

EIGHTH DAY

NOON SESSION

Senate Chamber, Olympia, Monday, January 19, 2009

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 15, 2009

SB 5038 Prime Sponsor, Senator Kohl-Welles: Making technical corrections to gender-based terms. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: 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.

REPORTS OF STANDING COMMITTEES  
GUBERNATORIAL APPOINTMENTS

January 15, 2009

SGA 9004 MIKE AMOS, appointed on September 19, 2008, for the term ending June 30, 2014, as Member of the Gambling Commission. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; Honeyford; King and Kline.

Passed to Committee on Rules for second reading.

January 15, 2009

SGA 9082 THOMAS W MCLANE, appointed on May 14, 2008, for the term ending September 8, 2009, as Member of the Public Employment Relations Commission. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; Honeyford; King and Kline.

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 fourth order of business.

MESSAGE FROM THE HOUSE

January 16, 2009

MR. PRESIDENT:  
The House has adopted:  
SENATE CONCURRENT RESOLUTION NO. 8401,

The Speaker appointed Representatives Walsh and Santos to the joint committee, and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5238 by Senators Keiser, Roach, Swecker, Fraser, McCaslin, Kohl-Welles, Honeyford, Pridemore, McDermott, Fairley, Benton and Shin

AN ACT Relating to mailing information to certain members of the state retirement systems; and adding a new section to chapter 41.50 RCW.

Referred to Committee on Ways & Means.

SB 5239 by Senator Hatfield

AN ACT Relating to modifying the definition of "public facilities"; and reenacting and amending RCW 43.160.020.

Referred to Committee on Economic Development, Trade & Innovation.

SB 5240 by Senators Hargrove and McCaslin

AN ACT Relating to addressing the enforceability of court rules that create new nonconstitutionally mandated programs, or increase levels of service under existing programs, on any political subdivision of the state; and amending RCW 43.135.060 and 2.04.190.

Referred to Committee on Judiciary.

SB 5241 by Senators Oemig, Pridemore, Kline, Kohl-Welles and Shin

AN ACT Relating to public, education, and government access channels; and adding a new chapter to Title 19 RCW.

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Referred to Committee on Government Operations & Elections.

SB 5242 by Senators Honeyford, Holmquist, King, Parlette and Schoesler

AN ACT Relating to qualifying for benefits when leaving work voluntarily; amending RCW 50.20.050; and creating new sections.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5243 by Senators Honeyford, Holmquist, King and Stevens

AN ACT Relating to rules adopted by the department of labor and industries; and adding a new section to chapter 43.22 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5244 by Senator Carrell

AN ACT Relating to special detention facilities; amending RCW 70.48.020; adding a new section to chapter 70.48 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Judiciary.

SB 5245 by Senator Carrell

AN ACT Relating to evidence in administrative hearings; and amending RCW 34.05.434 and 34.05.449.

Referred to Committee on Judiciary.

SB 5246 by Senators Carrell, Pflug, Stevens, Swecker, Hewitt and Delvin

AN ACT Relating to the effect of zoning ordinances on motor vehicle collection and restoration; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Government Operations & Elections.

SB 5247 by Senator Carrell

AN ACT Relating to enforcement of outstanding warrants from courts of limited jurisdiction; amending RCW 35.20.270, 3.62.020, and 3.62.040; and adding a new section to chapter 3.02 RCW.

Referred to Committee on Judiciary.

SB 5248 by Senators Hobbs, King, McAuliffe, Brown, Kauffman, Holmquist, Tom, Shin, Hewitt, Brandland, McDermott, Jarrett, Kilmer, Haugen and Roach

AN ACT Relating to the interstate compact on educational opportunity for military children; amending RCW

28A.225.330, 28A.225.160, 28A.185.030, 28A.180.040, 28A.225.210, and 28A.225.225; adding a new section to chapter 28A.225 RCW; and adding a new chapter to Title 28A RCW.

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

SB 5249 by Senator Fairley

AN ACT Relating to public records request responses; and amending RCW 42.56.520.

Referred to Committee on Government Operations & Elections.

SB 5250 by Senator Fairley

AN ACT Relating to increasing the maximum per page copying charge under the public records act; and amending RCW 42.56.070 and 42.56.120.

Referred to Committee on Government Operations & Elections.

SB 5251 by Senators Fairley and Sheldon

AN ACT Relating to charges for copying under the public records act; and amending RCW 42.56.120.

Referred to Committee on Government Operations & Elections.

SB 5252 by Senators Brandland, Hargrove and Shin

AN ACT Relating to correctional facility policies regarding medication management; amending RCW 70.48.020; adding new sections to chapter 70.48 RCW; and adding a new section to chapter 18.64 RCW.

Referred to Committee on Human Services & Corrections.

SB 5253 by Senators Carrell, Brandland and Swecker

AN ACT Relating to criminal defendants who are guilty and mentally ill; amending RCW 10.77.040 and 9.94A.501; adding a new section to chapter 10.77 RCW; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5254 by Senators Prentice, Jarrett, Oemig, Kline, Tom, Brandland and Delvin

AN ACT Relating to the authority of a watershed management partnership to exercise powers of its forming governments; and adding a new section to chapter 39.34 RCW.

Referred to Committee on Environment, Water & Energy.

SB 5255 by Senators Jacobsen, Swecker, Regala, Morton, Kilmer, Pridemore and Shin

AN ACT Relating to aquatic lands lease rates for marinas; amending RCW 79.105.060, 79.105.240, and 79.105.360; and adding a new section to chapter 79.105 RCW.

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Referred to Committee on Natural Resources, Ocean & Recreation.

RCW 28A.155.045, 28A.655.063, 28A.655.065, 28A.655.0611, 28B.50.534, and 28A.600.405.

SB 5256 by Senator Hargrove

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

AN ACT Relating to information technology; amending RCW 43.20A.060, 43.105.290, 43.105.340, 43.105.350, 43.105.360, and 43.105.800; creating a new section; repealing RCW 43.105.005, 43.105.017, 43.105.020, 43.105.032, 43.105.041, 43.105.047, 43.105.052, 43.105.055, 43.105.057, 43.105.060, 43.105.070, 43.105.080, 43.105.095, 43.105.105, 43.105.160, 43.105.170, 43.105.180, 43.105.190, 43.105.200, 43.105.210, 43.105.320, 43.105.330, 43.105.810, 43.105.815, 43.105.820, 43.105.825, 43.105.830, 43.105.835, 43.105.900, 43.105.901, 43.105.902, 43.105.903, 43.105.904, and 43.105.905; providing effective dates; and declaring an emergency.

SB 5261 by Senators Regala, Stevens, Hargrove and Shin

AN ACT Relating to creating an electronic statewide unified sex offender registry program; and amending RCW 36.28A.040.

Referred to Committee on Human Services & Corrections.

Referred to Committee on Government Operations & Elections.

SB 5262 by Senators Kline, Brandland and Shin

AN ACT Relating to law enforcement access to driver's license photographs for the purposes of identity verification; and reenacting and amending RCW 46.20.118.

Referred to Committee on Judiciary.

SB 5257 by Senators Holmquist, Kohl-Welles, Hewitt, Franklin, Kline, King and Keiser

AN ACT Relating to correcting statutory references in the calculation of predecessor and successor employer contribution rates; amending RCW 50.29.062 and 50.29.063; and creating a new section.

SB 5263 by Senators Hargrove, Brandland and Tom

AN ACT Relating to prohibiting devices in schools that are designed to administer to a person or an animal an electric shock, charge, or impulse; amending RCW 9.41.280; and prescribing penalties.

Referred to Committee on Judiciary.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5258 by Senators Kohl-Welles, Holmquist, Hewitt, Franklin, Kline, King and Keiser

AN ACT Relating to expanding industries that qualify for good cause for late filing of reports, contributions, penalties, or interest; amending RCW 50.29.010; and creating a new section.

SB 5264 by Senators Kohl-Welles, McAuliffe, Shin, Jarrett and Kilmer

AN ACT Relating to academic employee salary increments for community and technical colleges; adding new sections to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Labor, Commerce & Consumer Protection.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5259 by Senators Kohl-Welles, Delvin, Keiser, Pridemore, Kauffman, McDermott, Kline, Shin, Fairley, McAuliffe and Roach

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

SB 5265 by Senators Jarrett, Oemig and Shin

AN ACT Relating to local tourism promotion areas; amending RCW 35.101.010, 35.101.050, 35.101.070, and 35.101.080; and adding a new section to chapter 35.101 RCW.

Referred to Committee on Economic Development, Trade & Innovation.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5266 by Senators Hargrove, Stevens, Regala, Kauffman and Brandland

AN ACT Relating to housing services and assistance in dependency and termination matters; amending RCW 13.34.030 and 13.34.065; and reenacting and amending RCW 13.34.130 and 13.34.138.

Referred to Committee on Human Services & Corrections.

SB 5260 by Senators McAuliffe, Fraser, Pridemore, Hargrove, Sheldon, Kauffman, Hobbs, Hatfield, Fairley and Roach

AN ACT Relating to motivating students through incentives to pursue postsecondary education by eliminating the use of statewide assessments as a high school graduation requirement; amending RCW 28A.655.070, 28A.655.061, 28A.655.066, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.090, 28A.305.130, 28A.600.310, 28B.15.520, 28B.15.067, and 28A.155.170; reenacting and amending RCW 28A.230.125; creating new sections; and repealing

SB 5267 by Senators Sheldon, Berkey, Morton, Kastama and Delvin

AN ACT Relating to the issuance of checks by joint operating agencies and public utility districts; and amending RCW 43.52.375 and 54.24.010.

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Referred to Committee on Government Operations & Elections.

SB 5268 by Senators Swecker, Jacobsen and Shin

AN ACT Relating to the fish and wildlife equipment revolving account; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5269 by Senators Jacobsen, Swecker and Hatfield

AN ACT Relating to the establishment of a license limitation program for the harvest and delivery of Pacific sardines into the state; amending RCW 77.65.200; and adding new sections to chapter 77.70 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5270 by Senators McDermott, Swecker, Fairley, Oemig, Tom and Shin

AN ACT Relating to voter registration; amending RCW 29A.04.079, 29A.04.109, 29A.04.163, 29A.04.210, 29A.08.010, 29A.08.030, 29A.08.105, 29A.08.107, 29A.08.110, 29A.08.115, 29A.08.125, 29A.08.130, 29A.08.135, 29A.08.140, 29A.08.210, 29A.08.230, 29A.08.260, 29A.08.310, 29A.08.330, 29A.08.350, 29A.08.410, 29A.08.420, 29A.08.430, 29A.08.440, 29A.08.510, 29A.08.520, 29A.08.610, 29A.08.625, 29A.08.630, 29A.08.635, 29A.08.640, 29A.08.720, 29A.08.760, 29A.40.010, 29A.40.020, 29A.40.061, 29A.40.091, 29A.60.235, and 46.20.155; reenacting and amending RCW 29A.04.611, 29A.08.620, and 29A.40.110; and repealing RCW 29A.04.103, 29A.08.040, 29A.08.113, 29A.08.145, 29A.08.360, 29A.08.605, 29A.08.651, and 29A.08.780.

Referred to Committee on Government Operations & Elections.

SB 5271 by Senators Oemig, McDermott and Swecker

AN ACT Relating to candidate filing; and amending RCW 29A.24.070 and 29A.24.091.

Referred to Committee on Government Operations & Elections.

SB 5272 by Senators Hatfield, Schoesler, Morton and Shin

AN ACT Relating to wildlife interactions; amending RCW 77.36.010, 77.36.070, 77.36.080, 77.36.030, and 77.12.240; adding new sections to chapter 77.36 RCW; creating new sections; decodifying RCW 77.36.900 and 77.36.901; repealing RCW 77.36.005, 77.36.020, 77.36.040, 77.36.050, 77.36.060, and 77.12.260; providing an effective date; and providing an expiration date.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5273 by Senators Murray, Jacobsen, McDermott, Franklin and Kohl-Welles

AN ACT Relating to the practice of landscape architecture; amending RCW 18.96.010, 18.96.020, 18.96.030, 18.96.040, 18.96.060, 18.96.070, 18.96.080, 18.96.090, 18.96.100, 18.96.110, 18.96.120, 18.96.140, 18.96.150, 18.96.180, and 18.96.190; adding new sections to chapter 18.96 RCW; creating a new section; repealing RCW 18.96.050, 18.96.160, and 18.96.170; and prescribing penalties.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5274 by Senators Hatfield, Schoesler, Morton, Honeyford, Shin and Holmquist

AN ACT Relating to damage caused by wildlife; amending RCW 77.36.005, 77.36.010, 77.36.040, 77.36.050, 77.36.060, 77.36.070, and 77.36.080; and adding a new section to chapter 77.36 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5275 by Senators Hobbs, Kline, Carrell, Swecker, Shin, McAuliffe and Kilmer

AN ACT Relating to health insurance for enlisted members of the Washington national guard; and adding a new section to chapter 38.24 RCW.

Referred to Committee on Government Operations & Elections.

SB 5276 by Senators Schoesler, Jarrett, Oemig, Shin and Holmquist

AN ACT Relating to the authority to offer engineering programs at regional comprehensive universities; and amending RCW 28B.10.115 and 28B.20.060.

Referred to Committee on Higher Education & Workforce Development.

SB 5277 by Senators Hatfield, Kline and Delvin

AN ACT Relating to district court clerk fees; and amending RCW 3.62.060.

Referred to Committee on Judiciary.

SB 5278 by Senators King, Kohl-Welles and Shin

AN ACT Relating to making technical changes to boiler and unfired pressure vessel statutes; amending RCW 70.79.060, 70.79.070, 70.79.080, 70.79.090, and 70.79.240; and repealing RCW 70.79.210.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5279 by Senators Kline, Ranker, Rockefeller, Pridemore, Oemig, Regala, Franklin, Murray, Kauffman, Fairley, Kohl-Welles, Haugen, McAuliffe, Pflug, Shin and McDermott

AN ACT Relating to providing safe collection and disposal of unwanted drugs from residential sources through a producer provided and funded product stewardship program; reenacting and amending RCW 69.41.030; adding

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a new chapter to Title 70 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5280 by Senators Holmquist, Hatfield, Honeyford, Hewitt, Schoesler and Parlette

AN ACT Relating to recognizing conservation achieved in excess of biennial conservation acquisition targets as an eligible renewable resource under the energy independence act; amending RCW 19.285.040; and creating a new section.

Referred to Committee on Environment, Water & Energy.

SB 5281 by Senator Benton

AN ACT Relating to utility liens against rental property; and amending RCW 35.21.290, 35.67.200, and 36.94.150.

Referred to Committee on Government Operations & Elections.

SB 5282 by Senators Keiser, Franklin, Kohl-Welles, Marr, Murray, McAuliffe, Regala, Oemig, Kilmer, Fairley, Pridemore, Ranker and McDermott

AN ACT Relating to the use of bisphenol A; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5283 by Senators Keiser, Holmquist, Eide, Pridemore, Kline, Kauffman and Kohl-Welles

AN ACT Relating to the replacement of nonfunctioning wireless communications devices; and adding a new chapter to Title 19 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5284 by Senators Keiser, Holmquist, Kohl-Welles, Pridemore, Marr and Kauffman

AN ACT Relating to truth in music advertising; adding a new section to chapter 19.25 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5285 by Senators Regala, Hargrove, Kauffman and Stevens

AN ACT Relating to guardians ad litem; and amending RCW 26.44.030, 13.34.100, 26.12.175, and 26.12.177.

Referred to Committee on Human Services & Corrections.

SB 5286 by Senators Regala, Hargrove and Kohl-Welles

AN ACT Relating to exemptions from the WorkFirst program; and amending RCW 74.08A.270.

Referred to Committee on Human Services & Corrections.

SB 5287 by Senators Kilmer, Carrell and Marr

AN ACT Relating to the deferral of sales and use taxes due on the state route number 16 corridor improvements project; and amending RCW 47.46.060.

Referred to Committee on Ways & Means.

SB 5288 by Senators Hargrove, Stevens, Regala and Shin

AN ACT Relating to offender risk assessments; amending RCW 9.94A.501 and 9.94A.501; amending 2008 c 231 s 6 (uncodified); Repealing 2008 c 231 s 60 (uncodified); providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SB 5289 by Senators Ranker, Haugen, Swecker, King, Marr, Jarrett, Hargrove and Shin

AN ACT Relating to an addition to the scenic and recreational highway system; and amending RCW 47.39.020.

Referred to Committee on Transportation.

SB 5290 by Senators Franklin, Brown, Fraser, Kauffman, McAuliffe, Shin, Murray, Eide, Keiser, Berkey and Regala

AN ACT Relating to requests made by a party concerning gas or electrical company discounts for low-income senior customers and low-income customers; and amending RCW 80.28.068.

Referred to Committee on Environment, Water & Energy.

#### 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. 5287 which was referred to the Committee on Ways & Means.

#### MOTION

At 12:05 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Tuesday, January 20, 2009.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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