

TWENTY FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, February 2, 2011

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

The Sergeant at Arms Honor Guard consisting of Yakima Squadron, Washington Wing Civil Air Patrol, Cadet Tech Sergeant Cody Bates, Cadet Chief Master Sergeant Danielle Brooks, Cadet Airman Jacob Lamay and Cadet Senior Airman Adrian Rivera presented the Colors. Chaplain Lieutenant Colonel Danny Riggs of the Civil Air Patrol offered the prayer

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

February 1, 2011

SB 5374 Prime Sponsor, Senator Becker: Making technical, nonsubstantive changes to various sections of the Revised Code of Washington that impact the department of agriculture. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5374 be substituted therefor, and the substitute bill do pass. Signed by Senators Hatfield, Chair; Shin, Vice Chair; Delvin; Becker; Haugen; Hobbs; Honeyford and Schoesler.

Passed to Committee on Rules for second reading.

February 1, 2011

SB 5377 Prime Sponsor, Senator Morton: Concerning developer control of homeowners' associations. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Prentice, Vice Chair; Fain; Haugen and Litzow.

Passed to Committee on Rules for second reading.

February 1, 2011

SB 5397 Prime Sponsor, Senator Benton: Regulating unauthorized insurance. Reported by Committee on Financial Institutions, Housing & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Hobbs, Chair; Prentice, Vice Chair; Fain; Haugen and Litzow.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS

February 1, 2011

SGA 9002 MAX D ANDERSON, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 13 (Lower Columbia College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9004 SHERRY L ARMIJO, appointed on November 17, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Columbia Basin Community College District No. 19. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9005 LOGAN M BAHR, appointed on September 8, 2010, for the term ending June 30, 2011, as Member of the Board of Trustees, Central Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9009 CHARLEY BINGHAM, reappointed on September 8, 2010, for the term ending June 30, 2014, as Member of the Higher Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9011 NATHAN W BROCKETT, appointed on July 26, 2010, for the term ending June 30, 2011, as Member of the Board of Trustees, The Evergreen State College. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9014 JAMES CARVO, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 16 (Yakima Valley Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9015 ELIZABETH CHEN, appointed on March 10, 2010, for the term ending April 3, 2013, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9016 ERICKA CHRISTENSEN, appointed on July 1, 2010, for the term ending June 30, 2011, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9018 SUSAN COLE, reappointed on October 1, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Community College District No. 21 (Whatcom Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9022 JUNE A DARLING, appointed on December 3, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 15

(Wenatchee Valley College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9026 DAN DIXON, appointed on November 5, 2009, for the term ending September 30, 2012, as Member of the Board of Trustees, Central Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9028 ELIZABETH B DUNBAR, appointed on October 15, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 22 (Tacoma Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9030 RONALD P ERICKSON, appointed on October 27, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Central Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9031 RAMIRO ESPINOZA, appointed on July 26, 2010, for the term ending June 30, 2011, as Member of the Board of Trustees, Western Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

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SGA 9034 SHARON FAIRCHILD, reappointed on April 4, 2010, for the term ending April 3, 2014, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9036 BETTI FUJIKADO, appointed on May 20, 2009, for the term ending September 30, 2012, as Member of the Board of Trustees, Western Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9037 LAWRENCE M GLENN, appointed on October 6, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Peninsula Community College District No. 1. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9038 JAMES GROVES, appointed on November 5, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Technical College District #25 (Bellingham). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9042 KIRSTIN HAUGEN, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 30 (Cascadia Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9046 MIKE HUDSON, reappointed on October 15, 2009, for the term ending June 30, 2013, as Member of the Work Force Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9049 ADDISON JACOBS, appointed on September 13, 2010, for the term ending June 30, 2013, as Member of the Higher Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9051 JEFF G JOHNSON, reappointed on April 4, 2010, for the term ending April 3, 2014, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9056 JO ANN KAUFFMAN, reappointed on March 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Eastern Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9058 KRISTINE A KLAVEANO, appointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 20 (Walla Walla Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice

Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9062 JONATHAN M LANE, appointed on December 3, 2010, for the term ending September 30, 2011, as Member of the Board of Trustees, Community College District No. 18 (Big Bend Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9063 KAREN LEE, appointed on December 10, 2010, for the term ending September 30, 2016, as Member of the Board of Trustees, Western Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9064 ROBERT W LENIGAN, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Technical College District #29 (Clover Park). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9065 JANET LEWIS, reappointed on October 15, 2009, for the term ending June 30, 2013, as Member of the Work Force Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9066 SHOUBEE LIAW, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 7 (Shoreline Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9067 JAMES LOWERY, appointed on December 10, 2010, for the term ending September 30, 2014, as Member of the Board of Trustees, Community College District No. 12 (Centralia College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9069 MARK MATTKE, appointed on October 15, 2009, for the term ending June 30, 2013, as Member of the Work Force Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9070 MARK MAYS, appointed on March 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Eastern Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9071 CATHY A MCABEE, appointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Technical College District #27 (Renton). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9072 JULIE MCCULLOCH, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 1

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(Peninsula College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9078 STEVE S MILLER, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, College District No. 8 (Bellevue College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9079 DAVID L MITCHELL, appointed on October 15, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 19 (Columbia Basin College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9080 DARRELL S MITSUNAGA, appointed on October 15, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Technical College District #26 (Lake Washington). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9082 SID MORRISON, reappointed on November 5, 2009, for the term ending September 30, 2015, as Member of the Board of Trustees, Central Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

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SGA 9083 ROBERT OZUNA, appointed on June 10, 2010, for the term ending September 30, 2013, as Member of the Board of Trustees, Community College District No. 16 (Yakima Valley Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9084 THERESA PAN HOSLEY, appointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Technical College District #28, (Bates). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9087 BRIDGET O PIPER, appointed on October 15, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 17 (Spokane and Spokane Falls Community Colleges). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9088 ROYCE E POLLARD, appointed on July 27, 2010, for the term ending September 30, 2011, as Member of the Board of Trustees, Clark Community College District No. 14. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9089 QUENTIN POWERS, reappointed on October 1, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Edmonds Community College District No. 23. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice

Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9091 CHARLES ROBINSON, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 21 (Whatcom Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9092 MARGARET ROJAS, reappointed on October 1, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Skagit Valley Community College District No. 4. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9093 JADA RUPLEY, appointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 14 (Clark College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9095 ROBERT M RYAN, appointed on December 6, 2010, for the term ending September 30, 2012, as Member of the Board of Trustees, Community College District No. 22 (Tacoma Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9098 ROLAND SCHIRMAN, appointed on June 22, 2009, for the term ending September 30, 2013, as Member of the Board of Trustees, Walla Walla Community College District No.

20. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9101 SAMUEL H SHADDOX, appointed on September 8, 2010, for the term ending June 30, 2011, as Member of the Higher Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9102 ALBERT SHEN, appointed on October 26, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 6 (Seattle, So. Seattle, and No. Seattle Community Colleges). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9103 JAMES SHIPMAN, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 5 (Everett Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011
SGA 9104 MANFORD R SIMCOCK, appointed on April 1, 2010, for the term ending March 26, 2014, as Member of the Higher Education Facilities Authority. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

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SGA 9105 KATHY L SMALL, appointed on November 5, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Walla Walla Community College District No. 20. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9116 JIM TIFFANY, reappointed on October 1, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Wenatchee Valley Community College District No. 15. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9120 RICHARD VAN HOLLEBEKE, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 23 (Edmonds Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9121 BRIAN VANCE, reappointed on October 4, 2010, for the term ending September 30, 2015, as Member of the Board of Trustees, Community College District No. 24 (South Puget Sound Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9124 STEPHEN L WARNER, appointed on March 19, 2010, for the term ending September 30, 2013, as Member of the Board of Trustees, Community College District No. 3 (Olympic Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice

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Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9127 CINDY ZEHNDER, appointed on May 4, 2010, for the term ending at the governors pleasure, as Chair of the Work Force Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9129 BETH THEW, reappointed on November 30, 2010, for the term ending June 30, 2014, as Member of the Work Force Training and Education Coordinating Board. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9130 DEBRENA F JACKSON GANDY, appointed on October 15, 2010, for the term ending September 30, 2014, as Member of the Board of Trustees, Community College District No. 9 (Highline Community College). Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Tom, Chair; Shin, Vice Chair; Hill; Baumgartner; Becker; Ericksen; Kastama; Kilmer and White.

Passed to Committee on Rules for second reading.

February 1, 2011

SGA 9136 PHILIP JONES, reappointed on January 13, 2011, for the term ending January 1, 2017, as Member of the Utilities and Transportation Commission. Reported by Committee on Environment, Water & Energy

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Rockefeller, Chair; Nelson, Vice Chair; Honeyford; Chase; Fraser and Morton.

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5625 by Senators Harper, King, McAuliffe, Litzow and Nelson

AN ACT Relating to authorizing implementation of a nonexpiring license for early learning providers; and amending RCW 43.215.260.

Referred to Committee on Human Services & Corrections.

SB 5626 by Senators Fraser, Kohl-Welles and Chase

AN ACT Relating to authorizing the creation of cultural access authorities; amending RCW 84.52.010 and 36.96.010; adding a new section to chapter 82.14 RCW; adding a new section to chapter 84.52 RCW; adding a new chapter to Title 36 RCW; and creating a new section.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5627 by Senators Hobbs, Murray, Kilmer and Shin

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

Referred to Committee on Judiciary.

SB 5628 by Senators Fain, Eide, Roach and Litzow

AN ACT Relating to a limited property tax exemption from the emergency medical services levy; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Ways & Means.

SB 5629 by Senators White and Haugen

AN ACT Relating to the certification of commercial driver's license holders and applicants; amending RCW 46.25.010; reenacting and amending RCW 46.25.080; adding a new section to chapter 46.25 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5630 by Senators Harper, Pflug, Chase, Kohl-Welles and Delvin

AN ACT Relating to municipal court judges and commissioners; amending RCW 3.50.040, 3.50.050, 3.50.057, and 3.50.075; adding new sections to chapter 3.50 RCW; and repealing RCW 3.50.055 and 3.50.070.

Referred to Committee on Judiciary.

SB 5631 by Senators Swecker, Hatfield, Haugen and Shin

AN ACT Relating to miscellaneous provisions regulated by the department of agriculture; amending RCW 69.04.331,

15.53.902, 15.65.033, 15.66.017, 15.24.900, 43.23.010, 15.17.210, 16.24.120, 16.24.130, 16.04.025, 16.72.040, 15.80.420, 15.80.440, and 15.58.150; reenacting and amending RCW 22.09.830; reenacting RCW 16.65.440; and repealing RCW 15.58.370 and 19.94.505.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5632 by Senators Nelson, Hatfield and Harper

AN ACT Relating to the disposal of residential sharps waste; reenacting and amending RCW 70.105D.070; adding new sections to chapter 70.95K RCW; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5633 by Senators Pridemore, Hewitt, Kastama and Swecker

AN ACT Relating to exempting agricultural fair premiums from the unclaimed property act; and amending RCW 63.29.020.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5634 by Senators Hargrove and Stevens

AN ACT Relating to clarifying the entities to be consulted when determining eligibility to possess a firearm; amending RCW 9.41.047, 9.41.090, and 9.41.173; and reenacting and amending RCW 9.41.070.

Referred to Committee on Human Services & Corrections.

SB 5635 by Senators Honeyford and Rockefeller

AN ACT Relating to changes in the point of diversion under a surface water right permit; and amending RCW 90.03.397.

Referred to Committee on Environment, Water & Energy.

SB 5636 by Senators Haugen, Harper, Shin and Delvin

AN ACT Relating to expanding opportunities in higher education in north Puget Sound; amending RCW 28B.50.795; adding a new section to chapter 28B.30 RCW; repealing RCW 28B.50.901; and providing an effective date.

Referred to Committee on Higher Education & Workforce Development.

SB 5637 by Senators Kastama, Hatfield, Shin, Schoesler, Harper, McAuliffe, Fraser, Conway, Kohl-Welles and Chase

AN ACT Relating to internship opportunities; adding a new section to chapter 28C.18 RCW; and creating a new section.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5638 by Senators Keiser, Fain, Prentice and Shin

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AN ACT Relating to the exemption of flood control zone districts that are coextensive with a county from certain limitations upon regular property tax levies; amending RCW 84.52.010 and 84.52.043; and creating a new section.

MOTION

Referred to Committee on Ways & Means.

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5626 which was referred to the Committee on Labor, Commerce & Consumer Protection.

SB 5639 by Senators McAuliffe, Tom, Eide, Harper, Prentice and Shin

MOTION

AN ACT Relating to education governance; amending RCW 43.17.010, 43.17.020, 42.17A.705, 43.215.005, 43.215.147, 28A.300.020, 28A.300.030, 28A.300.035, 28A.300.040, 28A.300.041, 28A.300.042, 28A.300.050, 28A.300.1361, 28A.300.160, 28A.300.250, 28A.300.500, 28A.300.505, 28A.305.130, 28A.310.010, 28A.310.200, 28A.310.210, 28A.310.270, 28A.310.280, 28A.310.340, 28A.310.400, 28A.315.005, 28A.315.115, 28A.315.185, 28A.410.010, 28A.410.090, 28A.410.200, 28A.410.210, 28A.410.220, 43.06B.010, 43.06B.030, 43.06B.050, 72.40.010, 72.40.015, 72.40.019, 72.40.0191, 72.40.020, 72.40.024, 72.41.010, 72.41.020, 72.41.040, 72.42.010, 72.42.021, 72.42.041, 28A.300.041, 28A.310.010, 28A.310.280, 28A.310.340, 28A.315.005, 28A.315.115, 28A.410.210, 28B.50.090, 28B.50.250, 28B.50.272, 28B.50.536, 28B.76.020, 28B.76.030, 28B.76.110, 28B.76.210, 28B.76.230, 28B.76.240, 28B.76.260, 28B.76.290, 28B.76.300, 28B.76.310, and 43.41.400; reenacting and amending RCW 43.215.010, 43.215.020, and 28B.50.030; adding a new section to chapter 41.06 RCW; adding a new section to chapter 41.80 RCW; adding a new section to chapter 28A.150 RCW; adding a new title to the Revised Code of Washington; creating new sections; repealing RCW 43.215.030, 43.215.040, 43.215.090, 43.215.125, 43.215.440, 43.215.445, 41.06.097, 28A.305.011, 28A.305.021, 28A.305.035, 28A.305.902, 28A.310.480, 28A.345.010, 28A.345.020, 28A.345.030, 28A.345.040, 28A.345.050, 28A.345.060, 28A.345.070, 28A.345.902, 28A.300.010, 28A.300.020, 28B.50.050, 28B.50.060, 28B.50.070, 28B.50.080, 28B.50.085, 28B.50.254, 28B.76.010, 28B.76.040, 28B.76.050, 28B.76.060, 28B.76.070, 28B.76.080, 28B.76.090, 28B.76.200, 28B.76.270, and 28B.76.330; providing an effective date; and providing contingent effective dates.

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

MOTION

Senator Honeyford moved adoption of the following resolution:

SENATE RESOLUTION
8602

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

By Senators Honeyford, Haugen, Morton, Sheldon, and Swecker

WHEREAS, The Civil Air Patrol was born on December 1, 1941, just days before the attack on Pearl Harbor, for the purposes of liaison flying and interdiction of infiltrators on the east coast and the southern border of the United States, and the Civil Air Patrol insignia, a red three-bladed propeller in the Civil Defense white-triangle-in-blue-circle, began appearing everywhere; and

WHEREAS, When German submarines began to prey on American ships, the Civil Air Patrol's mission grew to include a 1,000-member coastal patrol, 64 of whom died in service and 26 of whom were lost at sea; and

WHEREAS, After Civil Air Patrol planes were issued bombs and depth charges in response to a crew watching in vain as a grounded sub off Cape Canaveral, Florida, escaped before the military arrived, the Civil Air Patrol Coastal flew 24 million miles and found 173 subs, attacked 57, hit 10, and sank two; and

WHEREAS, By presidential executive order, the Civil Air Patrol became an auxiliary of the Army Air Force on April 28, 1943, and some months later the Germans withdrew coastal U-boat operations "because of those damned little red and yellow airplanes"; and

WHEREAS, The Civil Air Patrol went on to target-towing operations, courier service for the Army, liaison and cargo flights between war plants, and southern border patrol against enemy infiltrators crossing from Mexico, and air, search and rescue, and nonflying Civil Air Patrol members guarded airfields and trained a rapidly growing corps of Civil Air Patrol cadets; and

WHEREAS, During the postwar years, the Civil Air Patrol was put to work in search and rescue missions, saving the United States millions of dollars in operational costs, because there was no other organization with the equipment and training to continue this vital job as military aircraft was far too expensive to operate and flew too fast to accurately spot downed planes and personnel; and

WHEREAS, During floods and other natural disasters, the Civil Air Patrol has flown vital serum and vaccines to areas unreachable by heavier aircraft, and ground teams have helped in the evacuation of cities and towns; and

WHEREAS, The Civil Air Patrol has a cadet program with over 23,000 young people between the ages of 12 and 20, one of its major attractions being the aerospace program which provides both classroom and practical instruction in flight and rocketry, and each cadet is offered the opportunity to participate in orientation flights in both powered and glider aircraft, while learning search and rescue

SB 5640 by Senators Becker, Conway and Holmquist Newbry

AN ACT Relating to the health technology assessment program; amending RCW 70.14.090 and 70.14.110; and adding a new section to chapter 70.14 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5641 by Senator Shin

AN ACT Relating to tax incentives for certain segments of the aerospace industry; amending RCW 82.04.260, 82.04.4461, 82.04.4463, and 82.08.975; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

techniques and many other valuable skills, with an emphasis on military history, leadership, and service to others both within the squadron and the community as a whole; and

WHEREAS, On May 18, 1980, when Mt. St. Helens in Washington state exploded, devastating approximately 150 square miles and triggering massive mud flows, floods, and ash fall, the Civil Air Patrol quickly responded to the county sheriff's request for help by establishing a 24-hour headquarters, aiding search and rescue missions, updating weather advisories, and assisting in ash cleanup; and

WHEREAS, Today's Civil Air Patrol continues its service and commitment to our state and country with three primary missions: Aerospace Education, Cadet Programs, and Emergency Services; and

WHEREAS, In Washington state alone, the Civil Air Patrol is composed of approximately 748 senior members and approximately 624 cadets, who in 2010 flew their eleven aircraft 2,650.7 hours in service to our state, at a value of 3 million dollars in volunteer hours, and, primarily for cadet aerospace education, their Washington state gliders flew 374 hours;

NOW, THEREFORE, BE IT RESOLVED, That the Washington state Senate recognize the Washington state wing of the Civil Air Patrol for its courageous and unwavering dedication to our citizens; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to Civil Air Patrol Wing Commander, Colonel David Lehman, to Colonel Theodore Tax, and to newspaper editors throughout the state of Washington.

Senators Honeyford, Haugen, Swecker, Shin and Morton spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8602.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Major General Gary Magonigle, Assistant Adjutant General, Washington Air National Guard; Colonel David Lehman, Washington Wing Commander; Colonel Theodore Tax, Washington Wing Vice Commander who were seated at the rostrum.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Lieutenant Colonel Thomas Green, Washington Wing Southwest Area Vice Commander and Retired Lieutenant Colonel James Nakauchi, Civil Air Patrol, United States Air Force, Washington and Oregon Wing State Director and the members, guests and friends of the Civil Air Patrol who were seated in the gallery.

REMARKS BY COLONEL GARY MAGONIGLE

Major General Gary Magonigle: "Mr. President, Senate Leadership, Senator Honeyford and the sponsorship, the group that put forward this resolution, distinguished members of the Senate, Civil Air Patrol members and distinguished members of the gallery, I am Major General Gary Magonigle, Assistant Adjutant General for Air and Commander of the Washington Air National Guard. I am proud to serve alongside the Washington Wing of the Civil Air Patrol. When called upon the Civil Air Patrol is an indispensable partner in minimizing the impact of emergencies and disasters on the people, property, environment and the economy of Washington State in the region. It's

important to note that Civil Air Patrol members are volunteers, members who formed, trained, motivated and educated teams that recognize and reward the volunteer spirit and service to our communities, the state and the nation. The Civil Air Patrol prides itself in developing leaders at all levels within their organization. They also actively foster the understanding of the importance of Air space capabilities in their members and in our communities. A prime importance though is the ability to provide domestic operations capability across the United States. The Civil Air Patrol capabilities are extensive and they includes air and ground fleet availability with over five hundred fifty aircraft and nine hundred and forty crown vehicles with trained crews available for search and rescue. There's aerial recognizance, a nationwide radio network communication system that include over five thousand fixed radio land stations and ten thousand mobile radio stations that form a nationwide communications capability that is not dependent on satellite or cell phone systems. There's law enforcement support, the ability to take law enforcement agents aloft for visual recognizance and areas of interest. The Civil Air Patrol provides a critical domestic operations capability directly supporting federal, state and local authorities in missions such as search and rescue, disaster relief, counter drug and home land security. They are accessible, generally available within four hours of notification and with advance coordination they can often be postured in alert status capable of launching within minutes, ready to save lives and relieve human suffering. In addition to this substantial contributions to domestic operations the Civil Air Patrol offers robust cadet education programs for youth ages twelve through twenty-one. The Cadet programs emphasize individual study, preparation and instruction through five core areas of achievement. They are leadership laboratory, aero-space education, physical fitness, moral leadership and lastly squadron activities. These five areas include use of trained senior Cadets and senior members who work collectively with individually with Cadets who need assistance in their training. Nationally, seventy-five percent of our young Americans are unable to join the military largely because they are not physically fit; they are not sufficiently educated or have serious criminal records. High School dropout rates are at an all time high. Here's what Civil Air Patrol offers our youth: Opportunities for military service and college. Six to ten percent of each college class that enters our military service academies are Civil Air Patrol Cadets. Cadet's who distinguish themselves in Civil Air Patrol are eligible to enlist in the Air Force at a higher grade of pay. There are opportunities to participate and compete in numerous activities in the local state and national disciplines. Scholarships are available. Opportunities to earn FFA pilot rating are within reach of our Cadets. Simply put, the Civil Air Patrol Cadet program offers our youth alternatives that build a path way to success through access to positive role models and by providing a place to belong that is so important to our young adults. I thank the Senate for having provided me this distinct honor and opportunity to acknowledge the Washington State Wing of the Civil Air Patrol and all this organization does for the state of Washington and the United States of America. Mr. President."

REMARKS BY THE PRESIDENT

President Owen: "Thank you General. Colonel Lehman."

REMARKS BY COLONEL DAVID LEHMAN

Colonel David Lehman: "Thank you Mr. President. Mr. President, Senators and staff, General Magonigle, members and

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guests. It is my pleasure to speak to you today. I won't repeat the facts that General Magonigle stated because they are very valid facts. CAP is a nationwide organization, we have professional volunteers, we have lots of capability and our goal is to serve our community. We have twenty-six squadrons around the state and serving our community is our primary goal. We're honored by this resolution today and we thank Senator Honeyford and his staff and the Senate for honoring us. Again we're the official auxiliary of the Air Force. We're community based and our primary missions are emergency services, aerospace education and our Cadet program. Mercy services, we do assist in searching for lost air craft but also when there are floods around the state, which I think we've had a few recently, we have the capability of taking photographs to provide the state and the federal government the opportunity to see real time what's going on and act accordingly. Our most important mission of course is our Cadet program, both Colonel Tax and I are former Cadets from this state and these are our future leaders. We provide a very structural opportunities for them to learn followership then leadership and it's great that they get the opportunity today to see and visit the Senate. Of course we hope that they are all future voters. So, again thank you very much for this resolution. It's a real honor and we hope we can serve this state even more during these economic times. Thank you."

REMARKS BY THE PRESIDENT

President Owen: "Thank you General, Colonel and all of you for your service to the people of the state of Washington. Thank you all very much. Thank you."

MOTION

At 10:30 a.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 11:59 a.m. by President Owen.

MOTION

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

SECOND READING

SENATE BILL NO. 5076, by Senators Hobbs, Benton, Prentice, Keiser, Haugen, Tom, Shin, Kline and Roach

Addressing the subpoena authority of the department of financial institutions.

The measure was read the second time.

MOTION

On motion of Senator Hobbs, the rules were suspended, Senate Bill No. 5076 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.

MOTION

On motion of Senator Ericksen, Senator Baumgartner was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5076.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5076 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators 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

Excused: Senator Baumgartner

SENATE BILL NO. 5076, 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. 5032, by Senators Pridemore, Swecker and Chase

Changing qualifications for appointees to metropolitan water pollution abatement advisory committees.

The measure was read the second time.

MOTION

On motion of Senator Pridemore, the rules were suspended, Senate Bill No. 5032 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.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5032.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5032 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators 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

Excused: Senator Baumgartner

SENATE BILL NO. 5032, 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. 5135, by Senators Kohl-Welles, Holmquist Newbry, King, Honeyford, Schoesler, Becker, Hobbs, Rockefeller, Baumgartner, Hill, Litzow and Benton

Responding to the current economic conditions by temporarily modifying the unemployment insurance program. Revised for 1st Substitute: Responding to the current economic conditions by temporarily modifying the unemployment insurance social cost factor rate for rate year 2011.

MOTION

Senator Kohl-Welles moved that Substitute Senate Bill No. 5135 be substituted for Senate Bill No. 5135 and the substitute bill be placed on the second reading and read the second time.

The motion by Senator Kohl-Welles carried by voice vote.

POINT OF ORDER

Senator Schoesler: "Mr. President I move, I believe that the bill should be rolled back to second reading and not adopt the committee amendments, the substitute."

POINT OF ORDER

Senator Eide: "I believe we have already adopted the committee amendment did we not previous to this?"

REPLY BY THE PRESIDENT

President Owen: "The bill has been substituted, it has already been substituted and it is now motion to advance to third reading. But what I understand Senator Schoesler saying is that it sounds like a reconsideration but I'm not sure. That's why we're having this discussion."

MOTION FOR IMMEDIATE RECONSIDERATION

Senator Schoesler moved to immediately reconsider the vote by which Substitute Senate Bill No. 5135 was substituted.

Senator Eide spoke against the motion to reconsider.

PARLIAMENTARY INQUIRY

Senator Hargrove: "Under Rule 64, the Senate Rules it says 'after the amendatory process the President rules on whether the bill has cleared second reading and then should return to rules and come out for third reading! Did you make that motion? That it cleared second reading? If so, I believe the bill, if the motion to not advance it fails, the bill would just go back to rules on third reading is my inquiry."

REPLY BY THE PRESIDENT

President Owen: "Senator Hargrove, because of the fact that Senator Kohl-Welles had made the motion to suspend the rules and go to third reading the President did not make that motion that you are referring to in Rules 64. Therefore Senator Schoesler motion is appropriately before us. Senator Schoesler."

MOTION

Senator Schoesler demanded a roll call vote.

The President declared that at least one-sixth of the Senate joined the demand and the demand was sustained.

Senator Schoesler spoke in favor of the motion to reconsider.
Senator Brown spoke against the motion to reconsider.

The President declared the question before the Senate to be the motion by Senator Schoesler to reconsider the motion where Senate Bill No. 5135 was substituted.

The Secretary called the roll on the motion by Senator Schoesler to immediately reconsider the vote by which Substitute Senate Bill No. 5135 was substituted and the motion carried by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Becker, Benton, Carrell, Delvin, Ericksen, Fain, Hatfield, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, King, Litzow, Morton, Parlette, Pflug, Pridemore, Roach, Schoesler, Sheldon, Stevens, Swecker, Tom and Zarelli

Voting nay: Senators Brown, Chase, Conway, Eide, Fraser, Hargrove, Harper, Haugen, Keiser, Kilmer, Kline, Kohl-Welles, McAuliffe, Murray, Nelson, Prentice, Ranker, Regala, Rockefeller, Shin and White

Excused: Senator Baumgartner

MOTION

Senator Eide moved to defer further consideration of Senate Bill No. 5135 and the bill hold its place on the second reading calendar.

MOTION

Senator Schoesler moved that the Senate immediately reconsider Senate Bill No. 5135.

MOTION

Senator Eide moved that the Senate adjourn until 12:00 noon, Thursday, February 3.

Senator Holmquist Newbry spoke against the motion to adjourn.

Senator Schoesler demanded a roll call.

The President declared that one-sixth of the members supported the demand. The demand was sustained.

The President declared the question before the Senate to be the motion by Senator Eide to adjourn.

The Secretary called the roll on the motion by Senator Eide that the Senate adjourn and the motion carried by the following vote: Yeas, 25; Nays, 22; Absent, 0; Excused, 1.

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

Voting nay: Senators Becker, Benton, Carrell, Delvin, Ericksen, Fain, Hewitt, Hill, Holmquist Newbry, Honeyford, Kastama, King, Litzow, Morton, Parlette, Pflug, Roach, Schoesler, Sheldon, Stevens, Swecker and Zarelli

Excused: Senator Baumgartner

At 12:21 p.m., the Senate adjourned until 12:00 noon, Thursday, February 3, 2011.

BRAD OWEN, President of the Senate

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