

**THIRD DAY**

**AFTERNOON SESSION**

Senate Chamber, Olympia, Thursday, April 28, 2011

The Senate was called to order at 1:00 p.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Baumgartner, Brown, Chase, Hewitt, Kline, McAuliffe, Prentice, Regala, Roach and Sheldon.

The Sergeant at Arms Color Guard consisting of staff Colleen Rust and Intern Dimitar Anguelov presented the Colors. Senator Shin 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**

April 28, 2011

SB 5924 Prime Sponsor, Senator Zarelli: Regarding the running start program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5924 be substituted therefor, and the substitute bill do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli; Brown; Fraser; Hatfield; Hewitt; Honeyford; Kastama; Kohl-Welles; Pridemore; Regala; Rockefeller; Schoesler and Tom.

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

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Baumgartner; Baxter; Conway; Holmquist Newbry and Keiser.

Passed to Committee on Rules for second reading.

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SB 5941 Prime Sponsor, Senator Eide: Concerning judicial branch funding. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Murray, Chair; Kilmer, Vice Chair, Capital Budget Chair; Zarelli; Brown; Fraser; Hatfield; Hewitt; Kastama; Keiser; Kohl-Welles; Pflug; Pridemore; Regala and Rockefeller.

MINORITY recommendation: Do not pass. Signed by Senators Baxter; Holmquist Newbry; Honeyford and Schoesler.

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 5953 by Senator Sheldon

AN ACT Relating to privatizing the sale of liquor; amending RCW 66.08.030, 66.08.070, 66.08.130, 66.08.140, 66.08.150, 66.24.010, 66.24.012, 66.24.015, 66.24.025, 66.24.120, 66.44.200, 66.44.318, 66.44.340, 66.04.010, 66.08.012, 66.08.020, 66.08.026, 66.08.030, 66.08.050, 66.08.060, 66.08.167, 66.16.110, 66.12.110, 66.12.120, 66.12.140, 66.20.010, 66.20.160, 66.20.170, 66.20.180, 66.20.190, 66.20.200, 66.20.210, 66.24.145, 66.24.360, 66.24.371, 66.24.380, 66.24.395, 66.24.400, 66.24.540, 66.24.590, 66.28.060, 66.32.010, 66.44.150, and 66.44.160; reenacting and amending RCW 66.04.010; adding new sections to chapter 66.08 RCW; creating a new section; recodifying RCW 66.16.110; repealing RCW 66.08.070, 66.08.160, 66.08.165, 66.08.166, 66.08.220, 66.08.235, 66.16.010, 66.16.040, 66.16.041, 66.16.050, 66.16.060, 66.16.070, 66.16.090, 66.16.100, 66.16.120, and 66.28.180; providing effective dates; and providing for submission of this act to a vote of the people.

Referred to Committee on Labor, Commerce & Consumer Protection.

**MOTION**

On motion of Senator Eide, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

**MOTION**

On motion of Senator Ericksen, Senators Baumgartner, Hewitt, Roach and Schoesler were excused.

**MOTION**

On motion of Senator Eide, Senators McAuliffe, Prentice and Sheldon were excused.

**MOTION**

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

**SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

**MOTION**

Senator Litzow moved that Gubernatorial Appointment No. 9010, Lori Blanchard, as a member of the Professional Educator Standards Board, be confirmed.

Senator Litzow spoke in favor of the motion.

#### MOTION

On motion of Senator Ericksen, Senator Benton was excused.

#### APPOINTMENT OF LORI BLANCHARD

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9010, Lori Blanchard as a member of the Professional Educator Standards Board.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9010, Lori Blanchard as a member of the Professional Educator Standards Board and the appointment was confirmed by the following vote: Yeas, 39; Nays, 0; Absent, 4; Excused, 6.

Voting yea: Senators Baxter, Becker, Benton, Carrell, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kohl-Welles, Litzow, Morton, Murray, Nelson, Parlette, Pflug, Pridemore, Ranker, Rockefeller, Schoesler, Shin, Stevens, Swecker, Tom, White and Zarelli

Absent: Senators Brown, Chase, Kline and Regala

Excused: Senators Baumgartner, Hewitt, McAuliffe, Prentice, Roach and Sheldon

Gubernatorial Appointment No. 9010, Lori Blanchard, having received the constitutional majority was declared confirmed as a member of the Professional Educator Standards Board.

#### MOTION

On motion of Senator White, Senators Brown, Kilmer, Pridemore and Regala were excused.

#### SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Fain moved that Gubernatorial Appointment No. 9133, Linda Cowan, as a member of the Board of Trustees, Green River Community College District No. 10, be confirmed.

Senator Fain spoke in favor of the motion.

#### MOTION

On motion of Senator Eide, Senators Chase, Kline and McAuliffe were excused.

#### APPOINTMENT OF LINDA COWAN

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9133, Linda Cowan as a member of the Board of Trustees, Green River Community College District No. 10.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9133, Linda Cowan as a member of the Board of Trustees, Green River Community College

District No. 10 and the appointment was confirmed by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Senators Baxter, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kohl-Welles, Litzow, Morton, Murray, Nelson, Parlette, Pflug, Pridemore, Ranker, Rockefeller, Schoesler, Shin, Stevens, Swecker, Tom, White and Zarelli

Excused: Senators Baumgartner, Hewitt, Kline, McAuliffe, Prentice, Regala, Roach and Sheldon

Gubernatorial Appointment No. 9133, Linda Cowan, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Green River Community College District No. 10.

#### MOTION

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

#### THIRD READING

SENATE BILL NO. 5289, by Senators Murray and Zarelli.

Concerning a business and occupation tax deduction for payments made to certain property management companies for personnel performing on-site functions.

The bill was read on Third Reading.

Senator Murray 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. 5289.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5289 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Baxter, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Keiser, Kilmer, King, Kohl-Welles, Litzow, Morton, Murray, Nelson, Parlette, Pflug, Pridemore, Ranker, Roach, Rockefeller, Schoesler, Shin, Stevens, Swecker, Tom, White and Zarelli

Excused: Senators Baumgartner, Hewitt, Kline, McAuliffe, Prentice, Regala and Sheldon

SENATE BILL NO. 5289, 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.

#### MOTION

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

#### SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

Senator Ranker moved that Gubernatorial Appointment No. 9106, Bradley Smith, as a member of the Fish and Wildlife Commission, be confirmed.

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Senator Ranker spoke in favor of the motion.

APPOINTMENT OF BRADLEY SMITH

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9106, Bradley Smith as a member of the Fish and Wildlife Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9106, Bradley Smith as a member of the Fish and Wildlife Commission and the appointment was confirmed by the following vote: Yeas, 40; Nays, 3; Absent, 0; Excused, 6.

Voting yea: Senators Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hill, Hobbs, Holmquist Newbry, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, Morton, Murray, Nelson, Parlette, Pflug, Pridemore, Ranker, Roach, Rockefeller, Shin, Stevens, Swecker, Tom, White and Zarelli

Voting nay: Senators Baxter, Honeyford and Schoesler

Excused: Senators Baumgartner, Hewitt, McAuliffe, Prentice, Regala and Sheldon

Gubernatorial Appointment No. 9106, Bradley Smith, having received the constitutional majority was declared confirmed as a member of the Fish and Wildlife Commission.

MOTION

On motion of Senator Ranker, Senator Keiser was excused.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Parlette moved that Gubernatorial Appointment No. 9022, June Darling, as a member of the Board of Trustees, Wentachee Valley Community College District No. 15, be confirmed.

Senator Parlette spoke in favor of the motion.

APPOINTMENT OF JUNE DARLING

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9022, June Darling as a member of the Board of Trustees, Wentachee Valley Community College District No. 15.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9022, June Darling as a member of the Board of Trustees, Wentachee Valley Community College District No. 15 and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Baxter, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Holmquist Newbry, Honeyford, Kastama, Kilmer, King, Kline, Kohl-Welles, Litzow, Morton, Murray, Nelson, Parlette, Pflug, Pridemore, Ranker, Roach, Rockefeller, Schoesler, Shin, Stevens, Swecker, Tom, White and Zarelli

Excused: Senators Baumgartner, Keiser, McAuliffe, Prentice, Regala and Sheldon

Gubernatorial Appointment No. 9022, June Darling, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Wentachee Valley Community College District No. 15.

MOTION

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

THIRD READING

SENATE BILL NO. 5852, by Senators Hewitt and Brown.

Addressing the public employment of retirees from plan 1 of the teachers' retirement system and plan 1 of the public employees' retirement system.

The bill was read on Third Reading.

Senator Hewitt 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. 5852.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5852 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 1; Absent, 0; Excused, 5.

Voting yea: Senators Baxter, Becker, Benton, Brown, Carrell, Chase, Conway, Delvin, Eide, Ericksen, Fain, Fraser, Hargrove, Harper, Hatfield, Haugen, Hewitt, Hill, Hobbs, Honeyford, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Litzow, Morton, Murray, Nelson, Parlette, Pflug, Pridemore, Ranker, Roach, Rockefeller, Schoesler, Shin, Stevens, Swecker, Tom, White and Zarelli

Voting nay: Senator Holmquist Newbry

Excused: Senators Baumgartner, McAuliffe, Prentice, Regala and Sheldon

SENATE BILL NO. 5852, 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.

MOTION

At 1:47 p.m., on motion of Senator Eide, the Senate adjourned until 1:00 p.m. Friday, April 29, 2011.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate



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