

THIRTY-SEVENTH DAY, FEBRUARY 17, 2009

2009 REGULAR SESSION

THIRTY-SEVENTH DAY**NOON SESSION**

Senate Chamber, Olympia, Tuesday, February 17, 2009

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

MOTION

On motion of Senator McDermott, 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 13, 2009

SB 5007 Prime Sponsor, Senator McAuliffe: Allowing public technical colleges to offer associate transfer degrees. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5007 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Jacobsen; Kastama; McAuliffe; Pflug; Shin and Stevens.

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5011 Prime Sponsor, Senator Kauffman: Prohibiting the sale or distribution of certain novelty lighters. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5011 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; Honeyford; King and Kline.

Passed to Committee on Rules for second reading.

February 13, 2009

SB 5044 Prime Sponsor, Senator Kilmer: Changing work-study provisions. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5044 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Jacobsen; Kastama; McAuliffe; Pflug; Shin and Stevens.

Passed to Committee on Rules for second reading.

February 13, 2009

SB 5146 Prime Sponsor, Senator Kline: Revising the accrual of interest on judgments entered against offenders. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 5146 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Kohl-Welles; Roach and Tom.

Passed to Committee on Ways & Means.

February 13, 2009

SB 5175 Prime Sponsor, Senator Shin: Changing the Washington college promise scholarship program. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Jacobsen; Kastama; McAuliffe; Pflug; Shin and Stevens.

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5272 Prime Sponsor, Senator Hatfield: Regarding wildlife interactions. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 5272 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton; Fraser; Hatfield; Stevens and Swecker.

MINORITY recommendation: Do not pass. Signed by Senator Hargrove.

Passed to Committee on Rules for second reading.

February 13, 2009

SB 5276 Prime Sponsor, Senator Schoesler: Eliminating the exclusive authority of the University of Washington and Washington State University to offer certain engineering courses. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5276 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Jacobsen; Kastama; McAuliffe; Pflug; Shin and Stevens.

Passed to Committee on Rules for second reading.

February 13, 2009

SB 5317 Prime Sponsor, Senator Shin: Clarifying terms for workforce and economic development. Reported by Committee on Higher Education & Workforce Development

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MAJORITY recommendation: That Substitute Senate Bill No. 5317 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Jacobsen; Kastama; McAuliffe; Pflug; Shin and Stevens.

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5367 Prime Sponsor, Senator Kohl-Welles: Creating a spirits, beer, and wine nightclub license and eliminating the cap on spirits, beer, and wine restaurant licenses. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5367 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin; Honeyford; King and Kline.

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

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5403 Prime Sponsor, Senator Keiser: Concerning the contractual relationships between distributors and producers of malt beverages. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5403 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; Honeyford; King and Kline.

Passed to Committee on Rules for second reading.

February 13, 2009

SB 5413 Prime Sponsor, Senator Eide: Concerning the assault of a law enforcement officer or other employee of a law enforcement agency. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Kohl-Welles; Roach and Tom.

Passed to Committee on Rules for second reading.

February 12, 2009

SB 5432 Prime Sponsor, Senator Regala: Adjusting the property tax levy lid limits for certain local services. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Pridemore.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Roach and Swecker.

Passed to Committee on Ways & Means.

February 16, 2009

SB 5443 Prime Sponsor, Senator Kastama: Concerning the reporting requirements of state and local tax programs. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide and McCaslin.

Passed to Committee on Ways & Means.

February 16, 2009

SB 5613 Prime Sponsor, Senator Kohl-Welles: Authorizing the department of labor and industries to issue stop work orders for violations of certain workers' compensation provisions. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5613 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; King and Kline.

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

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5617 Prime Sponsor, Senator Kauffman: Changing early learning advisory council provisions. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Hobbs; Holmquist; Jarrett; McDermott; Roach and Tom.

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5620 Prime Sponsor, Senator Kauffman: Regarding the voluntary rating system for child care centers and early education programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Hobbs; Holmquist; Jarrett; McDermott and Roach.

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5688 Prime Sponsor, Senator Murray: Expanding the rights and responsibilities of state registered domestic partners. Reported by Committee on Ways & Means

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MAJORITY recommendation: That Second Substitute Senate Bill No. 5688 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Pridemore; Regala and Rockefeller.

MINORITY recommendation: Do not pass. Signed by Senators Zarelli; Carrell; Honeyford and Schoesler.

Passed to Committee on Rules for second reading.

February 13, 2009

SB 5699 Prime Sponsor, Senator Franklin: Concerning the office of public guardianship. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Kohl-Welles; Roach and Tom.

Passed to Committee on Rules for second reading.

February 13, 2009

SB 5734 Prime Sponsor, Senator Kilmer: Making certain current higher education tuition-setting practices permanent. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Bill No. 5734 be substituted therefor, and the substitute bill do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Jacobsen; Kastama; McAuliffe; Pflug; Shin and Stevens.

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5763 Prime Sponsor, Senator King: Requiring the adoption of policies for the management of concussion and head injury in youth sports. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5763 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Hobbs; Holmquist; Jarrett; McDermott and Tom.

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

Passed to Committee on Rules for second reading.

February 16, 2009

SB 5841 Prime Sponsor, Senator Keiser: Delaying the implementation of the health insurance partnership. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Becker; Fairley; Marr and Murray.

Passed to Committee on Ways & Means.

February 16, 2009

SB 5865 Prime Sponsor, Senator Kauffman: Requiring a report on early learning services for low-income families. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; King; Hobbs; Holmquist; Jarrett; McDermott and Tom.

Passed to Committee on Ways & Means.

February 16, 2009

SB 5892 Prime Sponsor, Senator Keiser: Concerning prescription drug use in state purchased health care programs. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Becker; Fairley; Marr and Murray.

Passed to Committee on Ways & Means.

February 16, 2009

SB 5901 Prime Sponsor, Senator Kastama: Modifying provisions of the local infrastructure financing tool program. Reported by Committee on Economic Development, Trade & Innovation

MAJORITY recommendation: That Substitute Senate Bill No. 5901 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Shin, Vice Chair; Zarelli; Delvin; Eide; Kilmer and McCaslin.

Passed to Committee on Rules for second reading.

February 16, 2009

SB 6002 Prime Sponsor, Senator Keiser: Abolishing the Washington state quality forum. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Becker; Fairley; Marr and Murray.

Passed to Committee on Ways & Means.

February 16, 2009

SJM 8013 Prime Sponsor, Senator Keiser: Calling on Congress to enact legislation to eliminate the 24 month Medicare waiting period for participants in Social Security Disability Insurance. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Becker; Marr and Murray.

Passed to Committee on Rules for second reading.

February 13, 2009

SCR 8404 Prime Sponsor, Senator Kilmer: Providing for the 2008-2018 state comprehensive plan for workforce training. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That Substitute Senate Concurrent Resolution No. 8404 be substituted therefor, and the substitute concurrent resolution do pass. Signed by Senators Kilmer, Chair; Jarrett, Vice Chair; Becker; Jacobsen; Kastama; McAuliffe; Pflug; Shin and Stevens.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS

February 13, 2009

SGA 9045 ANN C HEATH, reappointed on October 27, 2008, for the term ending August 2, 2011, as Member of the Sentencing Guidelines Commission. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Kohl-Welles and Tom.

Passed to Committee on Rules for second reading.

February 13, 2009

SGA 9097 LYNDA J RING ERICKSON, appointed on March 16, 2007, for the term ending August 2, 2009, as Member of the Sentencing Guidelines Commission. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Kohl-Welles and Tom.

Passed to Committee on Rules for second reading.

February 13, 2009

SGA 9105 DAN SATTERBERG, appointed on October 27, 2008, for the term ending August 2, 2010, as Member of the Sentencing Guidelines Commission. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Kohl-Welles and Tom.

Passed to Committee on Rules for second reading.

SGA 9128 STEPHEN WARNING, appointed on October 27, 2008, for the term ending August 2, 2011, as Member of the Sentencing Guidelines Commission. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Kohl-Welles and Tom.

Passed to Committee on Rules for second reading.

February 13, 2009

SGA 9147 PAUL A PASTOR, appointed on January 13, 2009, for the term ending August 2, 2009, as Member of the Sentencing Guidelines Commission. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin; Kohl-Welles and Tom.

Passed to Committee on Rules for second reading.

MOTION

On motion of McDermott, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5044 which was referred to the Committee on Rules and Senate Bill No. 5146 which was referred to the Committee on Ways & Means.

MOTION

On motion of Senator McDermott, the Senate advanced to the third order of business.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 16, 2009

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

FAWN SHARP-MALVINI, reappointed October 1, 2008, for the term ending September 30, 2013, as Member, Board of Trustees, Community College District No. 2 (Grays Harbor College).

Sincerely,
CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education & Workforce Development.

MOTION

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

MOTION

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

SB 6037 by Senators Fairley and Pridemore

AN ACT Relating to removing oversight of the department of licensing from specific businesses and professions; amending RCW 19.31.020, 19.31.030, 19.31.070, 19.31.090, 19.31.160, 19.31.180, 19.31.190, 19.31.250, 79A.60.400, 79A.60.420, 79A.60.430, 79A.60.440, 79A.60.450, 19.138.010, 19.138.021, 19.138.140, 19.138.160, 19.138.270, 19.158.020, 19.158.040, 19.158.070, 19.158.090, 19.158.110, 19.158.120, 19.105.300, 19.105.336, 19.105.340, 19.105.370, 19.105.390, 19.105.400, 19.105.470, 19.105.480, 19.105.490, 19.105.500, 18.11.050, 18.11.070, 18.11.100, 18.11.121, 18.11.130, 18.11.140, 18.11.220, 18.11.240, 18.11.260, 18.235.020, 43.24.150, 7.60.025, 7.60.025, 36.71.070, 46.70.011, 46.70.051, and 50.04.232; adding a new section to chapter 19.31 RCW; creating a new section; repealing RCW 19.31.050, 19.31.080, 19.31.100, 19.31.110, 19.31.120, 19.31.130, 19.31.140, 19.31.210, 19.31.245, 19.31.270, 19.31.910, 79A.60.410, 79A.60.480, 79A.60.485, 79A.60.490, 79A.60.498, 18.145.005, 18.145.010, 18.145.020, 18.145.030, 18.145.040, 18.145.050, 18.145.070, 18.145.080, 18.145.090, 18.145.100, 18.145.110, 18.145.120, 18.145.125, 18.145.127, 18.145.130, 18.145.140, 18.145.900, 18.145.910, 18.145.911, 19.138.100, 19.138.110, 19.138.120, 19.138.130, 19.138.170, 19.138.1701, 19.138.180, 19.138.200, 19.138.240, 19.138.250, 19.138.260, 19.138.310, 19.138.330, 19.138.904, 19.158.050, 19.158.080, 19.158.150, 19.158.170, 19.158.901, 19.105.310, 19.105.320, 19.105.325, 19.105.330, 19.105.333, 19.105.345, 19.105.350, 19.105.360, 19.105.365, 19.105.380, 19.105.411, 19.105.420, 19.105.430, 19.105.440, 19.105.450, 19.105.520, 19.105.530, 19.105.540, 19.105.550, 19.105.560, 19.105.930, 18.11.060, 18.11.075, 18.11.085, 18.11.095, 18.11.150, 18.11.160, 18.11.170, 18.11.180, 18.11.190, 18.11.200, 18.11.205, 18.11.210, 18.11.270, 18.11.280, 18.11.901, 18.11.903, and 35.21.690; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 6038 by Senators Keiser and Kohl-Welles

AN ACT Relating to the basic health plan; amending RCW 70.47.020, 70.47.030, 70.47.060, 70.47.100, and 50.20.210; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 6039 by Senators Hatfield, Schoesler, Carrell, Delvin, Honeyford and Stevens

AN ACT Relating to creating a sentence for treatment program for juvenile offenders; amending RCW 13.40.0357; reenacting and amending RCW 13.40.0357; adding a new section to chapter 13.40 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 6040 by Senators Benton, Swecker, Zarelli, Roach, McCaslin, Morton, Stevens, Delvin, Parlette, Honeyford, Schoesler and King

AN ACT Relating to the expenditure of funds for the Interstate 5/Columbia river crossing/Vancouver project; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SB 6041 by Senators Pflug, Keiser and Shin

AN ACT Relating to improving data on childhood immunizations; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6042 by Senators Pflug, Keiser, McCaslin and Shin

AN ACT Relating to reporting contaminated food products; and amending RCW 43.70.170.

Referred to Committee on Health & Long-Term Care.

SB 6043 by Senator Tom

AN ACT Relating to requiring wood framing used in residential construction be tested for maximum allowable moisture content prior to enclosing the framing; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 6044 by Senators Kilmer, Jarrett, Shin and McAuliffe

AN ACT Relating to revitalizing student financial aid; amending RCW 28B.92.060, 28B.92.030, 28B.15.543, 28B.76.660, 28B.76.665, 28B.15.0681, 28B.76.500, 28B.15.820, and 28B.12.030; adding a new section to chapter 28B.101 RCW; adding new sections to chapter 28B.92 RCW; adding a new section to chapter 28A.600 RCW; adding a new section to chapter 28B.15 RCW; creating a new section; repealing RCW 28B.101.005, 28B.101.010, 28B.101.020, and 28B.101.040; providing effective dates; and providing an expiration date.

Referred to Committee on Higher Education & Workforce Development.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 1002 by House Committee on Judiciary (originally sponsored by Representatives Appleton and Hasegawa)

AN ACT Relating to allowing a certificate of discharge to be issued when an existing order excludes or prohibits an offender from having contact with a specified person or business, or coming within a set distance of any specified location; amending RCW 9.94A.637 and 26.50.110; and creating a new section.

Referred to Committee on Human Services & Corrections.

MOTION

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

MOTION

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

MOTION

Senator Shin moved adoption of the following resolution:

SENATE RESOLUTION 8626

By Senators Shin, McAuliffe, Jacobsen, Kilmer, Jarrett, Hobbs, Kastama, Stevens, and Kohl-Welles

WHEREAS, Charles H. Mitchell had served as president of Seattle Central Community College from 1987 to 2003 and Chancellor of Seattle Community Colleges from 2003 to 2008; and

WHEREAS, Dr. Charles H. Mitchell is a nationally recognized leader in higher education who is also distinguished by his long career of service in the Seattle region; and

WHEREAS, Under Dr. Mitchell, Seattle Central Community College was transformed and received national acclaim including being named Time magazine's 2001 "Community College of the Year"; and

WHEREAS, Dr. Mitchell has received numerous awards recognizing his educational leadership nationally and statewide such as the University of Washington Charles E. Odegaard Award and Earl Norman Leadership Award for Outstanding Community College Administrator; and

WHEREAS, Dr. Mitchell was named "Father of the Year" in 2002 by the American Diabetes Association; and

WHEREAS, Dr. Mitchell has served as a mentor and role model for untold numbers of students, colleagues, and members of the community; and

WHEREAS, Dr. Mitchell helped create one of the nation's most expansive programs of "learning communities"; and

WHEREAS, Dr. Mitchell was instrumental in obtaining funding for major construction such as the Student Activity Center and Seattle Vocational Institute; and

WHEREAS, Dr. Mitchell's leadership and vision has led to many new educational training partnerships with businesses and industries in the greater Seattle area; and

WHEREAS, While Chancellor of Seattle Community Colleges, Dr. Mitchell has created a diverse environment for the 57,000 students each year at North, South, and Seattle Central Community Colleges;

NOW, THEREFORE, BE IT RESOLVED, That the Senate acknowledge the lasting impression of Charles Mitchell's leadership in higher education in the state of Washington; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Dr. Mitchell and to the Board of Trustees of the Seattle Community College District Board.

Senator Shin spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8626.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Dr. Charles Mitchell and wife Nancy who were seated in the gallery.

MOTION

Senator Marr moved adoption of the following resolution:

By Senators Marr, Kohl-Welles, Eide, Jarrett, Kauffman, Hobbs, McDermott, Kastama, Prentice, Franklin, Berkey, Kline, Kilmer, Fraser, Tom, McAuliffe, Keiser, Brown, Murray, Regala, Shin, Sheldon, Oemig, Ranker, and Hargrove

WHEREAS, On February 19, 1942, President Franklin D. Roosevelt issued Executive Order 9066, which authorized the forced assembly, evacuation, and internment of approximately 12,000 Japanese-Americans residing in the state of Washington; and

WHEREAS, The order for assembly and detention at Camp Harmony in Puyallup, Washington, prior to evacuation and subsequent internment, caused Japanese-Americans from the state of Washington to lose millions of dollars in property and assets, to suffer immeasurable physical and psychological damage, and to be deprived of their constitutional liberties without due process of law; and

WHEREAS, The alleged purpose of this drastic course of action was to prevent Japanese-Americans, all of whom were deemed disloyal and untrustworthy, from committing acts of espionage and sabotage against the United States during its involvement in World War II; and

WHEREAS, An overwhelming number of Japanese-Americans from the state of Washington responded to questions of their loyalty and patriotism by volunteering from within barbed wire camps to serve in the United States Military Intelligence Service and the United States Army's 442nd Regimental Combat Team, the latter of which became the most decorated unit of its size in American history with seven Presidential Unit Citations, 21 Congressional Medals of Honor, 52 Distinguished Service Crosses, 1 Distinguished Service Medal, 588 Silver Stars, 4,000 Bronze Stars, 9,486 Purple Hearts, and a total of 18 decorations from France and Italy; and

WHEREAS, A few equally patriotic Japanese-Americans, such as Gordon Hirabayashi, then a student at the University of Washington, were willing to face imprisonment to seek justice by challenging the constitutionality of the evacuation and internment orders; and

WHEREAS, Through the fact-finding work of the Commission on Wartime Relocation and Internment of Civilians, the United States Congress later found that "there was no military or security reason for the internment" of individuals of Japanese ancestry and that the internment "was caused by racial prejudice, war hysteria, and a failure of political leadership"; and

WHEREAS, On August 10, 1988, President Ronald Reagan signed H.R. 442, the Civil Liberties Act, which recognized the injustice of the relocation and internment of American citizens of Japanese ancestry and provided token monetary redress; and

WHEREAS, Japanese-American internees from the state of Washington endured economic, physical, and psychological hardship and suffered in silence for more than forty years before the state of Washington provided monetary redress and reparations to municipal and state employees;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate along with the people of Washington, pause to acknowledge the sixty-seventh anniversary of the signing of Executive Order 9066, to recognize the Japanese-American internees and World War II veterans from the state of Washington, to honor their patience, heroism, sacrifice, and patriotic loyalty, and to remember the lessons and blessings of liberty and justice for all; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted

to the Nisei Veterans Committee, the Military Intelligence Service-Northwest Association, the Japanese-American Citizens

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League, and the Japanese-American Cultural & Community Center.

Senators Marr and Shin spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8631.

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

POINT OF PERSONAL PRIVILEGE

Senator McDermott: "I see that Mrs. Owen has joined us on the rostrum today and I'd like to extend our thanks as the Senate for our Valentine's Day cookies that she baked. I'm sure with your able assistance in chopping the nuts."

REPLY BY THE PRESIDENT

President Owen: "My able assistance in testing."

MOTION

At 12:12 p.m., on motion of Senator McDermott, the Senate adjourned until 10:00 a.m. Wednesday, February 18, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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