

FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, January 14, 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 Hewitt, King, Parlette, Ranker, Regala, Swecker, Tom and Zarelli.

The Sergeant at Arms Color Guard consisting of Pages Hunter Lee Mixon and Lydia J. Moynihan, presented the Colors. Reverend Dr. Marilyn Cornwell of the Church of the Ascension in Seattle 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

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 13, 2011

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

DEBRENA F. JACKSON GANDY, appointed October 15, 2010, for the term ending September 30, 2014, as Member, Board of Trustees, Community College District No. 9 (Highline Community College).

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education & Workforce Development.

January 13, 2011

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

LORRAINE LEE, appointed July 7, 2010, for the term ending June 30, 2015, as Member of the Office of Administrative Hearings.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Judiciary.

January 13, 2011

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

ROBERT (BOB) A. ROEGNER, appointed January 3, 2011, for the term ending September 30, 2015, as Member, Board of

Trustees, Community College District No. 9 (Highline Community College).

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education & Workforce Development.

MOTION

On motion of Senator Eide, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

January 13, 2011

MR. PRESIDENT:

The Speaker has signed:

HOUSE CONCURRENT RESOLUTION 4400,

HOUSE CONCURRENT RESOLUTION 4401,

HOUSE CONCURRENT RESOLUTION 4403,

and the same are 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 5111

and Litzow

by Senators Sheldon, Rockefeller, King, Hobbs

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.

SB 5112 by Senators Hatfield, Honeyford, Sheldon and Schoesler

AN ACT Relating to firearm noise suppressors; and amending RCW 9.41.250.

Referred to Committee on Judiciary.

SB 5113 by Senator Hargrove

AN ACT Relating to reviewing discharges from state hospitals; and amending RCW 71.05.232.

Referred to Committee on Human Services & Corrections.

SB 5114 by Senator Hargrove

AN ACT Relating to streamlining competency evaluation and competency restoration procedures; amending RCW 10.77.060, 10.77.065, 10.77.084, 10.77.088, and 71.05.290; adding a new section to chapter 10.77 RCW; creating a new section; and repealing RCW 71.05.235.

Referred to Committee on Human Services & Corrections.

SB 5115 by Senators Harper, Pflug, Kline, Roach, Carrell and Kilmer

AN ACT Relating to private transfer fee obligations; adding a new chapter to Title 64 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

SB 5116 by Senators Swecker, Hatfield and Parlette

AN ACT Relating to public health district authority as it relates to gifts, grants, conveyances, bequests, and devises of real or personal property; and amending RCW 70.44.060.

Referred to Committee on Government Operations, Tribal Relations & Elections.

SB 5117 by Senators Haugen, Ranker, Stevens and Shin

AN ACT Relating to the population restrictions for a geographic area to qualify as a rural public hospital district; and amending RCW 70.44.460.

Referred to Committee on Government Operations, Tribal Relations & Elections.

SB 5118 by Senators Rockefeller, Ranker, Fraser and Kline

AN ACT Relating to output-based air emission standards; amending RCW 70.94.030; adding a new section to chapter 70.94 RCW; and creating a new section.

Referred to Committee on Environment, Water & Energy.

SB 5119 by Senators Pridemore and Kline

AN ACT Relating to cancellation of the 2012 presidential primary; amending RCW 29A.56.020; and providing an expiration date.

Referred to Committee on Government Operations, Tribal Relations & Elections.

SB 5120 by Senators Keiser and Kline

AN ACT Relating to regulating insurance rates; amending RCW 48.02.120, 48.19.035, 48.19.040, and 48.29.147; and repealing RCW 48.43.0121.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5121 by Senator Hobbs

AN ACT Relating to adopting the investments of insurers model act; amending RCW 48.13.350; reenacting and amending RCW 42.56.400; adding new sections to chapter 48.13 RCW; repealing RCW 48.13.010, 48.13.020, 48.13.030, 48.13.040, 48.13.050, 48.13.060, 48.13.070, 48.13.080, 48.13.090, 48.13.100, 48.13.110, 48.13.120, 48.13.125, 48.13.130, 48.13.140, 48.13.150, 48.13.160, 48.13.170, 48.13.180, 48.13.190, 48.13.200, 48.13.210, 48.13.218, 48.13.220, 48.13.230, 48.13.240, 48.13.250, 48.13.260, 48.13.265, 48.13.270, 48.13.273, 48.13.275, 48.13.280, 48.13.285, 48.13.290, and 48.13.340; and providing an effective date.

Referred to Committee on Financial Institutions, Housing & Insurance.

SB 5122 by Senators Keiser and Kline

AN ACT Relating to health care insurance; amending RCW 48.20.435, 48.21.270, 48.43.093, 48.43.530, 48.43.535, 48.44.215, 48.44.380, 48.46.325, 48.46.460, 48.20.025, 48.44.017, and 48.46.062; reenacting and amending RCW 48.43.005; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 5123 by Senators Ranker, Morton and Hargrove

AN ACT Relating to the institute of forest resources; amending RCW 76.44.030; adding new sections to chapter 76.44 RCW; and creating a new section.

Referred to Committee on Natural Resources & Marine Waters.

SB 5124 by Senators White, Pridemore, Fraser and Shin

AN ACT Relating to elections by mail; amending RCW 29A.04.008, 29A.04.013, 29A.04.019, 29A.04.031, 29A.04.216, 29A.04.220, 29A.04.235, 29A.04.540, 29A.04.580, 29A.04.611, 29A.08.130, 29A.08.140, 29A.08.440, 29A.08.620, 29A.08.720, 29A.08.775, 29A.08.810, 29A.08.820, 29A.12.085, 29A.12.110, 29A.12.120, 29A.12.160, 29A.16.040, 29A.24.081, 29A.28.061, 29A.32.260, 29A.36.115, 29A.36.131, 29A.36.220, 29A.40.010, 29A.40.020, 29A.40.050, 29A.40.100, 29A.40.110, 29A.40.130, 29A.46.260, 29A.60.040, 29A.60.050, 29A.60.060, 29A.60.080, 29A.60.110, 29A.60.120, 29A.60.160, 29A.60.160, 29A.60.170, 29A.60.180, 29A.60.195, 29A.60.200, 29A.60.230, 29A.60.235, 29A.68.020, 29A.68.070, 29A.68.080, 29A.84.020, 29A.84.050, 29A.84.510,

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29A.84.520, 29A.84.530, 29A.84.540, 29A.84.545, 29A.84.550, 29A.84.655, and 29A.84.730; reenacting and amending RCW 29A.60.165 and 29A.84.680; adding a new section to chapter 29A.44 RCW; adding a new section to chapter 29A.52 RCW; adding a new section to chapter 29A.04 RCW; creating a new section; recodifying RCW 29A.46.260; repealing RCW 29A.04.049, 29A.04.115, 29A.04.128, 29A.08.430, 29A.12.090, 29A.16.010, 29A.16.020, 29A.16.030, 29A.16.060, 29A.16.110, 29A.16.120, 29A.16.130, 29A.16.140, 29A.16.150, 29A.16.160, 29A.16.170, 29A.24.151, 29A.24.161, 29A.40.030, 29A.40.040, 29A.40.061, 29A.40.061, 29A.40.080, 29A.40.120, 29A.40.140, 29A.44.010, 29A.44.020, 29A.44.030, 29A.44.040, 29A.44.045, 29A.44.050, 29A.44.060, 29A.44.070, 29A.44.080, 29A.44.090, 29A.44.110, 29A.44.120, 29A.44.130, 29A.44.140, 29A.44.150, 29A.44.160, 29A.44.170, 29A.44.180, 29A.44.190, 29A.44.201, 29A.44.205, 29A.44.207, 29A.44.210, 29A.44.221, 29A.44.225, 29A.44.231, 29A.44.240, 29A.44.250, 29A.44.260, 29A.44.265, 29A.44.270, 29A.44.280, 29A.44.290, 29A.44.310, 29A.44.320, 29A.44.330, 29A.44.340, 29A.44.350, 29A.44.410, 29A.44.420, 29A.44.430, 29A.44.440, 29A.44.450, 29A.44.460, 29A.44.470, 29A.44.480, 29A.44.490, 29A.44.500, 29A.44.510, 29A.44.520, 29A.44.530, 29A.46.010, 29A.46.020, 29A.46.030, 29A.46.110, 29A.46.120, 29A.46.130, 29A.48.010, 29A.48.020, 29A.48.030, 29A.48.040, 29A.48.050, 29A.48.060, 29A.52.311, 29A.52.351, 29A.60.030, 29A.84.525, 29A.84.670, 29A.84.670, and 29A.84.740; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Government Operations, Tribal Relations & Elections.

SB 5125 by Senators Becker, Swecker and King

AN ACT Relating to absentee ballots; amending RCW 29A.40.091, 29A.40.110, 29A.48.050, 29A.60.190, and 29A.60.190; adding a new section to chapter 29A.40 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations, Tribal Relations & Elections.

SB 5126 by Senators Kilmer, Tom, Murray, Kastama, Rockefeller, Keiser, Conway, Regala, Hobbs, Shin and McAuliffe

AN ACT Relating to compensation adjustments for government officials; amending RCW 35.21.015, 36.17.024, 35.23.091, and 35A.13.040; and providing a contingent effective date.

Referred to Committee on Ways & Means.

SB 5127 by Senators Kilmer, Parlette, Murray and Zarelli

AN ACT Relating to state general obligation bonds and related accounts; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5128 by Senators Haugen, King, White, Swecker, Hobbs and Shin

AN ACT Relating to statewide transportation planning; amending RCW 47.01.071, 47.01.075, 47.04.280, 47.06.140, 47.01.011, 47.01.300, 47.01.330, 47.05.010, 47.05.030, 47.80.023, 47.80.030, 47.82.010, 36.70A.070, 36.70A.085, 46.68.170, 47.60.290, 47.60.327, 47.76.210, and 47.79.020; adding new sections to chapter 47.06 RCW; adding a new chapter to Title 47 RCW; creating a new section; recodifying RCW 47.01.051, 47.01.061, 47.01.071, 47.01.075, 47.01.420, 47.01.425, and 47.04.280; and repealing RCW 47.06.020, 47.06.040, 47.06.043, 47.06.045, 47.06.050, 47.06.060, 47.06.070, 47.06.080, 47.06.090, 47.06.100, 47.06.110, 47.06.120, 47.01.141, 47.60.286, 47.76.220, 47.79.040, and 47.80.070.

Referred to Committee on Transportation.

SB 5129 by Senator Haugen

AN ACT Relating to portions of state highways better served by merged fire districts under certain circumstances; amending RCW 47.48.031 and 52.06.090; and creating a new section.

Referred to Committee on Transportation.

SB 5130 by Senators Haugen and Shin

AN ACT Relating to prohibiting commercial motor vehicles in express lanes during peak hours; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

SB 5131 by Senators Haugen, King and White

AN ACT Relating to expanding certain public facilities eligible to be credited against the imposition of impact fees; and reenacting and amending RCW 82.02.090.

Referred to Committee on Transportation.

SB 5132 by Senators Prentice, Tom and Kline

AN ACT Relating to residential habilitation centers; amending RCW 71A.10.020, 71A.10.030, 71A.10.050, 71A.12.020, 71A.20.010, 71A.20.020, 71A.20.080, 71A.20.150, 71A.20.170, 72.01.050, 72.05.010, and 28A.190.020; repealing RCW 71A.20.070 and 28B.30.810; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5133 by Senators Schoesler, Baumgartner and Delvin

AN ACT Relating to using state correctional facility populations to determine population thresholds for certain local government purposes; and amending RCW 35A.12.010, 35A.13.010, and 47.26.345.

Referred to Committee on Government Operations, Tribal Relations & Elections.

SB 5134 by Senator Hatfield

AN ACT Relating to historic vessels; amending RCW 88.02.560, 88.02.560, and 82.49.010; reenacting and amending RCW 88.02.310; adding a new section to chapter 88.02 RCW; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

SB 5135 by Senators Kohl-Welles, Holmquist Newbry, King, Honeyford, Schoesler, Becker, Hobbs, Rockefeller, Baumgartner, Hill, Litzow and Benton

AN ACT Relating to responding to the current economic conditions by temporarily modifying the unemployment insurance program; amending RCW 50.22.010, 50.22.155, and 50.29.025; creating a new section; and declaring an emergency.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 5136 by Senators Kastama, Tom, Hobbs, Chase, Rockefeller, Haugen, McAuliffe, Shin, Hargrove, Harper, Hatfield, Zarelli and Litzow

AN ACT Relating to establishing the first Washington nonprofit online university; adding a new section to chapter 28B.76 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 5137 by Senators Pridemore, Swecker and Regala

AN ACT Relating to hearings for street vacations; and amending RCW 35.79.030.

Referred to Committee on Government Operations, Tribal Relations & Elections.

SJR 8200 by Senators Shin, Chase, Hargrove, Harper, Prentice, Rockefeller, Holmquist Newbry, Fraser and Sheldon

Amending the Washington state Constitution so that judges may retire at the expiration of his or her term of office after attaining the mandatory retirement age.

Referred to Committee on Judiciary.

SJR 8201 by Senators Stevens, Schoesler, Morton and Honeyford

Amending Article XXVI of the state Constitution.

Referred to Committee on Natural Resources & Marine Waters.

SJR 8202 by Senators Zarelli, Benton, Murray and Kilmer

Authorizing the reduction of public officials' salaries.

Referred to Committee on Ways & Means.

SJR 8203 by Senators Kilmer, Zarelli, Tom, Murray, Kastama, Keiser, Rockefeller, Regala, Conway, Hobbs, Shin, McAuliffe and Litzow

Amending the Constitution to allow for public official salary reductions.

Referred to Committee on Ways & Means.

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 exceptions of Senate Bill No. 5126 which was referred to the Committee on Ways & Means; Senate Bill No. 5129 and Senate Bill No. 5131 which were referred to the Committee on Transportation; and Senate Bill No. 5132 which was referred to the Committee on Health & Long-Term Care.

MOTION

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

MOTION

Senator Kohl-Welles moved adoption of the following resolution:

SENATE RESOLUTION 8605

By Senators Kohl-Welles, Eide, Delvin, Fraser, Regala, Kastama, Conway, Pridemore, Holmquist Newbry, Tom, Zarelli, Rockefeller, Chase, Brown, Kilmer, Murray, Parlette, Pflug, Schoesler, Stevens, Haugen, McAuliffe, White, Swecker, and Ranker

WHEREAS, President Obama has proclaimed January 2011 National Slavery and Human Trafficking Prevention month; and

WHEREAS, The United States Department of Health and Human Services and the United States Department of Justice estimates that between 14,500 and 17,500 people are trafficked into the United States each year, with 50 percent of those being children; and

WHEREAS, Of the people trafficked internationally, an estimated 46 percent of those are for the purpose of prostitution, 27 percent for domestic servitude, 10 percent to work in agriculture, and 5 percent to work in factories; and

WHEREAS, Human trafficking is not only an international problem with persons being smuggled into the United States or having received false promises about the work they will do, but also a domestic one that devastates the lives of women, children, and men in our own communities through labor and sex trafficking activities, often involving the commercial sexual abuse of minors; and

WHEREAS, Early awareness of this problem in Washington state came about because federal experts determined Seattle to be one of the ten human trafficking hotspots with people being smuggled into Seattle's ports in containerhips from Asia for labor, and the high-profile murders of "mail-order brides" (Suzanna

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Remata Blackwell and Anastasia King) and the enforced servitude of another (Helen Clemente); and

WHEREAS, Washington state has been in the forefront, nationally, in the fight against human trafficking since 2001 under the leadership of former State Representative Velma Veloria working with community organizations, such as the Asian & Pacific Islander Women & Family Safety Center, in convening a conference on human trafficking with the University of Washington Women's Center, and, in 2002, leading the efforts in creating in statute the nation's first state task force against the trafficking of persons, and in 2003 in creating the crime of trafficking, the first in the United States; and

WHEREAS, In every legislative session since, funding has been made available and/or trafficking laws have been strengthened by specifying penalties for violations of the criminal trafficking statute; regulating the mail-order bride industry; establishing protocols for providing services to victims of trafficking; providing funds to be used in providing legal aid to undocumented immigrants who are victims of sexual assault, domestic violence, or human trafficking; restricting sex tourism; adding victims of trafficking to the Secretary of State's address confidentiality program; creating and strengthening penalties for a new criminal category for the commercial sexual abuse of a minor and for providing training for law enforcement officers through the Criminal Justice Training Commission; requiring domestic employers and international labor brokers to disclose federal and state labor laws to employees and requiring dissemination of information on trafficking to health care providers; and in authorizing antitrafficking posters to be placed in state highway rest stops; and

WHEREAS, Former Congresswoman Linda Smith, founder and President of Shared Hope International, is a strong advocate against human trafficking and the commercial sexual abuse of minors and leads the Protected Innocence Initiative, which utilizes a holistic strategy to promote zero tolerance for child sex trafficking; and

WHEREAS, Rani and Trong Hong, founders of the Tronie Foundation, were victims of sex trafficking, whose courage to tell their stories has raised awareness of issues of human trafficking in the United States Congress and in legislative bodies around the world, and who opened the state's first shelter for trafficking victims; and

WHEREAS, Human traffickers use many physical and psychological techniques to control their victims, including the use of violence or threats of violence against the victim or the victim's family, isolation from the public, isolation from the victim's family and religious or ethnic communities, language and cultural barriers, shame, control of the victim's possessions, confiscation of passports and other identification documents, and threats of arrest, deportation, or imprisonment if the victim attempts to reach out for assistance or leave; and

WHEREAS, Thursday, January 13, 2011, was Washington Antitrafficking Engagement Day, an event to raise awareness and encourage advocacy on the issue of human trafficking at the Washington State Legislature;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize those people and organizations

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that fight daily against the scourge of human trafficking, and encourage others to observe the National Slavery and Human Trafficking Prevention month with appropriate ceremonies and activities to combat human trafficking; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to former Representative Velma Veloria; the Asian & Pacific Islander Women & Family Safety Center; the Department of Commerce's Office of Crime Victims Advocacy; Dr. Sutapa Basu, Executive Director of the University of Washington Center for Research on Women; the Washington Advisory Committee on Trafficking (WashACT); former State Senator Linda Smith and Shared Hope International; Attorney General Rob McKenna who convened summits in combating human trafficking in Washington; Seattle Against Slavery; the Refugee Women's Alliance; New Horizons Ministries; the City of Seattle Division of Violence & Sexual Assault Prevention; the Not for Sale Campaign; The Polaris Project; the Washington Anti-Trafficking Response Network; the National Human Trafficking Resource Center; Rani Hong with the Tronie Foundation; Soroptomists International; and the Seattle Bridge Program.

Senators Kohl-Welles and Delvin spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8605.

The motion by Senator Kohl-Welles carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUEST

The President welcomed and introduced Rose Gunderson, Legislative Director, Washington Anti-Trafficking Engagement Day who was seated in the gallery.

SIGNED BY THE PRESIDENT

The President signed:

HOUSE CONCURRENT RESOLUTION 4400,
HOUSE CONCURRENT RESOLUTION 4401,
HOUSE CONCURRENT RESOLUTION 4403.

MOTION

At 10:22 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Monday, January 17, 2011.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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