FOURTH DAY

NOON SESSION

Senate Chamber, Olympia, Thursday, January 15, 2009

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

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

MESSAGE FROM THE HOUSE

January 14, 2009

MR. PRESIDENT:

The Speaker has signed the following bills: SENATE CONCURRENT RESOLUTION NO. 8400, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

January 14, 2009

MR. PRESIDENT: The Speaker has signed the following bills: HOUSE CONCURRENT RESOLUTION NO. 4400, HOUSE CONCURRENT RESOLUTION NO. 4401, HOUSE CONCURRENT RESOLUTION NO. 4402, and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed: HOUSE CONCURRENT RESOLUTION NO. 4400, HOUSE CONCURRENT RESOLUTION NO. 4401, HOUSE CONCURRENT RESOLUTION NO. 4402,

MOTION

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

INTRODUCTION AND FIRST READING

<u>SB 5138</u> by Senators Rockefeller, Ranker, Jacobsen, Shin, Kohl-Welles, Kline and Pridemore

AN ACT Relating to an integrated climate change response strategy; and adding a new chapter to Title 43 RCW.

Referred to Committee on Environment, Water & Energy.

SB 5139 by Senator Jacobsen

AN ACT Relating to ergonomic airline seats; adding a new section to chapter 43.19 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

<u>SB 5140</u> by Senators Shin, Kastama, McAuliffe, Jacobsen, Pridemore, Keiser, Hatfield, Kohl-Welles and Kline

AN ACT Relating to language access services in health care; amending RCW 70.47.060; adding new sections to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; adding a new section to chapter 48.20 RCW; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.02 RCW; creating new sections; providing an effective date; and providing a contingent effective date.

Referred to Committee on Health & Long-Term Care.

SB 5141 by Senators Hargrove, Regala and Shin

AN ACT Relating to a pilot program to increase family participation in juvenile offender programs; adding a new section to chapter 13.40 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 5142 by Senators Regala, Carrell and Kline

AN ACT Relating to improving education and employment opportunities for individuals with criminal convictions; adding new sections to chapter 18.235 RCW; creating new sections; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 5143 by Senators Regala, Franklin and Kohl-Welles

AN ACT Relating to allowing a six percent property tax limit for emergency medical care and service levies; amending RCW 84.55.0101; and providing for submission of this act to a vote of the people.

Referred to Committee on Ways & Means.

<u>SB 5144</u> by Senators Kline, Rockefeller and Pridemore

AN ACT Relating to false claims against the government; amending RCW 48.80.020; adding a new chapter to Title 4 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

<u>SB 5145</u> by Senators Kline, Regala, McDermott and Kohl-Welles

AN ACT Relating to the definition of sexually explicit conduct; and amending RCW 9.68A.011.

Referred to Committee on Judiciary.

<u>SB 5146</u> by Senators Kline, Regala, Pridemore, Kohl-Welles and Shin AN ACT Relating to interest on judgments entered against offenders; and amending RCW 10.82.090.

Referred to Committee on Judiciary.

SB 5147 by Senators Kline and Rockefeller

AN ACT Relating to criminal libel; amending RCW 43.06A.085; and repealing RCW 9.58.010, 9.58.020, 9.58.030, 9.58.040, 9.58.050, 9.58.060, 9.58.070, 9.58.080, 9.58.090, and 10.37.120.

Referred to Committee on Judiciary.

SB 5148 by Senators Kline, Fairley and McDermott

AN ACT Relating to Washington's vesting laws; amending RCW 36.70A.290, 36.70A.130, 58.17.033, and 19.27.095; adding a new section to chapter 36.70A RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

<u>SB 5149</u> by Senators Kline, Swecker, Rockefeller, Pflug, Fraser, Hargrove, Jarrett, Pridemore, Kohl-Welles, Schoesler, Brandland and Shin

AN ACT Relating to assessing the state's geothermal resources for electrical power production; and creating new sections.

Referred to Committee on Environment, Water & Energy.

SB 5150 by Senators Kline, Pridemore and Kohl-Welles

AN ACT Relating to a maximum rate for interest or fees charged for small loans; and amending RCW 31.45.073.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5151 by Senators Kline, Rockefeller and Kohl-Welles

AN ACT Relating to the appointment of court commissioners to assist with criminal cases; and amending RCW 2.24.010.

Referred to Committee on Judiciary.

SB 5152 by Senators Kline, Rockefeller, McDermott and Kohl-Welles

AN ACT Relating to statutory construction; creating new sections; and providing an expiration date.

Referred to Committee on Judiciary.

SB 5153 by Senators Kline, Rockefeller and Shin

AN ACT Relating to creating the uniform foreign-country money judgments recognition act; adding a new chapter to Title 6 RCW; and repealing RCW 6.40.010, 6.40.020, 6.40.030, 6.40.040, 6.40.050, 6.40.060, 6.40.070, 6.40.900, 6.40.905, 6.40.910, and 6.40.915.

Referred to Committee on Judiciary.

<u>SB 5154</u> by Senators Kline and Rockefeller

AN ACT Relating to revising Article 7 of the Uniform Commercial Code, documents of title; amending RCW 62A.7-101, 62A.7-102, 62A.7-103, 62A.7-104, 62A.7-105, 62A.7-201, 62A.7-202, 62A.7-203, 62A.7-204, 62A.7-205, 62A.7-206, 62A.7-207, 62A.7-208, 62A.7-209, 62A.7-210, 62A.7-301, 62A.7-302, 62A.7-303, 62A.7-304, 62A.7-305, 62A.7-307, 62A.7-308, 62A.7-309, 62A.7-401, 62A.7-402, 62A.7-403, 62A.7-404, 62A.7-501, 62A.7-502, 62A.7-503, 62A.7-504, 62A.7-505, 62A.7-506, 62A.7-507, 62A.7-508, 62A.7-509, 62A.7-601, 62A.7-602, 62A.7-603, 62A.1-201, 62A.1-201, 62A.2-103, 62A.2-104, 62A.2-310, 62A.2-323, 62A.2-401, 62A.2-503, 62A.2-505, 62A.2-506, 62A.2-509, 62A.2-605, 62A.2-705, 62A.2A-103, 62A.2A-514, 62A.2A-526, 62A.4-104, 62A.4-210, 62A.8-103, 62A.9A-102, 62A.9A-203, 62A.9A-207, 62A.9A-208, 62A.9A-301, 62A.9A-310, 62A.9A-312, 62A.9A-313, 62A.9A-314, 62A.9A-317, 62A.9A-338, and 62A.9A-601; adding a new section to chapter 62A.7 RCW; creating new sections; repealing RCW 62A.10-104; and providing contingent effective dates.

Referred to Committee on Judiciary.

SB 5155 by Senators Kline and Rockefeller

AN ACT Relating to the Uniform Commercial Code; amending RCW 62A.1-101, 62A.1-102, 62A.1-103, 62A.1-104, 62A.1-105, 62A.1-106, 62A.1-108, 62A.1-201, 62A.1-202, 62A.1-203, 62A.1-204, 62A.1-205, 62A.1-206, 62A.2-103, 62A.2-202, 62A.2A-103, 62A.2A-501, 62A.2A-518, 62A.2A-519, 62A.2A-527, 62A.2A-528, 62A.3-103, 62A.4-104, 62A.4A-105, 62A.4A-106, 62A.4A-204, 62A.5-103, 62A.8-102, and 62A.9A-102; adding new sections to chapter 62A.1 RCW; creating a new section; and repealing RCW 62A.1-107, 62A.1-109, 62A.1-207, 62A.1-208, 62A.2-208, and 62A.2A-207.

Referred to Committee on Judiciary.

SB 5156 by Senators Brandland, McCaslin and Keiser

AN ACT Relating to certification actions of Washington peace officers; and amending RCW 43.101.380.

Referred to Committee on Judiciary.

<u>SB 5157</u> by Senators Brandland, Pridemore, McCaslin, Keiser and Shin

AN ACT Relating to psychological examinations for peace officer certification; and amending RCW 43.101.095.

Referred to Committee on Judiciary.

<u>SB 5158</u> by Senators Kohl-Welles, Holmquist, King, Honeyford, Keiser, Franklin, Kline and Marr

AN ACT Relating to sales of wine and beer at the legislative gift center; adding new sections to chapter 44.73 RCW; and adding a new section to chapter 66.12 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

<u>SB 5159</u> by Senators King, Haugen, Swecker, Sheldon, Kastama, Kauffman, Berkey and Shin

AN ACT Relating to the time period for motor vehicle fuel excise tax and special fuel tax refunds; amending RCW 82.36.330 and 82.38.190; and creating a new section.

Referred to Committee on Transportation.

SB 5160 by Senators Kline, McCaslin and Tom

AN ACT Relating to service of notice from seizing law enforcement agencies; and amending RCW 69.50.505.

Referred to Committee on Judiciary.

<u>SB 5161</u> by Senators Hobbs, Rockefeller, Honeyford, Hewitt, Oemig, Shin, Zarelli, Regala, Benton, Kilmer, Kline, Roach, Haugen and Pridemore

AN ACT Relating to extending tax incentives for renewable resources, including tidal and wave energy; amending RCW 82.08.02567, 82.12.02567, and 82.16.055; providing an effective date; and declaring an emergency.

Referred to Committee on Environment, Water & Energy.

<u>SB 5162</u> by Senators Hobbs, Swecker, Fairley, Pridemore, Hatfield, Shin, Jacobsen and Haugen

AN ACT Relating to appeals under the growth management act; amending RCW 36.70A.290; adding new sections to chapter 43.330 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Government Operations & Elections.

<u>SB 5163</u> by Senators Hobbs, Schoesler, Berkey, Hewitt, Sheldon, Zarelli, Pflug, Carrell and Roach

AN ACT Relating to removing the requirement to purchase art for public buildings during the 2009-2011 biennium; amending RCW 28A.335.210, 28B.10.027, and 43.17.200; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

<u>SB 5164</u> by Senators Berkey, Benton, Hobbs and Parlette

AN ACT Relating to placing restrictions on check cashers' and sellers' communications when collecting delinquent small loans; and amending RCW 31.45.082.

Referred to Committee on Financial Institutions, Housing & Insurance.

<u>SB 5165</u> by Senators Jarrett, Swecker, Marr, Shin, Kilmer, Kline, Sheldon and Haugen

AN ACT Relating to the implementation of a regional transfer of development rights program; amending RCW 43.362.005 and 43.362.010; and adding new sections to chapter 43.362 RCW.

Referred to Committee on Government Operations & Elections.

SB 5166 by Senators Regala, Stevens and Kline

AN ACT Relating to the child support license suspension program; amending RCW 74.20A.320; and adding new sections to chapter 74.20A RCW.

Referred to Committee on Human Services & Corrections.

<u>SB 5167</u> by Senators Regala, Kline and Hargrove

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 creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5168 by Senator Regala

AN ACT Relating to school board elections in certain firstclass school districts; amending RCW 28A.343.300, 28A.343.600, and 28A.343.640; adding a new section to chapter 29A.04 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

<u>SB 5169</u> by Senator Hargrove

AN ACT Relating to forest products addressed by chapter 76.48 RCW; amending RCW 76.48.010, 76.48.020, 76.48.060, 76.48.080, 76.48.050, 76.48.062, 76.48.094, 76.48.085, 76.48.098, 76.48.030, 76.48.120, 76.48.130, 76.48.140, 76.48.040, 76.48.110, 76.48.100, 76.48.210, 76.48.150, 76.48.200, 76.48.902, and 76.48.910; adding new sections to chapter 76.48 RCW; creating a new section; recodifying RCW 76.48.010, 76.48.020, 76.48.060, 76.48.080, 76.48.050, 76.48.062, 76.48.094, 76.48.085, 76.48.098, 76.48.030, 76.48.120, 76.48.130, 76.48.140, 76.48.040, 76.48.110, 76.48.100, 76.48.210, 76.48.140, 76.48.200, 76.48.110, 76.48.902, and 76.48.910; decodifying RCW 76.48.091; and repealing RCW 76.48.070, 76.48.086, 76.48.096, and 76.48.075.

Referred to Committee on Natural Resources, Ocean & Recreation.

<u>SB 5170</u> by Senators Rockefeller and Parlette

AN ACT Relating to repealing chapter 385, Laws of 2005; creating a new section; and repealing RCW 43.09.430, 43.09.435, 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, 43.88.162, and 2.56.200.

Referred to Committee on Government Operations & Elections.

SB 5171 by Senators Kline and Rockefeller

AN ACT Relating to modifying the Washington principal and income act of 2002; amending RCW 11.104A.180 and 11.104A.290; adding a new section to chapter 11.104A RCW; and creating a new section.

Referred to Committee on Judiciary.

<u>SB 5172</u> by Senators Shin, Hobbs, Kastama, McAuliffe,

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Jarrett, Pridemore, Brown, Keiser, Jacobsen, Kohl-Welles and Kline

AN ACT Relating to establishing a University of Washington center for human rights; adding a new section to chapter 28B.20 RCW; and making an appropriation.

Referred to Committee on Higher Education & Workforce Development.

<u>SB 5173</u> by Senators Shin, Fairley, Kastama, Sheldon, McAuliffe, Brown, Pridemore, Delvin, Hobbs, McDermott, Jarrett, Kilmer, Jacobsen and Kohl-Welles

AN ACT Relating to honorary doctorate degrees; and amending RCW 28B.35.205.

Referred to Committee on Higher Education & Workforce Development.

<u>SB 5174</u> by Senators Shin, Kastama, McAuliffe, Pridemore, Rockefeller, Keiser, Delvin, Hobbs, Hatfield and Kohl-Welles

AN ACT Relating to graduation rate improvements; and amending RCW 28B.10.693.

Referred to Committee on Higher Education & Workforce Development.

<u>SB 5175</u> by Senators Shin, Fairley, Kastama, Jarrett, Rockefeller, Hobbs, Delvin and Hatfield

AN ACT Relating to the Washington promise scholarship program; and amending RCW 28B.119.005, 28B.119.010, and 28B.119.020.

Referred to Committee on Higher Education & Workforce Development.

SB 5176 by Senators Shin, Kastama, McAuliffe, Rockefeller, Jarrett, Pridemore, Hobbs, Delvin, Keiser, Hatfield, Kilmer, Jacobsen and Roach

AN ACT Relating to creating a bi-state partnership for teachers of children with visual impairments; adding a new section to chapter 28B.30 RCW; creating a new section; and making and appropriation.

Referred to Committee on Higher Education & Workforce Development.

<u>SB 5177</u> by Senators Shin, Delvin, Kastama, King, Rockefeller, McAuliffe, Pridemore, Hobbs, Fraser, McDermott, Jarrett, Kilmer, Keiser, Hatfield and Roach

AN ACT Relating to establishing a global Asia institute; adding a new section to chapter 28B.20 RCW; creating a new section; and making an appropriation.

Referred to Committee on Higher Education & Workforce Development.

SB 5178 by Senator Haugen

AN ACT Relating to historic cemeteries and graves; amending RCW 68.52.030; adding new sections to chapter 27.34 RCW; repealing RCW 68.60.030; and making an appropriation.

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Referred to Committee on Government Operations & Elections.

SB 5179 by Senator Haugen

AN ACT Relating to revaluation of property impacted by government restrictions; amending RCW 84.40.0301 and 84.41.090; and creating new sections.

Referred to Committee on Government Operations & Elections.

SB 5180 by Senators Haugen and Parlette

AN ACT Relating to public transit vehicle stops at unmarked stop zones; and amending RCW 46.61.560.

Referred to Committee on Transportation.

SB 5181 by Senator Haugen

AN ACT Relating to the local toxics control account; and reenacting and amending RCW 70.105D.070.

Referred to Committee on Environment, Water & Energy.

SB 5182 by Senators Haugen and Sheldon

AN ACT Relating to requiring offset credits in air operating permits for sawmills using forest waste products as feedstock in cogeneration facilities; amending RCW 70.94.161; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Environment, Water & Energy.

SB 5183 by Senators Hobbs, Stevens, McAuliffe, Brandland, Hargrove, Carrell, Pflug, Hewitt, Parlette, Swecker, Shin, Benton, Roach, Haugen and Holmquist

AN ACT Relating to viewing sexually explicit depictions of minors on the internet; amending RCW 9.68A.110 and 9.68A.070; reenacting and amending RCW 9.94A.030 and 9.94A.515; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

<u>SB 5184</u> by Senators Brandland, Hobbs, McAuliffe, Regala, Stevens, Pflug, Hewitt, King, Swecker and Roach

AN ACT Relating to evaluating the need for a digital forensic crime lab; and creating a new section.

Referred to Committee on Judiciary.

<u>SB 5185</u> by Senators Rockefeller, Keiser, Pridemore, Jacobsen, Hobbs, Kastama, Haugen, Hargrove, Hatfield, Ranker, Kilmer, Sheldon, Oemig, Delvin, Shin, Kohl-Welles, Kline and Holmquist

AN ACT Relating to increasing solar energy incentives; and amending RCW 82.16.110, 82.16.120, 82.16.130, and 19.285.040.

Referred to Committee on Environment, Water & Energy.

<u>SB 5186</u> by Senators Stevens, Schoesler, Swecker, Hewitt, Pflug and Holmquist AN ACT Relating to establishing a period of public and legislative review of appropriations legislation; adding new sections to chapter 44.04 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5187 by Senator Stevens

AN ACT Relating to voting procedures; amending RCW 29A.08.010, 29A.08.110, 29A.08.123, 29A.08.140, 29A.08.210, 29A.44.205, and 46.20.117; adding a new section to chapter 29A.08 RCW; and repealing RCW 29A.08.113, 29A.08.145, 29A.48.010, 29A.48.020, 29A.48.030, 29A.48.040, 29A.48.050, and 29A.48.060.

Referred to Committee on Government Operations & Elections.

SB 5188 by Senators Stevens and Swecker

AN ACT Relating to remedial postsecondary education; reenacting and amending RCW 28A.225.220; adding new sections to chapter 28B.10 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 28B.15 RCW; and creating a new section.

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

<u>SB 5189</u> by Senators Kohl-Welles, King, McAuliffe, Brandland, Tom, Carrell, Kauffman, McDermott and Kilmer

AN ACT Relating to crimes that require dismissal or certificate revocation for school employees; amending RCW 28A.400.320, 28A.400.330, 28A.405.470, 28A.410.090, 28A.410.110, 9.96A.020, and 43.43.845; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 28A.405 RCW; adding a new section to chapter 41.59 RCW; and adding a new section to chapter 41.56 RCW.

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

<u>SB 5190</u> by Senators Hargrove, Stevens, Regala and Shin

AN ACT Relating to technical corrections to ensure accurate sentences for offenders; amending RCW 2.24.040, 9.41.045, 9.92.151, 9.94A.190, 9.94A.505, 9.94A.633, 9.94A.6332, 9.94A.670, 9.94A.701, 9.94A.703, 9.94A.704, 9.94A.731, 9.94A.771, 9.94A.835, 9.94A.850, 9.94B.030, 9.94B.060, 9.94B.070, 9.95.011, 9.95.017, 9.95.055, 9.95.070, 9.95.090, 9.95.110, 9.95.121, 9.95.122, 9.95.140, 9.95.425, 9.95.900, 9A.76.115, 13.40.135, 72.09.335, 72.09.340, 72.09.370, 72.09.714, 72.09.716, 72.09.718, and 72.09.720; reenacting and amending RCW 9.94A.030; adding new sections to chapter 9.94A RCW; adding a new section to chapter 9.94B RCW; recodifying RCW 9.94A.602, 9.94A.605, and 9.94A.771; repealing RCW 9.94A.545 and 9.94A.715; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5191 by Senators Hobbs and Benton

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AN ACT Relating to noninsurance benefits included in life insurance policies; adding a new section to chapter 48.23 RCW; and adding a new section to chapter 48.24 RCW.

Referred to Committee on Financial Institutions, Housing & Insurance.

<u>SJM 8002</u> by Senators Stevens, Hewitt, Schoesler, Swecker, Pflug and Roach

Requesting that Congress audit the Federal Reserve System.

Referred to Committee on Ways & Means.

<u>SIR 8206</u> by Senators Stevens, Hewitt, Carrell, Schoesler, Swecker and Holmquist

Placing restrictions on tax increases.

Referred to Committee on Ways & Means.

SJR 8207 by Senators Stevens, Swecker and Roach

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

Referred to Committee on Transportation.

SCR 8402 by Senator Stevens

Limiting the business of the 2009 Legislature to budgets, matters necessary to implement budgets, and matters incident to a natural emergency.

Referred to Committee on Government Operations & Elections.

MOTION

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. 5181 which was referred to the Committee on Environment, Water & Energy.

MOTION

At 12:02 p.m., on motion of Senator Eide, the Senate adjourned until 11:00 a.m. Friday, January 16, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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