SEVENTEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, January 25, 2012

The Senate was called to order at 10:00 a.m. by the President Pro Tempore. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exception of Senators Benton, Kastama, McAuliffe, Murray, Ranker and Sheldon.

The Sergeant at Arms Color Guard consisting of Pages Alexander Wade and Benton Coblentz, presented the Colors. Pastor Jonathan Cross of Center Point Church of Eatonville offered the prayer.

REMARKS BY SENATOR PRENTICE

Senator Prentice: "This morning it is the President's privilege, as it is every year, to welcome our State's Dairy Ambassador to the Senate for Dairy Day."

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced, the Dairy Queen Ambassadors, Shannon Rodeffer, 2011-2012 Washington State Dairy Ambassador; Emily Neff 2011-2012 Washington State Alternate Dairy Ambassador and Kristen Wedam 2011-2012 Washington State Alternative Dairy Ambassador who were seated at the rostrum.

With permission of the Senate, business was suspended to allow Dairy Ambassador Shannon Rodeffer to address the Senate.

REMARKS BY MISS SHANNON RODEFFER

Shannon Rodeffer: "Good morning, my name is Shannon Rodeffer, I'm eighteen years old. I spent my childhood on my family's dairy farm in Snohomish and I'm a proud ambassador for milk and the dairy industry. The best part of my job as the Washington State Dairy Ambassador is promoting our nutritious and delicious dairy products made from some of the highest quality milk in the nation. The dairy farmers of Washington promote healthy eating by spreading the word about how important it is to get three servings of dairy products each day for building bones, strong bones and teeth. We encourage young people to make smart choices about what they eat and to get plenty of physical activity. We support breakfast programs in our schools so that children may develop healthy habits instead of skipping breakfast as many kids do. Our farms create jobs, stimulate economic activity and even generate electricity. The dairy industry is Washington's second largest agricultural enterprise with an economic impact of over 2.3 billion dollars a year. A dairy operates every day and night even, farmers don't typically know what weekends are. We love our cows and what we do. No matter how exhausting or how bad the weather may be. We have generations of experience behind us but we also embrace new practices and technologies. Each of you are asked to vote on items that significantly impact us, yet some of you may not know much about what we do. I encourage you to talk to a farmer about how we take care of our animals, the land and ensure pure products for consumers. I invite you to review the video clips that we have put together about our farming practices on wadairy.com in the farmers spot light section. I really believe you will find these informative or better yet let us arrange for you and your family to visit one of our farms so you can learn firsthand about what we do and why we do. Thank you so much

for this opportunity to speak with you this morning. I hope to see you at a local dairy event or a fair in the future and I invite you all to join us in the Rotunda at noon for some delicious ice cream. Thank you."

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced members of the Washington State Dairy Women and County Dairy Ambassadors who were seated in the gallery.

PERSONAL PRIVILEGE

Senator Becker: "Thank you Madam President. Well, I'd like to stand up and say I'm so excited to see this group here. It's near and dear to my heart. I grew up on a dairy farm near Enumclaw and I see people up here that I know and two years ago, or year before last I actually I had the privilege and the pleasure to judge the Dairy Ambassador contest and I have to tell you it probably was one of the most difficult but one of the most exciting things that I have done. Growing up on a dairy farm is probably, from my perspective anyway, one of the healthiest ways you can grow up. You learn about life, you learn about death, you lose your calf, you learn about everything to do with how a farm goes on. I wish in our schools actually that we can have every child have an opportunity to see a dairy farm in the everyday working mode. Thank you for letting me talk about how special I think this group is. Thank you."

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 23, 2012

<u>SB 5188</u> Prime Sponsor, Senator Becker: Harmonizing certain traffic control signal provisions relative to yellow change intervals and certain fine amount limitations. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5188 be substituted therefor, and the second substitute bill do pass. Signed by Senators Haugen, Chair; Fain; Delvin; Ericksen; Frockt; Hill; Litzow; Prentice; Ranker; Rolfes; Sheldon; Shin and Swecker.

Passed to Committee on Rules for second reading.

January 24, 2012

<u>SB 5381</u> Prime Sponsor, Senator Prentice: Adjusting voting requirements for emergency medical service levies. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5381 be substituted therefor, and the substitute bill do

pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase and Nelson.

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

Passed to Committee on Rules for second reading.

January 24, 2012

SSB 5553 Prime Sponsor, Committee on Government Operations, Tribal Relations & Elections: Requiring public agencies, special purpose districts, and municipalities to post certain information on their web sites. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: That Second Substitute Senate Bill No. 5553 be substituted therefor, and the second substitute bill do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 24, 2012

SB 6000 Prime Sponsor, Senator Harper: Concerning deposit and investment provisions for the prearrangement trust funds of cemetery authorities. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6000 be substituted therefor, and the substitute bill do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 23, 2012

SB 6038 Prime Sponsor, Senator Delvin: Excluding permanent school building space used for STEM schools from eligibility determinations for state school plant funding assistance. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6038 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Rolfes, Vice Chair; Litzow; Eide; Fain; Harper; Hill; Hobbs; King; Nelson and Tom.

Passed to Committee on Rules for second reading.

January 23, 2012

 $\underline{\text{SB }6041}$ Prime Sponsor, Senator McAuliffe: Regarding lighthouse school programs. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 6041 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Rolfes, Vice Chair; Litzow; Eide; Fain; Harper; Hill; Hobbs; King; Nelson and Tom.

Passed to Committee on Rules for second reading.

January 24, 2012

SB 6079 Prime Sponsor, Senator Schoesler: Exempting officers and employees of the Washington state institute for public policy from state civil service law. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 23, 2012

<u>SB 6081</u> Prime Sponsor, Senator Haugen: Authorizing counties and ferry districts operating ferries to impose a vessel replacement surcharge on ferry fares sold. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6081 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Eide, Vice Chair; King; Fain; Delvin; Ericksen; Frockt; Hill; Hobbs; Litzow; Prentice; Ranker; Rolfes; Sheldon; Shin and Swecker.

Passed to Committee on Rules for second reading.

January 24, 2012

<u>SB 6089</u> Prime Sponsor, Senator Pridemore: Requiring sponsor identification on certain telephone campaign advertising. Reported by Committee on Government Operations, Tribal Relations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Pridemore, Chair; Prentice, Vice Chair; Swecker; Chase; Nelson and Roach.

Passed to Committee on Rules for second reading.

January 23, 2012

<u>SB 6112</u> Prime Sponsor, Senator Eide: Concerning the use of alternative traction devices on tires under certain conditions. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6112 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Eide, Vice Chair; King; Fain; Delvin; Ericksen; Frockt; Hill; Hobbs; Litzow; Prentice; Ranker; Rolfes; Sheldon; Shin and Swecker.

Passed to Committee on Rules for second reading.

January 23, 2012

<u>SB 6171</u> Prime Sponsor, Senator Haugen: Modifying the weight limitation for certain vessels exempt from the pilotage act. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Eide, Vice Chair; King; Fain; Delvin; Ericksen; Frockt; Hill; Hobbs; Litzow; Prentice; Ranker; Sheldon; Shin and Swecker.

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

Passed to Committee on Rules for second reading.

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<u>SB 6221</u> Prime Sponsor, Senator Haugen: Concerning state capital funding of health and safety improvements at agricultural fairs. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Hatfield, Chair; Shin, Vice Chair; Honeyford; Becker; Delvin; Haugen; Hobbs and Schoesler.

Passed to Committee on Rules for second reading.

January 24, 2012

<u>SB 6291</u> Prime Sponsor, Senator Harper: Concerning the sealing of juvenile records. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Carrell; Harper and Padden.

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 third order of business.

MESSAGE FROM THE GOVERNOR GUBERNATORIAL APPOINTMENTS

November 14, 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.

LISA CHIN, appointed October 3, 2011, for the term ending September 30, 2016, as Member, Board of Trustees, College District No. 8 (Bellevue College).

Sincerely,

CHRISTINE O. GREGOIRE, Governor Referred to Committee on Higher Education & Workforce

Development.

MOTION

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

MOTION

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

INTRODUCTION AND FIRST READING

<u>SB 6467</u> by Senators Hobbs, Shin, Swecker, Haugen, Rolfes, Fraser, Prentice, Kohl-Welles and McAuliffe

AN ACT Relating to making Japanese-Americans interned during World War II eligible for former prisoner of war license plates; and amending RCW 46.18.235.

Referred to Committee on Transportation.

SB 6468 by Senators Kilmer, Schoesler, Tom, Murray, Harper, Conway and Shin

AN ACT Relating to policies governing investments by state research universities; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education & Workforce Development.

<u>SB 6469</u> by Senators Hill, Chase, McAuliffe, Kastama and Tom

AN ACT Relating to fire hydrant services provided by local governments; amending RCW 35.92.010 and 57.08.005; adding a new section to chapter 57.08 RCW; and creating a new section.

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

SB 6470 by Senators McAuliffe and Chase

AN ACT Relating to benefit charges for the enhancement of fire protection services; and adding a new section to chapter 35.13 RCW.

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

SB 6471 by Senators Rolfes and Ericksen

AN ACT Relating to license plates on the front of vehicles; amending RCW 46.16A.200; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

SB 6472 by Senators Harper, Honeyford, Kline and Shin

AN ACT Relating to disclosure of carbon monoxide alarms in real estate transactions; amending RCW 64.06.020, 64.06.013, and 19.27.530; and creating new sections.

Referred to Committee on Financial Institutions, Housing & Insurance.

<u>SB 6473</u> by Senators Kastama, Chase, Conway, Shin and Kohl-Welles

AN ACT Relating to shared work; amending RCW 50.60.010; adding a new section to chapter 50.60 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Labor, Commerce & Consumer Protection

SB 6474 by Senators Keiser and Fain

AN ACT Relating to changing sales tax sourcing from destination based to origin based if congress does not enact legislation requiring remote sellers to collect sales tax; amending RCW 82.14.020 and 82.14.390; creating a new section; repealing RCW 82.14.490, 82.14.495, 82.14.500, 82.32.730, 82.32.755, and 82.32.760; and providing a contingent effective date.

Referred to Committee on Ways & Means.

<u>SB 6475</u> by Senators Hobbs, Kohl-Welles, Honeyford and Holmquist Newbry

AN ACT Relating to the beer and wine tasting endorsement for grocery stores; and amending RCW 66.24.363.

Referred to Committee on Labor, Commerce & Consumer Protection.

<u>SB 6476</u> by Senators Kohl-Welles, Conway, Nelson, Keiser and Chase

AN ACT Relating to plumbing contractors; amending RCW 18.106.010, 18.106.020, 18.106.100, 18.106.150, 18.106.180, 18.106.220, 18.106.270, and 18.106.320; adding new sections to chapter 18.106 RCW; and prescribing penalties.

Referred to Committee on Labor, Commerce & Consumer Protection.

<u>SB 6477</u> by Senators Conway, Holmquist Newbry and Kohl-Welles

AN ACT Relating to spirits sampling in former contract liquor stores; amending RCW 66.08.050, 66.08.050, and 66.08.030; adding a new section to chapter 66.16 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Labor, Commerce & Consumer Protection.

<u>SB 6478</u> by Senators Fraser, Schoesler, Prentice, Honeyford, Chase, Keiser, Roach and Shin

AN ACT Relating to submission of DNA markers to a database accessible only to qualified laboratory personnel; amending RCW 43.43.753, 43.43.735, 43.43.740, 43.43.754, 46.63.110, and 43.43.690; adding a new section to chapter 43.43 RCW; adding a new section to chapter 70.48 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Human Services & Corrections.

SB 6479 by Senators Swecker and Haugen

AN ACT Relating to technical corrections to certain vehicle and vessel title and registration provisions; amending RCW 15.80.530, 46.08.065, 46.10.420, 46.12.675, 46.16A.090, 46.17.350, 46.18.280, 46.19.050, 46.20.220, 46.20.349, 46.30.020, 46.52.020, 46.55.030, 46.61.723, 46.61.725, 46.63.060, 46.68.425, 46.71.080, 46.85.060, 46.87.070, 46.87.310, 46.87.400, 69.43.010, 70.160.070, 82.38.100, and

88.02.530; reenacting and amending RCW 46.18.060, 46.70.011, and 88.02.640; adding new sections to chapter 46.04 RCW; creating a new section; recodifying RCW 46.04.622, 46.04.62250, 46.04.630, and 46.04.650; and repealing RCW 46.04.62240, 46.04.62260, and 46.18.050.

Referred to Committee on Transportation.

<u>SB 6480</u> by Senators King, Schoesler and Holmquist Newbry

AN ACT Relating to employers who pay the prevailing wage on public works; and amending RCW 39.12.015 and 39.12.040.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 6481 by Senator Becker

AN ACT Relating to the expiration of provisions concerning managed health care systems' participation in the basic health plan; and reenacting and amending RCW 70.47.100.

Referred to Committee on Health & Long-Term Care.

<u>SB 6482</u> by Senators Nelson, Conway, Kohl-Welles, Chase, McAuliffe and Keiser

AN ACT Relating to assessing a two percent tax on millionaires to fund the paramount duty trust fund and reduce class sizes in grades kindergarten through fourth; adding a new chapter to Title 82 RCW; and prescribing penalties.

Referred to Committee on Ways & Means.

SB 6483 by Senators King, Holmquist Newbry, Honeyford, Parlette and Padden

AN ACT Relating to criminal activities occurring at rental properties; amending RCW 9A.52.070, 59.04.050, and 59.18.075; and creating a new section.

Referred to Committee on Judiciary.

SB 6484 by Senators Hatfield, Morton and Shin

AN ACT Relating to livestock inspection; amending RCW 16.57.160 and 16.57.220; and repealing RCW 16.57.303.

Referred to Committee on Agriculture, Water & Rural Economic Development.

<u>SB 6485</u> by Senators Fain, Holmquist Newbry, Hill, Litzow, Schoesler, Honeyford, Ericksen, Hargrove and Hewitt

AN ACT Relating to limiting the exceptions to the general rule of several or proportionate liability; amending RCW 4.22.015 and 4.22.070; creating new sections; and declaring an emergency.

Referred to Committee on Judiciary.

<u>SB 6486</u> by Senators Kohl-Welles, Conway, Chase, Keiser, Harper, Prentice, Nelson, Pridemore, Kline, Murray and Frockt

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AN ACT Relating to collective bargaining for postdoctoral researchers at certain state universities; and adding a new section to chapter 41.56 RCW.

Referred to Committee on Labor, Commerce & Consumer Protection.

<u>SB 6487</u> by Senators Frockt, Nelson, Conway, Rolfes, Shin, Pridemore and Hobbs

AN ACT Relating to intermodal container chassis; adding a new section to chapter 46.32 RCW; and providing an effective date.

Referred to Committee on Transportation.

SJR 8223 by Senators Kilmer, Schoesler, Tom, Murray, Harper, Conway, Shin and McAuliffe

Amending the Constitution to provide clear authority to state research universities to invest funds as authorized by law, including investment in stocks or bonds issued by any company.

Referred to Committee on Higher Education & Workforce Development.

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. 6473 which was referred to the Committee on Labor, Commerce & Consumer Protection.

MOTION

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

MOTION

Senator Hewitt moved adoption of the following resolution:

SENATE RESOLUTION 8671

By Senators Hewitt, Litzow, Parlette, Fraser, Schoesler, Kohl-Welles, Shin, Hill, McAuliffe, Swecker, Brown, Morton, Ericksen, Delvin, Stevens, Becker, Murray, Fain, and Zarelli

WHEREAS, Slade Gorton, born in 1928, after graduating from Dartmouth and Columbia, and after serving in the United States Army and United States Air Force, went on to lead a life of matchless service to the citizens of Washington and to this country; and

WHEREAS, Slade Gorton married Sally Clark, from Yakima, his wife and teammate of 53 years, whose dedication has made possible his contributions to the general public welfare; and

WHEREAS, Slade Gorton, first elected to the Washington House of Representatives in 1958, subsequently rose to become the Majority Leader of the House; and

WHEREAS, Slade Gorton's tireless work on redistricting, which has shaped the political landscape of Washington for decades

and will continue to shape its future, and his advocacy for equality in representation has ensured parity and vitality in our democratic process; and

WHEREAS, Slade Gorton became an early champion of Puget Sound environmental stewardship, stringent fuel economy standards, the Mountains to Sounds Greenway National Scenic Byway, salmon recovery, and Columbia River Gorge preservation; and

WHEREAS, Slade Gorton would serve three terms as Attorney General of Washington, appearing before the bench of the United States Supreme Court fourteen times, offering the best arguments before the Supreme Court of any attorney general in America; and

WHEREAS, His work on behalf of the citizens of Washington as Attorney General not only included serving as a faithful consumer advocate, but also brought professional baseball back to the Northwest, and later helped erect Safeco Field; and

WHEREAS, Slade Gorton would serve three terms in the United States Senate, where during his tenure there would be no greater intellectual adversary in opposition, or better champion as an ally, where he distinguished himself in matters of deficit reduction, and where, as chairman of the Interior Appropriations Subcommittee, and through pioneering education reform, he worked to enfranchise rural Washingtonians, and offered us many other notable accomplishments; and

WHEREAS, His work on the 9-11 Commission resulted in a clearer, distilled understanding of the tragedy, its causes, and strengthened our national security through its substantive recommendations; and

WHEREAS, His legacy of service continues through the Slade Gorton International Policy Center and the informal Gorton School of Public Affairs, which advanced the careers of countless women through employment in public service; and

WHEREAS, The civic accomplishments born of Senator Gorton's energy, drive, and talent, extend throughout this state, to every corner, where such work is clearly evidenced;

NOW, THEREFORE, BE IT RESOLVED, That it is with the greatest respect, that the Washington State Senate honor the accomplishments of a statesman of outstanding courage, who represented our state with integrity, dignity, determination, and conviction, whose leadership so enriched our great state and its citizens, who has given Washingtonians a full life in service, our former House Majority Leader, Attorney General, and United States Senator, whose wisdom serves us still, Slade Gorton.

Senators Hewitt, Hargrove, Haugen, Parlette, Fraser and Fain spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8671.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Senator Slade Gorton, wife Sally and daughter Mrs. Betsy Jack, who were seated at the rostrum.

REMARKS BY SENATOR SLADE GORTON

Senator Slade Gorton: "This is an honor and unexpected as it is welcomed particularly as a former member of the other house to be welcome here in the State Senate is especially notable. For each of you who has spoken, for Senator Hewitt who appointed me to the most recent position, to really two Senators who represent me both and Clyde Hill and the Senator from the Tenth district, I thank for her gracious remarks. For me, of course, coming back to Olympia is a homecoming. Sally and I lived here

for more than the twelve years that I was the Attorney General. Becky and her siblings were brought up and went to school in this community so this past year of many trips to Olympia has been a matter of deja vu from my perspective. I can say, now that it is over, except for one formality on your part, 'I hope that all of you are reasonably pleased with your districts."

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced members of the Consular Corps, Deputy Consul Yeonghan Choi of the Republic of Korea and Consul General Miguel Velaszuez of the Republic of Peru who were seated in the gallery.

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced students from South Korea who were seated in the gallery.

MOTION

At 10:32 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, January 26, 2012.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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