

FORTY FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, February 24, 2010

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 Senators Brown, Fairley, Marr, McCaslin, Oemig, Prentice, Ranker, Roach and Tom.

The Sergeant at Arms Color Guard consisting of Pages Shauna Dowlen and Johnathan Taylor-Kantz, presented the Colors. Imam Bejamin Shabbazz of the Ali-Islam Center 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

February 22, 2010

SB 6409 Prime Sponsor, Senator Kastama: Creating the Washington investment in excellence account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 6409 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley; Hobbs; Keiser; Kline; Kohl-Welles; Murray; Oemig; Pridemore and Rockefeller.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zarelli; Brandland; Carrell; Honeyford; Parlette; Pflug and Schoesler.

Passed to Committee on Rules for second reading.

February 22, 2010

SB 6748 Prime Sponsor, Senator Tom: Concerning the business and occupation taxation of newspaper-labeled supplements. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hobbs; Kline; Kohl-Welles; Murray; Parlette; Pflug; Pridemore and Regala.

MINORITY recommendation: Do not pass. Signed by Senators McDermott and Rockefeller.

Passed to Committee on Rules for second reading.

February 22, 2010

SB 6844 Prime Sponsor, Senator Prentice: Streamlining lottery accounts by transferring local accounts into the treasury

custodial accounts, directing transfers of unclaimed prize money, and eliminating obsolete provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6844 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Fairley; Hobbs; Keiser; Kline; Kohl-Welles; McDermott; Murray; Pridemore; Regala and Rockefeller.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Zarelli; Brandland; Carrell; Parlette; Pflug and Schoesler.

Passed to Committee on Rules for second reading.

February 22, 2010

2SHB 1162 Prime Sponsor, Committee on Education Appropriations: Providing for social emotional learning in public schools. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Kauffman, Vice Chair, Early Learning; Oemig, Vice Chair, K-12; Gordon; Hobbs and McDermott.

MINORITY recommendation: Do not pass. Signed by Senators King; Holmquist and Roach.

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

Passed to Committee on Rules for second reading.

February 23, 2010

E2SHB 1317 Prime Sponsor, Committee on Ways & Means: Regarding the disclosure of public records containing information used to locate or identify employees of criminal justice agencies. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott and Swecker.

Passed to Committee on Rules for second reading.

February 23, 2010

SHB 1913 Prime Sponsor, Committee on Judiciary: Changing provisions relating to process servers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 23, 2010

HB 2398 Prime Sponsor, Representative Hunt: Modifying election notice provisions. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass as amended. Signed by Senators Fairley, Chair; Oemig, Vice Chair; McDermott and Swecker.

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

Passed to Committee on Rules for second reading.

February 23, 2010

HB 2428 Prime Sponsor, Representative Takko: Concerning fees for locating surplus funds from county governments, real estate property taxes, assessments, and other government lien foreclosures or charges. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

Passed to Committee on Financial Institutions, Housing & Insurance.

February 23, 2010

ESHB 2496 Prime Sponsor, Committee on State Government & Tribal Affairs: Modifying ballot design provisions. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

February 23, 2010

SHB 2580 Prime Sponsor, Committee on Education: Concerning secondary career and technical education courses. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Hewitt; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

2SHB 2603 Prime Sponsor, Committee on Ways & Means: Requiring agencies to give small businesses an opportunity to comply with a state law or agency rule before imposing a penalty. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

Passed to Committee on Economic Development, Trade & Innovation.

February 23, 2010

HB 2638 Prime Sponsor, Representative McCoy: Regarding instructional materials provided in a specialized format. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Hewitt; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

HB 2694 Prime Sponsor, Representative Sells: Regarding a bachelor of science in nursing program at the University Center. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Hewitt; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Ways & Means.

February 23, 2010

SHB 2768 Prime Sponsor, Committee on Public Safety & Emergency Preparedness: Requiring background investigations for peace officers and reserve officers as a condition of employment. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 23, 2010

HB 2973 Prime Sponsor, Representative Orcutt: Creating resident student classifications for certain members of the military and their spouses and dependents. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: Do pass. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Hewitt; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 22, 2010

SHB 3066 Prime Sponsor, Committee on Finance: Creating uniformity among annual tax reporting survey provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli; Brandland; Carrell; Fairley; Hobbs; Honeyford; Keiser; Kline; Kohl-Welles; McDermott; Murray; Oemig; Parlette; Pflug; Pridemore; Regala; Rockefeller and Schoesler.

Passed to Committee on Rules for second reading.

February 23, 2010

FORTY FIFTH DAY, FEBRUARY 24, 2010

2010 REGULAR SESSION

HJM 4025 Prime Sponsor, Representative O'Brien: Honoring Vietnam veterans. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach; McDermott; Pridemore and Swecker.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS

February 23, 2010

SGA 9239 CHARLENE D STRONG, appointed on February 9, 2009, for the term ending June 17, 2012, as Member of the Human Rights Commission. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9253 VANESSA R GASTON, appointed on September 14, 2009, for the term ending June 17, 2014, as Member of the Human Rights Commission. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Regala, Vice Chair; Carrell; Gordon and Kohl-Welles.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9259 LAURA JENNINGS, reappointed on December 10, 2009, for the term ending September 30, 2015, as Member of the Board of Regents, Washington State University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9262 GAYATRI J EASSEY, appointed on October 12, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Seattle, So. Seattle and No. Seattle Community Colleges District No. 6. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9263 ORIN SMITH, appointed on December 10, 2009, for the term ending September 30, 2015, as Member of the Board of Regents, University of Washington. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9266 THOMAS C MOSER, reappointed on October 1, 2005, for the term ending September 30, 2010, as Member of the Board of Trustees, Skagit Valley Community College District No. 4. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9270 JAQUELINE B ROSENBLATT, appointed on October 6, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Pierce Community College District No. 11. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9271 KATE REARDON, appointed on June 1, 2009, for the term ending September 30, 2011, as Member of the Board of Trustees, Central Washington University. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

February 23, 2010

SGA 9273 IRA SENGUPTA, reappointed on December 9, 2009, for the term ending September 30, 2014, as Member of the Board of Trustees, Renton Technical College District No. 27. Reported by Committee on Higher Education & Workforce Development

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kilmer, Chair; Kastama, Vice Chair; Becker; Jacobsen; McAuliffe; Pflug; Shin; Stevens and Tom.

Passed to Committee on Rules for second reading.

MOTION

On motion of Franklin, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of House Bill No. 2694 which was referred to the Committee on Ways & Means.

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

February 12, 2010

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.

STANLEY M. SORSCHER, appointed February 12, 2010, for the term ending October 1, 2010, as Member of the Small Business Export Finance Assistance Center Board of Directors.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Economic Development, Trade & Innovation.

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 fourth order of business.

MESSAGE FROM THE HOUSE

February 23, 2010

MR. PRESIDENT:

The Speaker has signed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 6130, 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 6873 by Senators Murray, Kline, Kohl-Welles, Regala, Ranker, Keiser, Fairley, Oemig, Fraser and Jacobsen

AN ACT Relating to increasing state revenues to preserve funding for essential public services by preventing abusive tax avoidance transactions, narrowing or eliminating certain

tax preferences, and providing equitable tax treatment; amending RCW 82.04.220, 82.04.2907, 82.04.460, 82.32.090, 82.12.020, 82.45.033, 82.45.070, 82.45.080, 82.45.100, 82.45.220, 43.07.390, 82.04.4292, 82.08.0273, 82.04.423, 82.04.4266, 82.04.250, 82.04.250, 82.04.298, 82.04.334, 82.04.4463, 82.08.806, 82.32.545, 82.32.550, 82.32.630, 82.32.632, 82.45.195, 35.102.150, 48.14.080, 82.48.010, 82.48.020, 82.48.030, 82.48.070, 82.48.080, 82.48.110, 82.45.010, 82.45.080, 82.32.145, 82.60.020, 82.62.010, 82.16.020, 82.16.020, 82.04.4282, 82.08.037, 82.12.037, 82.12.010, 82.14.230, 82.16.110, 82.08.890, 82.12.890, 54.28.011, 82.08.010, 82.08.962, and 82.12.962; reenacting and amending RCW 82.45.010, 82.04.260, 82.04.261, 82.04.440, 82.04.360, 82.04.050, and 82.04.050; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.32 RCW; adding a new section to chapter 82.48 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating new sections; repealing RCW 82.04.44525, 82.04.272, 82.04.062, 82.08.811, 82.12.811, and 82.04.394; providing effective dates; providing contingent effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6874 by Senators Tom, Keiser and Kohl-Welles

AN ACT Relating to providing funding for the basic health plan by increasing the taxes on certain tobacco products and facilitating the funding within the state expenditure limit; amending RCW 82.24.020, 82.24.026, and 43.135.035; adding a new section to chapter 70.47 RCW; repealing RCW 82.24.027 and 82.24.028; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6875 by Senators Prentice, Kline and Kohl-Welles

AN ACT Relating to providing funding for levy equalization, state need grants, kindergarten programs, and working families' tax exemptions by increasing revenues and facilitating the funding within the state expenditure limit; amending RCW 82.08.020, 82.08.020, 82.08.0206, and 43.135.035; reenacting and amending RCW 82.08.064; creating a new section; making an appropriation; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6876 by Senator Prentice

AN ACT Relating to regulation of water recreation facilities; amending RCW 70.90.140, 70.90.150, 70.90.160, 70.90.170, 70.90.190, 70.90.200, and 70.90.210; repealing RCW 70.90.125; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6877 by Senators Prentice and Kohl-Welles

AN ACT Relating to newborn screening fees; amending RCW 70.83.023; and providing an effective date.

Referred to Committee on Ways & Means.

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SB 6878 by Senators Prentice and Kline

AN ACT Relating to fees for criminal background checks; amending RCW 43.43.838; and providing an effective date.

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.

MOTION

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

MOTION

Senator Shin moved adoption of the following resolution:

SENATE RESOLUTION
8693

By Senators Shin, Fairley, McAuliffe, Murray, Haugen, Berkey, Kastama, Gordon, Hobbs, Swecker, Schoesler, Delvin, Eide, McDermott, Jacobsen, Becker, Stevens, and Zarelli

WHEREAS, Bastyr University is a nonprofit, accredited institution for higher education, founded in 1978, and located on a 51-acre campus on the north shore of Lake Washington in the City of Kenmore, Washington; and

WHEREAS, Bastyr University is working to transform the health and well-being of the human community through educating the world's future leaders in the natural health arts and sciences; and

WHEREAS, Bastyr University is internationally recognized as a pioneer in the natural health arts and sciences, modeling an integrated approach to research, education, and clinical service; and

WHEREAS, Bastyr University respects the healing power of nature and offers a multidisciplinary curriculum that combines the pursuit of scientific knowledge with the wisdom of ancient healing methods from around the world; and

WHEREAS, Bastyr University was the first natural health arts and sciences university in the country to receive funding for complementary and alternative medicine research from the National Institutes of Health; and

WHEREAS, Bastyr University has completed more than 80 research studies and has been instrumental in increasing the amount of research activity in the field of natural health sciences; and

WHEREAS, Bastyr University's teaching clinic, Bastyr Center for Natural Health, is the largest natural health clinic in the Northwest, with more than 35,000 annual patient visits; and

WHEREAS, Bastyr University is committed to a sustainable health care model and annually provides free healthcare services to underserved populations in the greater Seattle area; and

WHEREAS, Bastyr University's commitment to eco-friendly, LEED certified building practices exemplifies the university's role as a leader in natural health arts and sciences education and furthers its mission to enhance the health and well-being of the human community; and

WHEREAS, Bastyr University is an internationally recognized community of scholars, students, and supporters who share a common commitment to the transformation of the health of the human family through education, research, and clinical services;

NOW, THEREFORE, BE IT RESOLVED, That the Senate does hereby recognize the various contributions and lasting legacy made by Bastyr University; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Secretary of the Senate to the Board of Trustees of Bastyr University and Bastyr University President, Dr. Dan Church.

Senators Shin, Keiser, Swecker, Pflug and Jacobsen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8693.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed representatives of Bastyr University, Daniel Church, President; Greg Goode, Chief of Staff; Barrie Cohen, University Trustee; Joseph Pizzorno, Founder and first President; Dr. Less Griffith, University Co-Founder; and other faculty and staff from Bastyr University and David Baker, Mayor of Kenmore, who were seated in the gallery.

MOTION

At 10:23 a.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, February 25, 2010.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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