

**SIXTEENTH DAY**

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NOON SESSION

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Senate Chamber, Olympia, Tuesday, January 25, 2011

The Senate was called to order at 12:00 noon by President Owen. No roll call was taken.

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 24, 2011

SB 5066 Prime Sponsor, Senator Conway: Regarding the streamlining of contractor appeals. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5066 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

January 24, 2011

SB 5067 Prime Sponsor, Senator Keiser: Changing the department of labor and industries certified and registered mail requirements. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5067 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

January 24, 2011

SB 5069 Prime Sponsor, Senator Prentice: Creating the farm labor account. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5069 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

January 24, 2011

SB 5070 Prime Sponsor, Senator Conway: Regarding records requests relating to prevailing wage investigations.

Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5070 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Hewitt; Keiser and Kline.

Passed to Committee on Rules for second reading.

January 24, 2011

SB 5072 Prime Sponsor, Senator Hatfield: Authorizing the department of agriculture to accept and expend gifts. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5072 be substituted therefor, and the substitute bill do pass. Signed by Senators Hatfield, Chair; Shin, Vice Chair; Becker; Haugen; Hobbs; Honeyford and Schoesler.

Passed to Committee on Rules for second reading.

January 24, 2011

SB 5119 Prime Sponsor, Senator Pridemore: Canceling the 2012 presidential primary. Reported by Committee on Government Operations, Tribal Relations & Elections

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

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

Passed to Committee on Rules for second reading.

January 24, 2011

SB 5197 Prime Sponsor, Senator Keiser: Concerning the delegation of nursing care tasks to home care aides. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Conway, Vice Chair; Becker; Murray; Parlette; Pflug and Pridemore.

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

Passed to Committee on Rules for second reading.

January 21, 2011

SB 5309 Prime Sponsor, Senator Kline: Modifying certain deeds of trust provisions. Reported by Committee on Judiciary

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Kline, Chair; Harper, Vice Chair; Pflug; Kohl-Welles and Roach.

Passed to Committee on Financial Institutions, Housing & Insurance.

## MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5119 which was referred to the Committee on Ways & Means.

## MOTION

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

## MESSAGE FROM THE HOUSE

January 24, 2011

MR. PRESIDENT:

The House has passed:

ENGROSSED SUBSTITUTE HOUSE BILL 1086,  
and the same is 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 5414 by Senators Becker, Benton, Holmquist Newbry, Hatfield, Pflug, Delvin, Stevens, Sheldon, Honeyford, Morton, King, Ericksen, Schoesler, Kilmer, Tom, Parlette and Roach

AN ACT Relating to the periodic replacement of license plates; amending RCW 46.16A.200, 46.17.200, and 46.68.380; reenacting and amending RCW 46.18.130 and 46.18.140; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5415 by Senators Becker, Swecker, Stevens and Honeyford

AN ACT Relating to the lawful operation of a motor vehicle and up to two trailers; and amending RCW 46.44.037.

Referred to Committee on Transportation.

SB 5416 by Senators Becker, Haugen, Benton, King, Stevens, Carrell, Delvin, Holmquist Newbry, Hatfield, Hobbs, Honeyford, Ericksen and Sheldon

AN ACT Relating to the use of toll revenue from eligible toll facilities; and amending RCW 47.56.820.

Referred to Committee on Transportation.

SB 5417 by Senators Becker, Swecker, Benton, Stevens, Delvin, Honeyford, Sheldon, Hatfield, Hobbs, Shin, Roach and Kline

AN ACT Relating to the distribution of legislators' contact cards, newsletters, government guides, or similar printed materials produced with legislative resources; and amending RCW 42.52.180.

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

SB 5418 by Senators Becker, Benton, Stevens, Sheldon, Schoesler, Delvin, Morton and Honeyford

AN ACT Relating to the use of force in self-defense; amending RCW 9A.16.020 and 9A.16.050; and adding new sections to chapter 9A.16 RCW.

Referred to Committee on Judiciary.

SB 5419 by Senators Becker, Swecker, Delvin, Benton, Stevens, Holmquist Newbry, Honeyford, King, Sheldon and Roach

AN ACT Relating to providing mandatory notice and waiting periods before legislative action; and adding a new section to chapter 44.04 RCW.

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

SB 5420 by Senators Hobbs, Swecker, Pridemore, Kastama, Tom and White

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.

SB 5421 by Senators Chase, Shin and McAuliffe

AN ACT Relating to land use planning in qualifying unincorporated portions of urban growth areas; and amending RCW 36.70A.110.

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

SB 5422 by Senators Regala, Honeyford, Kastama, Becker, Parlette, Ericksen, Hatfield, Nelson, Harper, Tom, White, McAuliffe, Prentice and Shin

AN ACT Relating to the taxation of amusement and recreation services involving amateur sports; reenacting and amending RCW 82.04.050; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 5423 by Senators Regala, Hargrove, Chase and Kline

AN ACT Relating to legal financial obligations; amending RCW 10.82.090; and creating a new section.

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Referred to Committee on Human Services & Corrections.

SB 5424 by Senators Rockefeller, Chase, Nelson, Fraser and White

AN ACT Relating to integrated resource plans; amending RCW 19.280.020 and 19.280.040; and adding a new section to chapter 19.280 RCW.

Referred to Committee on Environment, Water & Energy.

SB 5425 by Senators Hobbs, Shin, Harper and McAuliffe

AN ACT Relating to the authorization of a sustainable development alternative for managing residential development in rural areas using transferable development rights; amending RCW 36.70A.011, 43.21C.031, 36.145.020, and 36.145.100; reenacting and amending RCW 36.70A.030; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5426 by Senators Kohl-Welles, Tom and McAuliffe

AN ACT Relating to allowing the department of early learning and the department of social and health services to share background check information; and amending RCW 43.20A.710, 43.43.837, 43.215.200, and 43.215.215.

Referred to Committee on Human Services & Corrections.

SB 5427 by Senator McAuliffe

AN ACT Relating to the assessment of students in state-funded full-day kindergarten classrooms; amending RCW 28A.150.315; and providing an effective date.

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

SB 5428 by Senators McAuliffe, Harper, Hargrove, Stevens, Zarelli, Pridemore, Shin and Roach

AN ACT Relating to notification to schools regarding the release of certain offenders; and amending RCW 4.24.550.

Referred to Committee on Human Services & Corrections.

SB 5429 by Senator Chase

AN ACT Relating to protecting residents of state facilities during discharges and reductions in service, ensuring admissions pursuant to federal law; amending RCW 71A.20.020; and adding a new chapter to Title 71A RCW.

Referred to Committee on Health & Long-Term Care.

SB 5430 by Senators McAuliffe and Haugen

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

Referred to Committee on Transportation.

SB 5431 by Senators Rockefeller and Nelson

AN ACT Relating to null generation electricity; amending RCW 19.29A.010, 19.29A.060, and 80.80.040; and reenacting and amending RCW 80.80.010.

Referred to Committee on Environment, Water & Energy.

SB 5432 by Senators Regala, Chase, Fraser, Rockefeller and Nelson

AN ACT Relating to reducing pollution from wood stoves; amending RCW 70.94.473; adding new sections to chapter 70.94 RCW; and prescribing penalties.

Referred to Committee on Environment, Water & Energy.

SB 5433 by Senators Fraser, Conway, Kastama, Keiser, Chase, Rockefeller, McAuliffe and Nelson

AN ACT Relating to protecting consumers who live in manufactured/mobile home communities by modifying the manufactured/mobile home landlord-tenant act; and amending RCW 59.20.030, 59.20.045, 59.20.080, 59.20.130, and 59.20.135.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5434 by Senators Conway, Kohl-Welles, Nelson, Keiser and Chase

AN ACT Relating to modifying collective bargaining law to authorize providing additional compensation to academic employees at community and technical colleges; and amending RCW 28B.52.035 and 28B.50.140.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5435 by Senators Hargrove, Pflug, Kline, Fraser, Shin, Kohl-Welles and Roach

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.

SB 5436 by Senators Ranker, Shin, Litzow, Swecker, Tom, Harper, Nelson, Hobbs, Fraser, Rockefeller, White, Kilmer, Conway and Kline

AN ACT Relating to reducing copper in antifouling paints used on recreational water vessels; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Marine Waters.

SB 5437 by Senators Morton, Schoesler and Hatfield

AN ACT Relating to members of the fish and wildlife commission; and amending RCW 77.04.030.

Referred to Committee on Natural Resources & Marine Waters.

SB 5438 by Senators Morton, Schoesler, Swecker, Hewitt, Becker, Stevens, Honeyford and Roach

AN ACT Relating to the sale of timber from lands managed by the department of fish and wildlife; and amending RCW 77.12.210.

Referred to Committee on Natural Resources & Marine Waters.

SB 5439 by Senators Ranker, Rockefeller, Nelson, Regala, Hargrove, Hobbs, Fraser, White, Conway and Kline

AN ACT Relating to oil spills; amending RCW 88.46.060, 88.46.100, 88.46.090, 90.48.366, and 90.56.370; reenacting and amending RCW 88.46.010; adding new sections to chapter 88.46 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Natural Resources & Marine Waters.

SB 5440 by Senators Rockefeller, Nelson, Ranker, Honeyford, Chase, Delvin, Fraser, Morton, Kastama, Holmquist Newbry and Kline

AN ACT Relating to electric vehicle battery charging facilities; amending RCW 80.04.010; and adding a new section to chapter 80.28 RCW.

Referred to Committee on Environment, Water & Energy.

SB 5441 by Senators Prentice, Nelson, Haugen, White and Kline

AN ACT Relating to creating a county utility tax option; and adding a new chapter to Title 82 RCW.

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

SB 5442 by Senators Shin, Tom, Kilmer, White and Chase

AN ACT Relating to an accelerated baccalaureate degree program; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5443 by Senators Chase, Shin, McAuliffe and Kline

AN ACT Relating to encouraging training for medical students, nurses, and medical technicians and assistants to work with adult patients with developmental disabilities; and adding a new section to chapter 28B.115 RCW.

Referred to Committee on Higher Education & Workforce Development.

SB 5444 by Senators Conway and Haugen

AN ACT Relating to the construction of a state boundary bridge; and amending RCW 47.56.042.

Referred to Committee on Transportation.

SB 5445 by Senators Keiser, Pflug, White, Conway and Kline

AN ACT Relating to the creation of a health benefit exchange; adding a new section to chapter 41.05 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SJR 8210 by Senators Becker, Benton, Delvin, Stevens, Sheldon, Holmquist Newbry, Honeyford, Carrell, Morton, Ericksen and Schoesler

Amending the Constitution to include toll revenue to be used exclusively for highway purposes.

Referred to Committee on Transportation.

SJR 8211 by Senators Morton, Swecker, Honeyford, Ericksen, Delvin, Becker and Stevens

Amending the Constitution to allow for adjournment after cutoff during the regular session.

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

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 1086 by House Committee on Ways & Means (originally sponsored by Representatives Hunter, Alexander and Darneille)

AN ACT Relating to fiscal matters; amending RCW 15.76.115, 18.04.105, 43.03.220, 43.03.230, 43.03.240, 43.03.250, 43.03.265, 43.21A.660, 43.21A.667, 43.79.460, 43.79.465, 43.83B.430, 43.105.080, 43.330.094, 43.336.050, 46.66.080, 43.350.070, 51.44.170, 66.08.235, and 82.14.380; amending 2010 2nd sp.s. c 1 ss 109, 115, 117, 118, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 302, 303, 304, 307, 308, 309, 310, 501, 502, 503, 602, 603, and 801 (uncodified); amending 2010 1st sp.s. c 37 ss 103, 106, 107, 112, 118, 120, 121, 123, 124, 126, 127, 128, 130, 133, 134, 138, 141, 142, 146, 148, 150, 151, 153, 213, 215, 217, 218, 219, 220, 224, 225, 226, 401, 402, 504, 505, 506, 507, 508, 511, 610, 612, 613, 614, 615, 616, 617, 618, 619, 705, 707, and 711 (uncodified); amending 2010 1st sp.s. c 32 s 3 (uncodified); amending 2010 1st sp.s. c 31 s 1 (uncodified); amending 2009 c 564 s 711 (uncodified); adding new sections to 2009 c 564 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Ways & Means.

#### MOTION

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

SIXTEENTH DAY, JANUARY 25, 2011

2011 REGULAR SESSION

MOTION

THOMAS HOEMANN, Secretary of the Senate

At 12:05 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Wednesday, January 26, 2011.

BRAD OWEN, President of the Senate



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