoma Senior High School won first place in state competition – the 14th win in 16 years – and will be representing Washington State in national championship competitions in April; and

WHEREAS, These students continued the standard of excellence that has become expected of Tahoma High School – even going above and beyond what was expected, including three work sessions during school breaks and after school every week; and

WHEREAS, This exceptional constitutional knowledge has impacted these students' lives forever and, as one student described it, "This class has not only made me a stronger student, it has made me a better citizen"; and

WHEREAS, This unparalleled constitutional knowledge and razor-sharp debate instills awe in anyone who sees these students perform; and

WHEREAS, It inspires the students as well as their audience to actively participate in the democracy men and women have fought and died to preserve; and

WHEREAS, These energetic, knowledgeable young people will one day lead this state and country, and there may very well be in their midst a legislator, governor, senator, member of Congress, or perhaps a future President; and

WHEREAS, Their dedicated and talented teacher, Gretchen Wulfing of Tahoma Senior High School, can stand tall in the knowledge that her students can outperform university students on this topic; and

WHEREAS, These students and their teacher were aided by countless hours of help from We the People alumni, former students who helped prepare this year's debaters by volunteering as guest judges; and

WHEREAS, Studies have shown that eighty percent of seniors in high school participating in this program have registered to vote compared to an average of thirty-seven percent among other high school seniors, thereby proving that this program has increased the interest in politics and in participation in government; and

WHEREAS, In 2000, Tahoma Senior High School was fourth in the nation, in 2002 and 2008 they won the Western Regional Award, and in 2003 the We The People Team won the top Unit Two in the Nation Award;

NOW, THEREFORE, BE IT RESOLVED, That the Senate honor all the participants in this program from Tahoma High School. Tahoma High School's first place team: Kathryn Adamson, Austin Bland, Connor Caler, Emily Duerson, Kendal Ferguson, Heath Guyer, Amanda Harding, Katie Hickman, Mary Illback, John Larsen, Kara Magee, Amy McCormick, Luke Milburn, Morgan Murrey, Chelsea Olson, Melissa Perincheril, Mollie Picha, Emily Pierre, Angela Ralston, Thomas Rothschilds, Joshua Tavenner, Conner Thomas, Jeremy Voss, Jennifer Watt, Jessica Warr, Peter Weiler, and Rina Wulfing; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the members of Tahoma High School's We The People Team, the school's teacher Gretchen Wulfing, and the principal of Tahoma Senior High School, Terry Duty, to further show the respect of this body for a job well done and wish them success in their endeavors.

Senators Pflug, Rockefeller and Fain spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8628.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced members of the "We The People" organization who were seated in the gallery.

MOTION

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

SECOND READING

SENATE BILL NO. 5433, by Senators Fraser, Conway, Kastama, Keiser, Chase, Rockefeller, McAuliffe and Nelson

Modifying certain provisions of the manufactured/mobile home landlord-tenant act. Revised for 1st Substitute: Modifying landlord responsibilities in manufactured/mobile home communities.

MOTION

On motion of Senator Fraser, Substitute Senate Bill No. 5433 was substituted for Senate Bill No. 5433 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. 5433 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5295, by Senators Delvin, Swecker, Schoesler, Holmquist Newbry, Honeyford and Hewitt

Regarding leases of irrigation district property.

The measure was read the second time.

MOTION

On motion of Senator Delvin, the rules were suspended, Senate Bill No. 5295 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 Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5295.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5295 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Sheldon

SENATE BILL NO. 5295, 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. 5433 which had been deferred earlier in the day.

MOTION

Senator Benton moved that the following amendment by Senators Benton and Fraser be adopted:

On page 2, line 1 after "in good condition." insert "or remove"
Senator Benton spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Benton and Fraser on page 2, line 1 to Substitute Senate Bill No. 5433.

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

MOTION

On motion of Senator Fraser, the rules were suspended, Engrossed Substitute Senate Bill No. 5433 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fraser spoke in favor of passage of the bill.

MOTION

On motion of Senator Pridemore, Senator Sheldon was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5433.

ROLL CALL

FIFTY FIRST DAY, MARCH 1, 2011

2011 REGULAR SESSION

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5433 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Senators Holmquist Newbry, King and Swecker
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5433, 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. 5072, by Senators Hatfield, Shin and Haugen

Authorizing the department of agriculture to accept and expend gifts.

MOTIONS

On motion of Senator Hatfield, Substitute Senate Bill No. 5072 was substituted for Senate Bill No. 5072 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hatfield, the rules were suspended, Substitute Senate Bill No. 5072 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hatfield spoke in favor of passage of the bill.

MOTION

On motion of Senator White, Senator Brown was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5072.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5072 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Brown

SUBSTITUTE SENATE BILL NO. 5072, 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. 5664, by Senators McAuliffe, Shin, Hobbs, Nelson, Rockefeller, Litzow, Chase, Tom, Zarelli, Brown, Kilmer, Delvin and Murray

Concerning the Lake Washington Institute of Technology.

MOTIONS

On motion of Senator McAuliffe, Substitute Senate Bill No. 5664 was substituted for Senate Bill No. 5664 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McAuliffe, the rules were suspended, Substitute Senate Bill No. 5664 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McAuliffe and Hill spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5664.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5664 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5664, 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. 5184, by Senators Schoesler, King, Carrell, Delvin and Holmquist Newbry

Regarding compliance reports for second-class school districts.

MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 5184 was substituted for Senate Bill No. 5184 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 5184 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5184.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5184 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5184, 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. 5203, by Senators Regala, Hargrove, Stevens and Shin

Improving the administration and efficiency of sex and kidnapping offender registration.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 5203 was substituted for Senate Bill No. 5203 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. 5203 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 Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5203.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5203 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5203, 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. 5204, by Senators Regala, Hargrove and Stevens

Concerning juveniles who have been adjudicated of a sex offense.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 5204 was substituted for Senate Bill No. 5204 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. 5204 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.

Senator Benton spoke on final passage of the bill.

POINT OF ORDER

Senator Regala: "I appreciate the comments from the good gentleman, although I believe he is confusing this bill with a different bill. This is one that deals with juvenile sex offenders and I believe you're referring to a bill that dealt with non conviction records."

REMARKS BY THE PRESIDENT PRO TEMPORE

President Owen: "Please confine your comments to the bill that is before us Senator Benton."

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5204.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5204 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 1; Excused, 0.

Voting yea: Senators Brown, Chase, Eide, Fraser, Hargrove, Harper, Hatfield, Haugen, Hobbs, Kastama, Keiser, Kilmer, Kline, Kohl-Welles, McAuliffe, Murray, Nelson, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Sheldon, Shin, Stevens, Swecker, Tom and White

Voting nay: Senators Baumgartner, Baxter, Becker, Benton, Carrell, Delvin, Ericksen, Fain, Hewitt, Hill, Holmquist Newbry, Honeyford, King, Litzow, Morton, Roach, Schoesler and Zarelli

Absent: Senator Conway

SUBSTITUTE SENATE BILL NO. 5204, 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. 5023, by Senators Prentice, McAuliffe, Litzow, Shin, Kline, Pflug, Fraser, Chase and Rockefeller

Addressing nonlegal immigration-related services.

MOTION

On motion of Senator Kline, Substitute Senate Bill No. 5023 was substituted for Senate Bill No. 5023 and the substitute bill was placed on the second reading and read the second time.

MOTION

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

On page 6, beginning on line 7, after "effect" strike all material through "enacted" on line 9 and insert "December 31, 2011"

Senator Carrell spoke in favor of adoption of the amendment.

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Senators Pflug and Kline spoke against adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senator Carrell on page 6, line 7 to Substitute Senate Bill No. 5023.

The motion by Senator Carrell failed and the amendment was adopted by voice vote.

MOTION

On motion of Senator Kline, the rules were suspended, Substitute Senate Bill No. 5023 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 Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5023.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5023 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

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

Voting nay: Senators Baumgartner, Carrell, Holmquist Newbry, Honeyford and Roach

SUBSTITUTE SENATE BILL NO. 5023, 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. 5069, by Senators Prentice, Kohl-Welles, Conway, Kline and Chase

Creating the farm labor account. Revised for 1st Substitute: Creating the farm labor contractor account.

MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5069 was substituted for Senate Bill No. 5069 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. 5069 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5069.

ROLL CALL

2011 REGULAR SESSION

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5069 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5069, 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. 5202, by Senators Regala and Hargrove

Regarding sexually violent predators.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 5202 was substituted for Senate Bill No. 5202 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. 5202 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 Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5202.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5202 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5202, 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

On motion of Senator Ericksen, Senator Honeyford was excused.

SECOND READING

SENATE BILL NO. 5388, by Senators Parlette, Regala, Holmquist Newbry, Hatfield and Honeyford

Limiting liability for making certain land and water areas available for recreational use under a hydroelectric license.

The measure was read the second time.

MOTION

On motion of Senator Parlette, the rules were suspended, Senate Bill No. 5388 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette and Ranker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5388.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5388 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Honeyford

SENATE BILL NO. 5388, 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. 5574, by Senators Harper and Kline

Concerning collection agencies.

MOTIONS

On motion of Senator Harper, Substitute Senate Bill No. 5574 was substituted for Senate Bill No. 5574 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Harper, the rules were suspended, Substitute Senate Bill No. 5574 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Harper spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Pflug: "Would Senator Harper yield to a question? Senator Harper, is it your understanding that when a creditor leaves a voice message and a telephone contact that that is considered a contact for the purposes of this bill?"

Senator Harper: "Thank you Senator Pflug, it is my understanding Madam President that when a collector leaves a voice message for a debtor that that voice message would be considered a contact under this act."

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5574.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5574 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Honeyford

SUBSTITUTE SENATE BILL NO. 5574, 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. 5579, by Senators Kline and Pflug

Modifying harassment provisions.

MOTIONS

On motion of Senator Kline, Substitute Senate Bill No. 5579 was substituted for Senate Bill No. 5579 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. 5579 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 Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5579.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5579 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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

Excused: Senator Honeyford

SUBSTITUTE SENATE BILL NO. 5579, 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. 5350, by Senators Honeyford, Morton, Swecker, Delvin and Schoesler

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Concerning the unlawful dumping or depositing of solid waste. Revised for 1st Substitute: Concerning the unlawful dumping of solid waste.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5350 was substituted for Senate Bill No. 5350 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5350 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5350.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5350 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5350, 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 12:03 p.m., on motion of Senator Eide, the Senate is recessed until 1:30 p.m.

AFTERNOON SESSION

The Senate was called to order at 1:30 p.m. by the President Pro Tempore.

MOTION

At 1:33 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 3:47 p.m. by the President Pro Tempore.

SECOND READING

SENATE BILL NO. 5117, by Senators Haugen, Ranker, Stevens and Shin

Concerning the population restrictions for a geographic area to qualify as a rural public hospital district.

The measure was read the second time.

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MOTION

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

Senator Pridemore spoke in favor of passage of the bill.

MOTION

On motion of Senator White, Senators Brown and Murray were excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5117.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5117 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

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

Voting nay: Senator McAuliffe

Excused: Senators Brown and Murray

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. 5763, by Senators Ranker, Ericksen, Morton, Fraser and Shin

Amending the existing nonresident retail sales tax exemption.

The measure was read the second time.

MOTION

On motion of Senator Ranker, the rules were suspended, Senate Bill No. 5763 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ranker and Ericksen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5763.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5763 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Senators Baumgartner, Baxter, Becker, Benton, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles,

Litzow, McAuliffe, Morton, Nelson, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom, White and Zarelli

Voting nay: Senator Holmquist Newbry

Excused: Senators Brown and Murray

SENATE BILL NO. 5763, 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. 5628, by Senators Fain, Eide, Roach and Litzow

Concerning a limited property tax exemption from the emergency medical services levy.

The measure was read the second time.

MOTION

On motion of Senator Fain, the rules were suspended, Senate Bill No. 5628 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fain spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5628.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5628 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Senators Brown and Murray

SENATE BILL NO. 5628, 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. 5253, by Senators White, Swecker, Nelson, Litzow and Harper

Concerning landscape conservation and local infrastructure. Revised for 1st Substitute: Concerning tax increment financing for landscape conservation and local infrastructure.

MOTION

On motion of Senator White, Substitute Senate Bill No. 5253 was substituted for Senate Bill No. 5253 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator White moved that the following striking amendment by Senator White be adopted:

Strike everything after the enacting clause and insert the following:

"PART I FINDINGS

NEW SECTION. **Sec. 101. FINDINGS.** (1) Recognizing that uncoordinated and poorly planned growth poses a threat to the environment, sustainable economic development, and the health, safety, and high quality of life enjoyed by residents of this state, the legislature passed the growth management act, chapter 36.70A RCW. The planning goals adopted through the growth management act encourage development in urban areas where public facilities and services exist or can be provided efficiently, conservation of productive forest and agricultural lands, and a reduction of sprawl.

(2) Under RCW 36.70A.090 and 43.362.005 the legislature has encouraged:

(a) The use of innovative land use management techniques, including the transfer of development rights, to meet growth management goals; and

(b) The creation of a regional transfer of development rights marketplace in the central Puget Sound to assist in conserving agricultural and forest land, as well as other lands of state or regional priority.

(3) The legislature finds that:

(a) Local governments are in need of additional resources to provide public infrastructure to meet the needs of a growing population, and that public infrastructure is fundamental to community health, safety, and economic vitality. Investment in public infrastructure in growing urban areas supports growth management goals, encourages the redevelopment of underutilized or blighted urban areas, stimulates business activity and helps create jobs, lowers the cost of housing, promotes efficient land use, and improves residents' quality of life;

(b) Transferring development rights from agricultural and forest lands to urban areas where public facilities and services exist or can be provided efficiently and cost-effectively will ensure vibrant, economically viable communities. Directing growth to communities where people can live close to where they work or have access to transportation choices will also advance state goals regarding climate change by reducing vehicle miles traveled and by reducing fuel consumption and emissions that contribute to climate change. Directing growth to these communities will further help avoid the impacts of storm water runoff to Puget Sound by avoiding impervious surfaces associated with development in watershed uplands;

(c) A transfer of development rights marketplace is particularly appropriate for conserving agricultural and forest land of long-term commercial significance. Transferring the development rights from these lands of statewide importance to cities will help achieve a specific goal of the growth management act by keeping them in farming and forestry, thereby helping ensure these remain viable industries in counties experiencing population growth. Transferring growth from agricultural and forest land of long-term commercial significance will also reduce costs to the counties that otherwise would be responsible for the provision of infrastructure and services for development on these lands, which are generally further from existing infrastructure and services; and

(d) The state and its residents benefit from investment in public infrastructure that is associated with urban growth facilitated by the transfer of development from agricultural and forest lands of long-term commercial significance. These activities advance multiple state growth management goals and benefit the state and local economies. It is in the public interest to enable local governments to finance such infrastructure investments and to

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incentivize development right transfers in the central Puget Sound through this chapter.

**PART II
DEFINITIONS**

NEW SECTION. **Sec. 201.** DEFINITIONS. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Assessed value" means the valuation of taxable real property as placed on the last completed assessment roll.

(2) "Eligible county" means any county that borders Puget Sound, that has a population of six hundred thousand or more, and that has an established program for transfer of development rights.

(3) "Employment" means total employment in a county or city, as applicable, estimated by the office of financial management.

(4) "Exchange rate" means an increment of development beyond what base zoning allows that is assigned to a development right by a sponsoring city for use in a receiving area.

(5) "Local infrastructure project area" means the geographic area identified by a sponsoring city under section 601 of this act.

(6) "Local infrastructure project financing" means the use of local property tax allocation revenue distributed to the sponsoring city to pay or finance public improvement costs within the local infrastructure project area in accordance with section 701 of this act.

(7) "Local property tax allocation revenue" means those tax revenues derived from the receipt of regular property taxes levied on the property tax allocation revenue value and used for local infrastructure project financing.

(8) "Participating taxing district" means a taxing district that:

(a) Has a local infrastructure project area wholly or partially within the taxing district's geographic boundaries; and

(b) Levies, or has levied on behalf of the taxing district, regular property taxes as defined in this section.

(9) "Population" means the population of a city or county, as applicable, estimated by the office of financial management.

(10) "Property tax allocation revenue base value" means the assessed value of real property located within a local infrastructure project area, less the property tax allocation revenue value.

(11)(a)(i) "Property tax allocation revenue value" means an amount equal to the sponsoring city ratio multiplied by seventy-five percent of any increase in the assessed value of real property in a local infrastructure project area resulting from:

(A) The placement of new construction, improvements to property, or both, on the assessment roll, where the new construction and improvements are initiated after the local infrastructure project area is created by the sponsoring city;

(B) The cost of new housing construction, conversion, and rehabilitation improvements, when the cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.14.020, and the new housing construction, conversion, and rehabilitation improvements are initiated after the local infrastructure project area is created by the sponsoring city;

(C) The cost of rehabilitation of historic property, when the cost is treated as new construction for purposes of chapter 84.55 RCW as provided in RCW 84.26.070, and the rehabilitation is initiated after the local infrastructure project area is created by the sponsoring city.

(ii) Increases in the assessed value of real property resulting from (a)(i)(A) through (C) of this subsection are included in the property tax allocation revenue value in the initial year. These same amounts are also included in the property tax allocation revenue value in subsequent years unless the property becomes exempt from property taxation.

(b) "Property tax allocation revenue value" includes an amount equal to the sponsoring city ratio multiplied by seventy-five percent of any increase in the assessed value of new construction consisting

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of an entire building in the years following the initial year, unless the building becomes exempt from property taxation.

(c) Except as provided in (b) of this subsection, "property tax allocation revenue value" does not include any increase in the assessed value of real property after the initial year.

(d) There is no property tax allocation revenue value if the assessed value of real property in a local infrastructure project area has not increased as a result of any of the reasons specified in (a)(i)(A) through (C) of this subsection.

(e) For purposes of this subsection, "initial year" means:

(i) For new construction and improvements to property added to the assessment roll, the year during which the new construction and improvements are initially placed on the assessment roll;

(ii) For the cost of new housing construction, conversion, and rehabilitation improvements, when the cost is treated as new construction for purposes of chapter 84.55 RCW, the year when the cost is treated as new construction for purposes of levying taxes for collection in the following year; and

(iii) For the cost of rehabilitation of historic property, when the cost is treated as new construction for purposes of chapter 84.55 RCW, the year when such cost is treated as new construction for purposes of levying taxes for collection in the following year.

(12)(a) "Public improvements" means:

(i) Infrastructure improvements within the local infrastructure project area that include:

(A) Street, road, bridge, and rail construction and maintenance;

(B) Water and sewer system construction and improvements;

(C) Sidewalks, streetlights, landscaping, and streetscaping;

(D) Parking, terminal, and dock facilities;

(E) Park and ride facilities of a transit authority and other facilities that support transit-oriented development;

(F) Park facilities, recreational areas, bicycle paths, and environmental remediation;

(G) Storm water and drainage management systems;

(H) Electric, gas, fiber, and other utility infrastructures; and

(ii) Expenditures for facilities and improvements that support affordable housing as defined in RCW 43.185A.010;

(iii) Providing maintenance and security for common or public areas in the local infrastructure project area; or

(iv) Historic preservation activities authorized under RCW 35.21.395.

(b) Public improvements do not include the acquisition by a sponsoring city of transferable development rights.

(13) "Real property" has the same meaning as in RCW 84.04.090 and also includes any privately owned improvements located on publicly owned land that are subject to property taxation.

(14)(a) "Regular property taxes" means regular property taxes as defined in RCW 84.04.140, except: (i) Regular property taxes levied by public utility districts specifically for the purpose of making required payments of principal and interest on general indebtedness; (ii) regular property taxes levied by the state for the support of common schools under RCW 84.52.065; and (iii) regular property taxes authorized by RCW 84.55.050 that are limited to a specific purpose.

(b) "Regular property taxes" do not include excess property tax levies that are exempt from the aggregate limits for junior and senior taxing districts as provided in RCW 84.52.043.

(15) "Receiving areas," for purposes of this chapter, are those designated lands within local infrastructure project areas in which transferable development rights from sending areas may be used.

(16) "Receiving city" means any incorporated city with population plus employment equal to twenty-two thousand five hundred or greater within an eligible county.

(17) "Receiving city allocated share" means the total number of transferable development rights from agricultural and forest land of

long-term commercial significance and rural zoned lands designated under section 303 of this act within the eligible counties allocated to a receiving city under section 305 (1) and (2) of this act.

(18) "Sending areas" means those lands within an eligible county that meet conservation criteria as described in sections 301 and 303 of this act.

(19) "Sponsoring city" means a receiving city that accepts all or a portion of its receiving city allocated share, adopts a plan for development of infrastructure within one or more proposed local infrastructure project areas in accordance with section 401 of this act, and creates one or more local infrastructure project areas, as specified in section 305(4) of this act.

(20) "Sponsoring city allocated share" means the total number of transferable development rights a sponsoring city agrees to accept, under section 305(4) of this act, from agricultural and forest land of long-term commercial significance and rural zoned lands designated under section 303 of this act within the eligible counties, plus the total number of transferable development rights transferred to the sponsoring city from another receiving city under section 305(5) of this act.

(21) "Sponsoring city ratio" means the ratio of the sponsoring city specified portion to the sponsoring city allocated share.

(22) "Sponsoring city specified portion" means the portion of a sponsoring city allocated share which may be used within one or more local infrastructure project areas, as set forth in the sponsoring city's plan for development of infrastructure under section 401 of this act.

(23) "Taxing district" means a city or county that levies, or has levied on behalf of the city or county, regular property taxes upon real property located within a local infrastructure project area.

(24) "Transfer of development rights" includes methods for protecting land from development by voluntarily removing the development rights from a sending area and transferring them to one or more receiving areas for the purpose of increasing development density or intensity.

(25) "Transferable development rights" means a right to develop one or more residential units in a sending area that can be sold and transferred.

PART III SENDING AREAS

NEW SECTION. **Sec. 301.** DESIGNATION OF SENDING AREAS--INCLUSION OF AGRICULTURAL AND FOREST LAND OF LONG-TERM COMMERCIAL SIGNIFICANCE. An eligible county must designate all agricultural and forest land of long-term commercial significance within its jurisdiction as sending areas for conservation under the eligible county's program for transfer of development rights. The development rights from all such agricultural and forest land of long-term commercial significance within the eligible counties must be available for transfer to receiving cities under this chapter.

NEW SECTION. **Sec. 302.** DEVELOPMENT RIGHTS FROM AGRICULTURAL AND FOREST LAND OF LONG-TERM COMMERCIAL SIGNIFICANCE. (1) An eligible county must calculate the number of development rights from agricultural and forest land of long-term commercial significance that are eligible for transfer to receiving areas. An eligible county must determine transferable development rights for allocation purposes in this program by:

(a) Base zoning in effect as of January 1, 2011; or

(b) An allocation other than base zoning as reflected by an eligible county's transfer of development rights program or an interlocal agreement with a receiving city in effect as of January 1, 2011.

(2) The number of transferable development rights includes the development rights from agricultural and forest lands of long-term

commercial significance that have been previously issued under the eligible county's program for transfer of development rights, but that have not as yet been utilized to increase density or intensity in a development as of January 1, 2011.

(3) The number of transferable development rights does not include development rights from agricultural and forest lands of long-term commercial significance that have previously been removed or extinguished, such as through an existing conservation easement, except when consistent with subsection (2) of this section.

NEW SECTION. **Sec. 303.** DESIGNATION OF SENDING AREAS--INCLUSION OF RURAL ZONED LANDS UNDER CERTAIN CIRCUMSTANCES. (1) Subject to the requirements of this section, an eligible county may designate a portion of its rural zoned lands as sending areas for conservation under the eligible county's program for transfer of development rights available for transfer to receiving cities under this chapter.

(2) An eligible county may designate rural zoned lands as available for transfer to receiving cities under this chapter only if, and at such time as, fifty percent or more of the total acreage of land classified as agricultural and forest land of long-term commercial significance in the county, as of January 1, 2011, has been protected through either a permanent conservation easement, ownership in fee by the county for land protection or conservation purposes, or ownership in fee by a nongovernmental land conservation organization.

(3) To be designated as available for transfer to receiving cities under this chapter, rural zoned lands must either:

(a) Be identified by the county as top conservation priorities because they:

(i) Provide ecological effectiveness in achieving water resource inventory area goals;

(ii) Provide contiguous habitat protection, are adjacent to already protected habitat areas, or improve ecological function;

(iii) Are of sufficient size and location in the landscape to yield strategic growth management benefits;

(iv) Provide improved access for regional recreational opportunity;

(v) Prevent forest fragmentation or are appropriate for forest management;

(vi) Provide flood protection or reduce flood risk; or

(vii) Have other attributes that meet natural resource preservation program priorities; or

(b) Be identified by the state or in regional conservation plans as highly important to the water quality of Puget Sound.

(4) The portion of rural zoned lands in an eligible county designated as sending areas for conservation under the eligible county's program for transfer of development rights available for transfer to receiving cities under this chapter must not exceed one thousand five hundred development rights.

NEW SECTION. **Sec. 304.** DETERMINATION OF TOTAL NUMBER OF TRANSFERABLE DEVELOPMENT RIGHTS FOR AGRICULTURAL AND FOREST LAND OF LONG-TERM COMMERCIAL SIGNIFICANCE AND DESIGNATED RURAL ZONED LANDS. On or before September 1, 2011, each eligible county must report to the Puget Sound regional council the total number of transferable development rights from agricultural and forest land of long-term commercial significance and designated rural zoned lands within the eligible county that may be available for allocation to receiving cities under this chapter, as determined under sections 302 and 303 of this act.

NEW SECTION. **Sec. 305.** ALLOCATION AMONG LOCAL GOVERNMENTS OF TRANSFERABLE DEVELOPMENT RIGHTS FROM AGRICULTURAL AND FOREST LAND OF LONG-TERM COMMERCIAL

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SIGNIFICANCE AND DESIGNATED RURAL ZONED LANDS. (1) The Puget Sound regional council must allocate among receiving cities the total number of development rights reported by eligible counties under section 304 of this act. Each receiving city allocated share must be determined by the Puget Sound regional council, in consultation with eligible counties and receiving cities, based on growth targets, determined by established growth management processes, and other relevant factors as determined by the Puget Sound regional council in conjunction with the counties and receiving cities.

(2) The Puget Sound regional council must report to each receiving city its receiving city allocated share on or before March 1, 2012.

(3) The Puget Sound regional council must report each receiving city allocated share to the department of commerce on or before March 1, 2012.

(4) A receiving city may become a sponsoring city by accepting all or a portion of its receiving city allocated share, adopting a plan in accordance with section 401 of this act, and creating one or more local infrastructure project areas to pay or finance costs of public improvements.

(5) A receiving city may, by interlocal agreement, transfer all or a portion of its receiving city allocated share to another sponsoring city. The transferred portion of the receiving city allocated share must be included in the other sponsoring city allocated share.

**PART IV
RECEIVING AREAS**

NEW SECTION. Sec. 401. DEVELOPMENT PLAN FOR INFRASTRUCTURE. (1) Before adopting an ordinance or resolution creating one or more local infrastructure project areas, a sponsoring city must adopt a plan for development of public infrastructure within one or more proposed local infrastructure project areas sufficient to utilize, on an aggregate basis, a sponsoring city specified portion that is equal to or greater than twenty percent of the sponsoring city allocated share.

(2) The plan must be developed in consultation with the county where the local infrastructure project area to be created is located, be consistent with any transfer of development rights policies or development regulations adopted by the sponsoring city under section 402 of this act, specify the public improvements to be financed using local infrastructure project financing under section 601 of this act, estimate the number of any transferable development rights that will be used within the local infrastructure project area or areas and estimate the cost of the public improvements.

(3) A plan adopted under this section may be revised from time to time by the sponsoring city, in consultation with the county where the local infrastructure project area or areas are located, to increase the sponsoring city specified portion.

NEW SECTION. Sec. 402. PROGRAM FOR TRANSFER OF DEVELOPMENT RIGHTS INTO RECEIVING AREAS--REQUIREMENTS. (1) Before adopting an ordinance or resolution creating one or more local infrastructure project areas, a sponsoring city must:

(a) Adopt transfer of development rights policies or implement development regulations as required by subsection (2) of this section; or

(b) Make a finding that the sponsoring city will:

(i) Receive its sponsoring city specified portion within one or more local infrastructure project areas; or

(ii) Purchase its sponsoring city specified portion should the sponsoring city not be able to receive its sponsoring city specified portion within one or more local infrastructure project areas such

that purchased development rights can be held in reserve by the sponsoring city and used in future development.

(2) Any adoption of transfer of development rights policies or implementation of development regulations must:

(a) Comply with chapter 36.70A RCW;

(b) Designate a receiving area or areas;

(c) Adopt incentives consistent with subsection (4) of this section for developers purchasing transferable development rights;

(d) Establish an exchange rate consistent with subsection (5) of this section; and

(e) Require that the sale of a transferable development right from agricultural or forest land of long-term commercial significance or designated rural zoned lands under section 303 of this act be evidenced by its permanent removal from the sending site, such as through a conservation easement on the sending site.

(3) Any adoption of transfer of development rights policies or implementation of development regulations must not be based upon a downzone within one or more receiving areas solely to create a market for the transferable development rights.

(4) Developer incentives should be designed to:

(a) Achieve the densities or intensities reasonably likely to result from absorption of the sponsoring city specified portion identified in the plan under section 401 of this act;

(b) Include streamlined permitting strategies such as by-right permitting; and

(c) Include streamlined environmental review strategies such as development and substantial environmental review of a subarea plan for a receiving area that benefits projects that use transferable development rights, with adoption as appropriate under RCW 43.21C.420 of optional elements of their comprehensive plan and optional development regulations that apply within the receiving area, adoption as appropriate of a categorical exemption for infill under RCW 43.21C.229 for a receiving area, and adoption as appropriate of a planned action under RCW 43.21C.031 for the receiving area.

(5) Each sponsoring city may determine, at its option, what developer incentives to adopt within its jurisdiction.

(6) Exchange rates should be designed to:

(a) Create a marketplace in which transferable development rights are priced at a level at which sending site landowners are willing to sell and developers are willing to buy transferable development rights;

(b) Achieve the densities or intensities anticipated by the plan adopted under section 401 of this act;

(c) Provide for translation to commodities in addition to residential density, such as building height, commercial floor area, parking ratio, impervious surface, parkland and open space, setbacks, and floor area ratio; and

(d) Allow for appropriate exemptions from other land use or building requirements.

(7) A sponsoring city must designate all agricultural and forest land of long-term commercial significance and designated rural zoned lands under section 303 of this act within the eligible counties as available sending areas.

(8) A sponsoring city, in accordance with its existing comprehensive planning and development regulation authority under chapter 36.70A RCW, and in accordance with RCW 36.70A.080, may elect to adopt an optional comprehensive plan element and optional development regulations that apply within one or more local infrastructure project areas under this chapter.

NEW SECTION. Sec. 403. DEVELOPMENT RIGHTS AVAILABLE FOR TRANSFER TO RECEIVING CITIES. Only development rights from agricultural and forest land of long-term commercial significance within the eligible counties as determined under section 302 of this act, and rural-zoned lands with the eligible

counties designated under section 303 of this act, may be available for transfer to receiving cities in accordance with this chapter.

**PART V
QUANTITATIVE AND QUALITATIVE PERFORMANCE
MEASURES**

NEW SECTION. Sec. 501. QUANTITATIVE AND QUALITATIVE PERFORMANCE MEASURES--REPORTING. The eligible counties, in collaboration with sponsoring cities, must provide a report to the department of commerce by March 1st of every other year. The report must contain the following information:

- (1) The number of sponsoring cities that have adopted transfer of development rights policies and regulations incorporating transfer of development rights under this chapter, and have an interlocal agreement or have adopted the department of commerce transfer of development rights interlocal terms and conditions rule;
- (2) The number of transfer of development rights transactions under this chapter using different types of transfer of development rights mechanisms;
- (3) The number of acres under conservation easement under this chapter, broken out by agricultural land, forest land, and rural lands;
- (4) The number of transferable development rights transferred from sending areas under this chapter;
- (5) The number of transferable development rights transferred from a county into a sponsoring city under this chapter;
- (6) Sponsoring city development under this chapter using transferable development rights, including:
 - (a) The number of total new residential units;
 - (b) The number of residential units created in receiving areas using transferable development rights transferred from sending areas;
 - (c) The amount of additional commercial floor area;
 - (d) The amount of additional building height;
 - (e) The number of required structured parking spaces reduced, if transferable development rights are specifically converted into reduced structured parking space requirements;
 - (f) The number of additional parking spaces allowed, if transferable development rights are specifically converted into additional receiving area parking spaces; and
 - (g) The amount of additional impervious surface allowed, if transferable development rights are specifically converted into receiving area impervious surfaces;
- (7) The amount of the local property tax allocation revenues, if any, received in the preceding calendar year by the sponsoring city;
- (8) A list of public improvements paid or financed with local infrastructure project financing;
- (9) The names of any businesses locating within local infrastructure project areas as a result of the public improvements undertaken by the sponsoring local government and paid or financed in whole or in part with local infrastructure project financing;
- (10) The total number of permanent jobs created in the local infrastructure project area as a result of the public improvements undertaken by the sponsoring local government and paid or financed in whole or in part with local infrastructure project financing;
- (11) The average wages and benefits received by all employees of businesses locating within the local infrastructure project area as a result of the public improvements undertaken by the sponsoring local government and paid or financed in whole or in part with local infrastructure project financing; and
- (12) The date when any indebtedness issued for local infrastructure project financing is expected to be retired.

PART VI

**ESTABLISHMENT OF LOCAL INFRASTRUCTURE
PROJECT AREAS**

NEW SECTION. Sec. 601. CREATING A LOCAL INFRASTRUCTURE PROJECT AREA. (1) Before adopting an ordinance or resolution creating one or more local infrastructure project areas, a sponsoring city must:

(a) Provide notice to the county assessor, county treasurer, and county executive within the proposed local infrastructure project area of the sponsoring city's intent to create one or more local infrastructure project areas. This notice must be provided at least one hundred eighty days in advance of the public hearing as required by (b) of this subsection;

(b) Hold a public hearing on the proposed formation of the local infrastructure project area.

(2) A sponsoring city may create one or more local infrastructure project areas by ordinance or resolution that:

(a) Describes the proposed public improvements, identified in the plan under section 401 of this act, to be financed in each local infrastructure project area;

(b) Describes the boundaries of each local infrastructure project area, subject to the limitations in section 602 of this act; and

(c) Provides the date when the use of local property tax allocation revenues will commence and a list of the participating taxing districts.

(3) The sponsoring city must deliver a certified copy of the adopted ordinance or resolution to the county assessor, county treasurer, and each other participating taxing district within which the local infrastructure project area is located.

NEW SECTION. Sec. 602. LIMITATIONS ON LOCAL INFRASTRUCTURE PROJECT AREAS. The designation of any local infrastructure project area is subject to the following limitations:

(1) A local infrastructure project area is limited to contiguous tracts, lots, pieces, or parcels of land without the creation of islands of territory not included in the local infrastructure project area;

(2) The public improvements to be financed with local infrastructure project financing must be located in the local infrastructure project area and must, in the determination of the sponsoring city, further the intent of this chapter;

(3) Local infrastructure project areas created by a sponsoring city may not comprise an area containing more than twenty-five percent of the total assessed value of taxable property within the sponsoring city at the time the local infrastructure project areas are created;

(4) The boundaries of each local infrastructure project area may not overlap and may not be changed during the time period that local infrastructure project financing is used within the local infrastructure project area, as provided under this chapter; and

(5) All local infrastructure project areas created by the sponsoring city must comprise, in the aggregate, an area that the sponsoring city determines (a) is sufficient to use the sponsoring city specified portion, unless the sponsoring city satisfies its sponsoring city allocated share under section 402(1)(b)(ii) of this act, and (b) is no larger than reasonably necessary to use the sponsoring city specified portion in projected future developments.

**PART VII
LOCAL INFRASTRUCTURE PROJECT FINANCING
USE OF PROPERTY TAX REVENUES TO PAY OR
FINANCE
COSTS OF PUBLIC IMPROVEMENTS**

NEW SECTION. Sec. 701. ALLOCATION OF PROPERTY TAX REVENUES. (1) Commencing in the second calendar year following the creation of a local infrastructure project

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area by a sponsoring city, the county treasurer must distribute receipts from regular taxes imposed on real property located in the local infrastructure project area as follows:

(a) Each participating taxing district and the sponsoring city must receive that portion of its regular property taxes produced by the rate of tax levied by or for the taxing district on the property tax allocation revenue base value for that local infrastructure project area in the taxing district; and

(b) The sponsoring city must receive an additional portion of the regular property taxes levied by it and by or for each participating taxing district upon the property tax allocation revenue value within the local infrastructure project area. However, if there is no property tax allocation revenue value, the sponsoring city may not receive any additional regular property taxes under this subsection (1)(b). The sponsoring city may agree to receive less than the full amount of the additional portion of regular property taxes under this subsection (1)(b) as long as bond debt service, reserve, and other bond covenant requirements are satisfied, in which case the balance of these tax receipts must be allocated to the participating taxing districts that levied regular property taxes, or have regular property taxes levied for them, in the local infrastructure project area for collection that year in proportion to their regular tax levy rates for collection that year. The sponsoring city may request that the treasurer transfer this additional portion of the property taxes to its designated agent.

(2)(a) The portion of the tax receipts distributed to the sponsoring city or its agent under subsection (1)(b) of this section may only be expended to pay or finance public improvement costs within the local infrastructure project area, except as provided in (b) of this subsection (2).

(b) A city may also expend such receipts to pay or finance costs of affordable housing as defined in RCW 43.185A.010, or facilities and improvements that support affordable housing, and at least five percent of the tax receipts distributed to the sponsoring city or its agent under subsection (1)(b) of this section must be set aside and reserved or expended within the local infrastructure project area for such affordable housing purposes.

(3) The county assessor must determine the property tax allocation revenue value and property tax allocation revenue base value. This section does not authorize revaluations of real property by the assessor for property taxation that are not made in accordance with the assessor's revaluation plan under chapter 84.41 RCW or under other authorized revaluation procedures.

(4)(a) The distribution of local property tax allocation revenue to the sponsoring city must cease on the date that is the earlier of:

(i) The date when local property tax allocation revenues are no longer used or obligated to pay the costs of the public improvements; or

(ii) The final termination date as determined under (b) of this subsection (4).

(b) The final termination date is determined as follows:

(i) Except as provided otherwise in (b) of this subsection (4), if the sponsoring city certifies to the county treasurer that the local property tax threshold level 1 is met, the final termination date is ten years after the date of the first distribution of local property tax allocation revenues under subsection (1) of this section;

(ii) If the sponsoring city certifies to the county treasurer that the local property tax threshold level 2 is met at least six months prior to the final termination date under (b)(i) of this subsection (4), the final termination date is fifteen years after the date of the first distribution of local property tax allocation revenues under subsection (1) of this section;

(iii) If the sponsoring city certifies to the county treasurer that the local property tax threshold level 3 is met at least six months prior to the final termination date under (b)(ii) of this subsection (4),

the final termination date is twenty years after the date of the first distribution of local property tax allocation revenues under subsection (1) of this section;

(iv) If the sponsoring city certifies to the county treasurer that the local property tax threshold level 4 is met at least six months prior to the final termination date under (b)(iii) of this subsection (4), the final termination date is twenty-five years after the date of the first distribution of local property tax allocation revenues under subsection (1) of this section.

(5) For purposes of this section:

(a) The "local property tax threshold level 1" is met when the sponsoring city has either:

(i) Issued building permits for development within the local infrastructure project area that, on an aggregate basis, uses at least twenty-five percent of the sponsoring city specified portion; or

(ii) Acquired transferable development rights equal to at least twenty-five percent of the sponsoring city specified portion for use in the local infrastructure project area or for extinguishment.

(b) The "local property tax threshold level 2" is met when the sponsoring city has either:

(i) Issued building permits for development within the local infrastructure project area that, on an aggregate basis, uses at least fifty percent of the sponsoring city specified portion; or

(ii) Acquired transferable development rights equal to at least fifty percent of the sponsoring city specified portion for use in the local infrastructure project area or for extinguishment.

(c) The "local property tax threshold level 3" is met when the sponsoring city has either:

(i) Issued building permits for development within the local infrastructure project area that, on an aggregate basis, uses at least seventy-five percent of the sponsoring city specified portion; or

(ii) Acquired transferable development rights equal to at least seventy-five percent of the sponsoring city specified portion for use in the local infrastructure project area or for extinguishment.

(d) The "local property tax threshold level 4" is met when the sponsoring city has either:

(i) Issued building permits for development within the local infrastructure project area that, on an aggregate basis, uses at least one hundred percent of the sponsoring city specified portion; or

(ii) Acquired transferable development rights equal to at least one hundred percent of the sponsoring city specified portion for use in the local infrastructure project area or for extinguishment.

(6) Any excess local property tax allocation revenues, and earnings on the revenues, remaining at the time the distribution of local property tax allocation revenue terminates must be returned to the county treasurer and distributed to the participating taxing districts that imposed regular property taxes, or had regular property taxes imposed for it, in the local infrastructure project area for collection that year, in proportion to the rates of their regular property tax levies for collection that year.

(7) The allocation and expenditure of local property tax allocation revenues as provided in this chapter of that portion of the sponsoring city's and each participating taxing district's regular property taxes levied upon the property tax allocation revenue value within that local infrastructure project area is declared to be a public purpose of and benefit to the sponsoring city and each participating taxing district.

(8) The distribution of local property tax allocation revenues under this section may not affect or be deemed to affect the rate of taxes levied by or within any sponsoring city and participating taxing district or the consistency of any such levies with the uniformity requirement of Article VII, section 1 of the state Constitution.

PART VIII

**GROWTH MANAGEMENT ACT
COMPREHENSIVE PLAN OPTIONAL ELEMENTS**

ROLL CALL

Sec. 801. RCW 36.70A.080 and 1990 1st ex.s. c 17 s 8 are each amended to read as follows:

(1) A comprehensive plan may include additional elements, items, or studies dealing with other subjects relating to the physical development within its jurisdiction, including, but not limited to:

- (a) Conservation;
- (b) Solar energy; and
- (c) Recreation.

(2) A comprehensive plan may include, where appropriate, subarea plans, each of which is consistent with the comprehensive plan.

(3)(a) Cities that qualify as a receiving city may adopt a comprehensive plan element and associated development regulations that apply within receiving areas under chapter 39.---RCW (the new chapter created in section 903 of this act).

(b) For purposes of this subsection, the terms "receiving city" and "receiving area" have the same meanings as provided in section 201 of this act.

**PART IX
MISCELLANEOUS**

NEW SECTION. Sec. 901. ADMINISTRATION BY THE DEPARTMENT OF COMMERCE. The department of commerce may adopt any rules under chapter 34.05 RCW it considers necessary for the administration of this chapter.

NEW SECTION. Sec. 902. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 903. Sections 101 through 701 of this act constitute a new chapter in Title 39 RCW."

Senators White and Swecker spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senator White to Substitute Senate Bill No. 5253.

The motion by Senator White 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 2 of the title, after "infrastructure;" strike the remainder of the title and insert "amending RCW 36.70A.080; adding a new chapter to Title 39 RCW; and creating a new section."

MOTION

On motion of Senator White, the rules were suspended, Engrossed Substitute Senate Bill No. 5253 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators White, Swecker and Pridemore spoke in favor of passage of the bill.

Senators Roach and Honeyford spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5253.

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5253 and the bill passed the Senate by the following vote: Yeas, 30; Nays, 18; Absent, 0; Excused, 1.

Voting yea: Senators Conway, Eide, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hill, Hobbs, Kastama, Keiser, Kilmer, Kline, Kohl-Welles, Litzow, McAuliffe, Murray, Nelson, Pflug, Prentice, Pridemore, Ranker, Regala, Rockefeller, Sheldon, Shin, Swecker, Tom and White

Voting nay: Senators Baumgartner, Baxter, Becker, Benton, Carrell, Chase, Delvin, Ericksen, Hewitt, Holmquist Newbry, Honeyford, King, Morton, Parlette, Roach, Schoesler, Stevens and Zarelli

Excused: Senator Brown

ENGROSSED SUBSTITUTE SENATE BILL NO. 5253, 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. 5105, by Senators Carrell, Conway, Stevens, Schoesler, Becker and Shin

Addressing the conditional release of persons committed as criminally insane to their county of origin.

MOTION

On motion of Senator Carrell, Substitute Senate Bill No. 5105 was substituted for Senate Bill No. 5105 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Carrell moved that the following amendment by Senators Carrell, Conway, Hargrove and Regala be adopted:

On page 1, line 17, after "person." insert "When the department assists in developing a placement under this section which is outside of the county of origin, and there are two or more options for placement, it shall endeavor to develop the placement in a manner that does not have a disproportionate effect on a single county."

Senator Carrell spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Carrell, Conway, Hargrove and Regala on page 1, line 17 to Substitute Senate Bill No. 5105.

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

MOTION

On motion of Senator Carrell, the rules were suspended, Engrossed Substitute Senate Bill No. 5105 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5105.

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ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5105 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5105, 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. 5502, by Senators White, Nelson, Keiser, Ranker, Kohl-Welles, Rockefeller, Murray, Litzow, Harper, Fain, Swecker, Delvin and Shin

Concerning the regulation, operations, and safety of limousine carriers.

MOTIONS

On motion of Senator White, Substitute Senate Bill No. 5502 was substituted for Senate Bill No. 5502 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator White, the rules were suspended, Substitute Senate Bill No. 5502 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator White spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5502.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5502 and the bill passed the Senate by the following vote: Yeas, 37; Nays, 12; Absent, 0; Excused, 0.

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

Voting nay: Senators Baxter, Becker, Benton, Carrell, Holmquist Newbry, Honeyford, Parlette, Roach, Schoesler, Stevens, Tom and Zarelli

SUBSTITUTE SENATE BILL NO. 5502, 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. 5224, by Senators Hobbs and Fraser

Increasing the charge limit for the preparation of condominium resale certificates.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5224 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hobbs and Benton spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5224.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5224 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Senators Hewitt, Holmquist Newbry and Honeyford

SENATE BILL NO. 5224, 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. 5439, by Senators Ranker, Rockefeller, Nelson, Regala, Hargrove, Hobbs, Fraser, White, Conway and Kline

Concerning oil spills. Revised for 1st Substitute: Regarding oil spills.

MOTIONS

On motion of Senator Ranker, Substitute Senate Bill No. 5439 was substituted for Senate Bill No. 5439 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Ranker, the rules were suspended, Substitute Senate Bill No. 5439 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Ranker, Morton and Ericksen spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5439.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5439 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Senators Delvin, Holmquist Newbry and Stevens
SUBSTITUTE SENATE BILL NO. 5439, 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. 5784, by Senators Litzow, Ranker, Swecker, Hobbs, Fain, Hill, Pridemore, Nelson, Rockefeller, Regala, Shin and Kline

Advancing the regional ocean partnership.

MOTIONS

On motion of Senator Litzow, Substitute Senate Bill No. 5784 was substituted for Senate Bill No. 5784 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Litzow, the rules were suspended, Substitute Senate Bill No. 5784 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Litzow and Ranker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5784.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5784 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5784, 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. 5436, by Senators Ranker, Shin, Litzow, Swecker, Tom, Harper, Nelson, Hobbs, Fraser, Rockefeller, White, Kilmer, Conway and Kline

Reducing copper in antifouling paints used on recreational water vessels. Revised for 1st Substitute: Regarding the use of antifouling paints on recreational water vessels.

MOTIONS

On motion of Senator Ranker, 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 Ranker, 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 Ranker and Morton spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President Pro Tempore 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, 46; Nays, 3; Absent, 0; Excused, 0.

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

Voting nay: Senators Delvin, Holmquist Newbry and Honeyford

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.

PERSONAL PRIVILEGE

Senator Honeyford: "Well, tonight there is a Historic Furnishing Preservation Committee fundraiser that restores the building historic furnishings in the capitol building and in the Department of Justice and that's in the Governor's Mansion. There are many, many good items in which to bid on. Unfortunately some of us are going to be stuck here. Bidding ends exactly 6:35 p.m. Those that want to go, I would urge you to get there and make your bid and support the preservation and restoration of the furnishings of this lovely capitol. Thank you Madam President."

SECOND READING

SENATE BILL NO. 5635, by Senators Honeyford and Rockefeller

Concerning changes in the point of a diversion under a surface water right permit.

MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5635 was substituted for Senate Bill No. 5635 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5635 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5635.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5635 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5635, 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. 5389, by Senators McAuliffe and Shin

Regarding membership of the early learning advisory council.

The measure was read the second time.

MOTION

On motion of Senator McAuliffe, the rules were suspended, Senate Bill No. 5389 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McAuliffe and Litzow spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5389.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5389 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SENATE BILL NO. 5389, 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. 5394, by Senators Keiser, Becker, Pflug, Conway, Kline and Parlette

Concerning primary care health homes and chronic care management.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5394 was substituted for Senate Bill No. 5394 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. 5394 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Becker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5394.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5394 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5394, 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. 5152, by Senators Pflug, Keiser and Kohl-Welles

Regarding naturopathic physicians.

MOTIONS

On motion of Senator Pflug, Substitute Senate Bill No. 5152 was substituted for Senate Bill No. 5152 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pflug, the rules were suspended, Substitute Senate Bill No. 5152 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pflug and Keiser spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5152.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5152 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, McAuliffe, Morton, Murray, Nelson, Parlette, Pflug, Prentice, Pridemore, Ranker, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom, White and Zarelli

Voting nay: Senators Honeyford and Kastama

SUBSTITUTE SENATE BILL NO. 5152, 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. 5521, by Senators Tom, Kastama, Kilmer and Shin

Regarding commercialization of state university technology.

The measure was read the second time.

MOTION

On motion of Senator Tom, the rules were suspended, Senate Bill No. 5521 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Tom and Hill spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5521.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5521 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Hargrove

SENATE BILL NO. 5521, 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. 5042, by Senators Keiser, Pflug, Chase, Kohl-Welles, Conway, Roach, Shin and McAuliffe

Concerning the protection of vulnerable adults.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5042 was substituted for Senate Bill No. 5042 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. 5042 was advanced to third reading,

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

Senators Keiser and Becker spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5042.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5042 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5042, 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. 5594, by Senators Kohl-Welles, Keiser, Prentice, Conway, Kline and Murray

Regulating the handling of hazardous drugs.

MOTION

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5594 was substituted for Senate Bill No. 5594 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Kohl-Welles moved that the following striking amendment by Senators Kohl-Welles and Holmquist Newbry be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature declares that health care personnel who work with or near hazardous drugs in health care settings may be exposed to these agents in the air, on work surfaces, clothing, and medical equipment or through patient contact. According to the national institute for occupational safety and health (NIOSH), early concerns about occupational exposure to antineoplastic drugs first appeared in the 1970s. Antineoplastic and other hazardous drugs may cause skin rashes, infertility, miscarriage, birth defects, and have been linked to a wide variety of cancers. The national institute for occupational safety and health published an alert on preventing occupational exposures to antineoplastic and other hazardous drugs in health care settings in 2004 with an update in 2010. In this alert, the institute "presents a standard precautions or universal precautions approach to handling hazardous drugs safely: that is, NIOSH recommends that all hazardous drugs be handled as outlined in this Alert." It is the intent of the legislature to require health care facilities to follow rules requiring compliance with all aspects of the institute's alert

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regardless of the setting in order to protect health care personnel from hazardous exposure to such drugs.

NEW SECTION. Sec. 2. A new section is added to chapter 49.17 RCW to read as follows:

The definitions in this section apply throughout sections 1 through 3 of this act unless the context clearly requires otherwise.

(1) "Antineoplastic drug" means a chemotherapeutic agent that controls or kills cancer cells.

(2) "Hazardous drugs" means any drug identified by the national institute for occupational safety and health at the centers for disease control or any drug that meets at least one of the following six criteria: Carcinogenicity, teratogenicity or developmental toxicity, reproductive toxicity in humans, organ toxicity at low doses in humans or animals, genotoxicity, or new drugs that mimic existing hazardous drugs in structure or toxicity.

NEW SECTION. Sec. 3. A new section is added to chapter 49.17 RCW to read as follows:

The director of labor and industries shall adopt by rule requirements for the handling of antineoplastic and other hazardous drugs in health care facilities regardless of the setting. Rule making under this section shall consider input from hospitals, organizations representing health care personnel, other stakeholders and shall consider reasonable time for facilities to implement new requirements. The rules will be consistent with and not exceed provisions adopted by the national institute for occupational safety and health's 2004 alert on preventing occupational exposures to antineoplastic and other hazardous drugs in health care settings as updated in 2010. The department's adoption of the rules may incorporate updates and changes to the institute's guidelines as made by the centers for disease control and prevention. Enforcement of these requirements will be according to all provisions in this chapter."

Senators Kohl-Welles and Holmquist Newbry spoke in favor of adoption of the striking amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the striking amendment by Senators Kohl-Welles and Holmquist Newbry to Substitute Senate Bill No. 5594.

The motion by Senator Kohl-Welles 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 "drugs;" strike the remainder of the title and insert "adding new sections to chapter 49.17 RCW; and creating a new section."

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Engrossed Substitute Senate Bill No. 5594 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 Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5594.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5594 and the bill passed the

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Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5594, 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. 5392, by Senators McAuliffe, Litzow, Fain, Nelson, Hill, Harper, Eide, Shin, Kohl-Welles, Tom and Roach

Including technology as a stated educational core concept and principle.

MOTIONS

On motion of Senator McAuliffe, Substitute Senate Bill No. 5392 was substituted for Senate Bill No. 5392 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McAuliffe, the rules were suspended, Substitute Senate Bill No. 5392 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 Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5392.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5392 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

SUBSTITUTE SENATE BILL NO. 5392, 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. 5798, by Senators Fraser and Benton

Concerning homeowners' associations.

MOTION

On motion of Senator Fraser, Substitute Senate Bill No. 5798 was substituted for Senate Bill No. 5798 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Benton moved that the following amendment by Senators Benton and Fraser be adopted:

On page 10, line 8, after "~~(thirty-four)~~" strike "twenty-five" and insert "thirty-four"

Senator Benton spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Benton and Fraser on page 10, line 8 to Substitute Senate Bill No. 5798.

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

MOTION

On motion of Senator Fraser, the rules were suspended, Engrossed Substitute Senate Bill No. 5798 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fraser and Benton spoke in favor of passage of the bill.

MOTION

On motion of Senator White, Senator Haugen was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5798.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5798 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Senators Baumgartner, Ericksen, Fain, Hill, Holmquist Newbry, Honeyford, King, Litzow and Swecker

Excused: Senator Haugen

ENGROSSED SUBSTITUTE SENATE BILL NO. 5798, 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. 5493, by Senators Delvin and Hewitt

Concerning requirements that cities and towns with ambulance utilities allocate funds toward the total cost necessary to regulate, operate, and maintain the ambulance utility.

MOTIONS

On motion of Senator Delvin, Substitute Senate Bill No. 5493 was substituted for Senate Bill No. 5493 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. 5493 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

MOTION

On motion of Senator White, Senators Eide, Fraser and McAuliffe were excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5493.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5493 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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

Excused: Senators Eide, Haugen and McAuliffe

SUBSTITUTE SENATE BILL NO. 5493, 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. 5045, by Senators Kohl-Welles, Conway, Holmquist Newbry, Keiser, Kline, King and Chase

Making technical corrections to gender-based terms.

The measure was read the second time.

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Senate Bill No. 5045 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.

MOTION

On motion of Senator White, Senator Fraser was excused.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5045.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5045 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Eide, Fraser, Haugen and McAuliffe

SENATE BILL NO. 5045, 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. 5046, by Senators Kohl-Welles, Delvin and Roach

Adding court-related employees to the assault in the third degree statute.

The measure was read the second time.

MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Senate Bill No. 5046 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Benton spoke against passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5046.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5046 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 4; Absent, 0; Excused, 4.

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

Voting nay: Senators Benton, Holmquist Newbry, Honeyford and Morton

Excused: Senators Eide, Fraser, Haugen and McAuliffe

SENATE BILL NO. 5046, 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. 5057, by Senators Pflug, Kline and Harper

Concerning the income tax required to be paid by a trustee.

The measure was read the second time.

MOTION

On motion of Senator Pflug, the rules were suspended, Senate Bill No. 5057 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5057.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5057 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 2; Absent, 0; Excused, 4.

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

Voting nay: Senators Ericksen and Holmquist Newbry

Excused: Senators Eide, Fraser, Haugen and McAuliffe

SENATE BILL NO. 5057, 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. 5067, by Senators Keiser, Kohl-Welles, Conway and Chase

Changing the department of labor and industries certified and registered mail requirements. Revised for 1st Substitute: Changing the certified and registered mail requirements of the department of labor and industries and employment security department.

MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5067 was substituted for Senate Bill No. 5067 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. 5067 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5067.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5067 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

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

Excused: Senators Eide, Fraser, Haugen and McAuliffe
 SUBSTITUTE SENATE BILL NO. 5067, 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. 5070, by Senators Conway, Kohl-Welles, Kline and Chase

Regarding records requests relating to prevailing wage investigations.

MOTIONS

On motion of Senator Conway, Substitute Senate Bill No. 5070 was substituted for Senate Bill No. 5070 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Conway, the rules were suspended, Substitute Senate Bill No. 5070 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Conway spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5070.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5070 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 3; Absent, 0; Excused, 4.

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

Voting nay: Senators Baumgartner, Ericksen and Honeyford
 Excused: Senators Eide, Fraser, Haugen and McAuliffe

SUBSTITUTE SENATE BILL NO. 5070, 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 6:45 p.m., on motion of Senator Rockefeller, the Senate adjourned until 10:00 a.m. Wednesday, March 2, 2011.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

1003-S		1343	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1069		1353	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1071-S		1365-S	
Messages	1	Introduction & 1 st Reading.....	4
1105-S		1395	
Introduction & 1 st Reading	2	Messages.....	1
1106		1402-S	
Messages	1	Messages.....	1
1168		1406-S	
Messages	1	Introduction & 1 st Reading.....	4
1181		1407	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1186-S2		1413	
Messages	1	Messages.....	1
1188-S		1419	
Introduction & 1 st Reading	2	Messages.....	1
1191		1425	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1194-S		1432	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1205-S		1438-S	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1214-S		1440	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1218-S		1453-S	
Messages	1	Introduction & 1 st Reading.....	4
1231		1465	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1234		1467-S	
Introduction & 1 st Reading	2	Introduction & 1 st Reading.....	4
1236		1470-S	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1239		1477	
Introduction & 1 st Reading	3	Messages.....	1
1243-S		1479	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1244		1485-S	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1254-S		1489-S	
Messages	1	Messages.....	1
1263		1506-S	
Introduction & 1 st Reading	3	Messages.....	1
1266-S		1520	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1267-S2		1524-S	
Messages	1	Introduction & 1 st Reading.....	5
1281		1538-S	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1294-S		1543-S	
Messages	1	Messages.....	1
1295-S		1549-S	
Introduction & 1 st Reading	3	Messages.....	1
1298		1564-S	
Introduction & 1 st Reading	3	Messages.....	1
1315-S		1567-S	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1327		1568-S	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1328-S		1572-S	
Introduction & 1 st Reading	3	Introduction & 1 st Reading.....	5
1336-S		1582	
Introduction & 1 st Reading	4	Messages.....	1
1340		1585-S	
Messages	1	Introduction & 1 st Reading.....	5

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1594	Messages	1	Second Reading	10
1595-S	Messages	1	5023-S	Second Reading
1596-S	Introduction & 1 st Reading	5		10
1600-S	Introduction & 1 st Reading	6		11
1608-S	Introduction & 1 st Reading	6	5042	Second Reading
1613	Messages	1		24
1614-S	Messages	1	5042-S	Second Reading
1615-S	Introduction & 1 st Reading	6		24
1618	Messages	1		24
1621-S	Messages	1	5045	Second Reading
1640	Introduction & 1 st Reading	6		26
1652-S	Introduction & 1 st Reading	6		26
1667	Introduction & 1 st Reading	6	5046	Second Reading
1669	Introduction & 1 st Reading	6		27
1677	Messages	1		27
1691-S	Introduction & 1 st Reading	6	5057	Second Reading
1698	Messages	1		27
1709	Introduction & 1 st Reading	6		27
1710-S	Introduction & 1 st Reading	6	5067	Second Reading
1712-S	Introduction & 1 st Reading	6		27
1721-S	Messages	1		27
1728-S	Introduction & 1 st Reading	6	5067-S	Second Reading
1745-S	Introduction & 1 st Reading	7		27
1775	Introduction & 1 st Reading	7		28
1811-S	Introduction & 1 st Reading	7	5069	Second Reading
1812	Introduction & 1 st Reading	7		11
1822-S	Introduction & 1 st Reading	7	5069-S	Second Reading
1833	Messages	1		11
1869-S	Introduction & 1 st Reading	7		11
1886-S	Messages	1	5070	Second Reading
1900	Introduction & 1 st Reading	7		28
1926	Messages	1	5070-S	Second Reading
5023				28
			5072	Second Reading
				9
			5072-S	Second Reading
				9
				9
			5105	Second Reading
				20
			5105-S	Second Reading
				20
				21
			5117	Second Reading
				13
				13
			5152	Second Reading
				23
			5152-S	Second Reading
				23
				24
			5184	Second Reading
				9
			5184-S	Second Reading
				9
				10
			5202	Second Reading
				11
			5202-S	Second Reading
				11
				11
			5203	Second Reading
				10
			5203-S	Second Reading
				10

Third Reading Final Passage	10	5521	Second Reading	24
5204			Third Reading Final Passage	24
Second Reading	10	5574	Second Reading	12
5204-S		5574-S	Second Reading	12
Second Reading	10		Third Reading Final Passage	12
Third Reading Final Passage	10	5579	Second Reading	12
5224			5579-S	
Second Reading	21		Second Reading	12
Third Reading Final Passage	21		Third Reading Final Passage	12
5253		5594	Second Reading	24
Second Reading	14	5594-S	Other Action	25
5253-S			Second Reading	24
Other Action	20		Third Reading Final Passage	25
Second Reading	14	5628	Second Reading	14
Third Reading Final Passage	20		Third Reading Final Passage	14
5295		5635	Second Reading	22
Second Reading	8		5635-S	
Third Reading Final Passage	8		Second Reading	22
5350			Third Reading Final Passage	23
Second Reading	12	5664	Second Reading	9
5350-S		5664-S	Second Reading	9
Second Reading	13		Third Reading Final Passage	9
Third Reading Final Passage	13	5763	Second Reading	13
5388			Third Reading Final Passage	13
Second Reading	11	5784	Second Reading	22
Third Reading Final Passage	12	5784-S	Second Reading	22
5389			Third Reading Final Passage	22
Second Reading	23	5798	Second Reading	25
Third Reading Final Passage	23	5798-S	Second Reading	26
5392			Third Reading Final Passage	26
Second Reading	25	5860	Introduction & 1 st Reading	1
5392-S			5861	
Second Reading	25		Introduction & 1 st Reading	2
Third Reading Final Passage	25	8628	Adopted	8
5394			Introduced	7
Second Reading	23	9151 James Mcdevitt	Introduced	1
5394-S			MESSAGE FROM GOVERNOR	
Second Reading	23		Gubernatorial Appointments	1
Third Reading Final Passage	23		PRESIDENT OF THE SENATE	
5433			(SENATOR PRENTICE PRESIDING)Remarks by the	
Second Reading	8		President	10
5433-S			PRESIDENT OF THE SENATE(SENATOR PRENTICE	
Second Reading	8		PRESIDING)	
Third Reading Final Passage	9		Intro. Special Guests, members of We the People	8
5436			WASHINGTON STATE SENATE	
Second Reading	22		Personal Privilege, Senator Honeyford	22
5436-S			Point of Inquiry, Senator Pflug	12
Second Reading	22		Point of Order, Senator Regala	10
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5439				
Second Reading	21			
5439-S				
Second Reading	21			
Third Reading Final Passage	22			
5443-S				
Other Action	8			
5493				
Second Reading	26			
5493-S				
Second Reading	26			
Third Reading Final Passage	26			
5502				
Second Reading	21			
5502-S				
Second Reading	21			
Third Reading Final Passage	21			

