

SIXTEENTH DAY

NOON SESSION

Senate Chamber, Olympia, Tuesday, January 24, 2012

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

MOTION

On motion of Senator Frockt, 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

SSB 5343 Prime Sponsor, Committee on Agriculture & Rural Economic Development: Concerning air emissions from anaerobic digesters. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Second Substitute Senate Bill No. 5343 be substituted therefor, and the second substitute bill do pass. Signed by Senators Hatfield, Chair; Shin, Vice Chair; Honeyford; Becker; Haugen; Hobbs and Schoesler.

Passed to Committee on Rules for second reading.

January 23, 2012

ESB 5575 Prime Sponsor, Senator Hatfield: Recognizing certain biomass energy facilities as an eligible renewable resource. Reported by Committee on Agriculture, Water & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5575 be substituted therefor, and the substitute bill do pass. Signed by Senators Hatfield, Chair; Shin, Vice Chair; Honeyford; Becker; Haugen; Hobbs and Schoesler.

Passed to Committee on Rules for second reading.

January 23, 2012

SB 6005 Prime Sponsor, Senator Carrell: Exempting certain vehicles from the written estimate requirement for auto repair facilities. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6005 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Keiser and Kline.

Passed to Committee on Rules for second reading.

January 23, 2012

SB 6049 Prime Sponsor, Senator Kastama: Requiring the department of health to establish a cancer drug repository program. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6049 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Becker; Frockt; Kline and Pflug.

Passed to Committee on Ways & Means.

January 23, 2012

SB 6082 Prime Sponsor, Senator Haugen: Regarding the preservation and conservation of agricultural resource lands. Reported by Committee on Agriculture, Water & Rural Economic Development

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

Passed to Committee on Rules for second reading.

January 20, 2012

SB 6100 Prime Sponsor, Senator Hargrove: Updating the administration of the sexual assault grant programs. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6100 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Harper; McAuliffe and Padden.

Passed to Committee on Rules for second reading.

January 23, 2012

SB 6196 Prime Sponsor, Senator Harper: Concerning the identification of wineries, breweries, and microbreweries on private labels. Reported by Committee on Labor, Commerce & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Conway, Vice Chair; Holmquist Newbry; King; Keiser and Kline.

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS

January 23, 2012

SGA 9155 DAVID TROUTT, reappointed on July 30, 2010, for the term ending July 15, 2014, as Member of the Salmon Recovery Funding Board. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012

SGA 9169 JOSHUA BROWN, appointed on April 28, 2011, for the term ending July 15, 2013, as Member of the

Salmon Recovery Funding Board. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9180 BRIAN BLAKE, appointed on November 1, 2011, for the term ending June 30, 2015, as Member of the Pacific Marine Fishery Commission. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9190 MARC DAUDON, appointed on May 18, 2011, for the term ending June 30, 2014, as Member of the Energy Northwest. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9194 BILLY FRANK, JR., reappointed on July 29, 2011, for the term ending June 25, 2015, as Member of the Puget Sound Partnership. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser and Hargrove.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9200 DONALD HOVER, reappointed on July 29, 2011, for the term ending July 15, 2015, as Member of the Salmon Recovery Funding Board. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9202 LAWRENCE KENNEY, reappointed on May 18, 2011, for the term ending June 30, 2014, as Member of the Energy Northwest. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9227 HARRIET A SPANEL, appointed on January 1, 2012, for the term ending December 31, 2014, as Member of the Recreation and Conservation Funding Board. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9228 HARRIET A SPANEL, reappointed on November 1, 2011, for the term ending June 30, 2015, as Member of the Pacific Marine Fishery Commission. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9246 MARK BROWN, appointed on October 10, 2011, for the term ending December 31, 2016, as Member of the Parks and Recreation Commission. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9252 LARRY CARPENTER, appointed on December 6, 2011, for the term ending December 31, 2016, as Member of the Fish and Wildlife Commission. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser; Hargrove and Stevens.

Passed to Committee on Rules for second reading.

January 23, 2012
SGA 9258 RON SIMS, appointed on October 10, 2011, for the term ending June 25, 2014, as Member of the Puget Sound Partnership. Reported by Committee on Energy, Natural Resources & Marine Waters

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Ranker, Chair; Regala, Vice Chair; Morton; Fraser and Hargrove.

Passed to Committee on Rules for second reading.

MOTION

SIXTEENTH DAY, JANUARY 24, 2012

2012 REGULAR SESSION

On motion of Senator Frockt, all measures listed on the Standing Committee report were referred to the committees as designated.

MESSAGE FROM THE HOUSE

January 23, 2012

MOTION

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

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

January 23, 2012

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.

KELSEY E. KNOWLES, appointed July 5, 2011, for the term ending June 30, 2012, as Member, Board of Regents, University of Washington.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education & Workforce Development.

January 23, 2012

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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

HERB SIMON, reappointed January 17, 2012, for the term ending September 30, 2017, as Member, Board of Regents, University of Washington.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education & Workforce Development.

MOTION

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

MOTION

On motion of Senator Frockt, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

January 23, 2012

MR. PRESIDENT:

The House has passed:

- HOUSE BILL NO. 1207,
- SUBSTITUTE HOUSE BILL NO. 1568,
- SUBSTITUTE HOUSE BILL NO. 1650,
- HOUSE BILL NO. 1669,
- SUBSTITUTE HOUSE BILL NO. 1700.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MR. PRESIDENT:

The House has passed:

- SUBSTITUTE HOUSE BILL NO. 1349,
- SECOND SUBSTITUTE HOUSE BILL NO. 1652,
- HOUSE BILL NO. 2138,
- SUBSTITUTE HOUSE BILL NO. 2181,
- SUBSTITUTE HOUSE BILL NO. 2188,
- SUBSTITUTE HOUSE BILL NO. 2194,
- HOUSE BILL NO. 2195,
- SUBSTITUTE HOUSE BILL NO. 2196.

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6450 by Senator Swecker

AN ACT Relating to the voluntary option to purchase qualified energy resources; and reenacting and amending RCW 19.29A.090.

Referred to Committee on Energy, Natural Resources & Marine Waters.

SB 6451 by Senators Swecker and Haugen

AN ACT Relating to modifying certain provisions regarding transportation benefit districts; amending RCW 36.73.065 and 82.80.140; and reenacting and amending RCW 36.73.015.

Referred to Committee on Transportation.

SB 6452 by Senators Haugen, Hobbs, Rolfes and Shin

AN ACT Relating to veterans' assistance levies; amending RCW 73.08.080, 84.52.043, 84.52.043, 84.52.010, 84.52.010, and 84.55.005; creating a new section; providing an effective date; and providing an expiration date.

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

SB 6453 by Senators Haugen and Hobbs

AN ACT Relating to golf cart zones; and amending RCW 46.08.175.

Referred to Committee on Transportation.

SB 6454 by Senators Haugen, Becker and Hobbs

AN ACT Relating to special district general and special elections; and amending RCW 85.38.010 and 85.38.100.

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

SB 6455 by Senators Haugen and Shin

AN ACT Relating to transportation revenue; amending RCW 46.17.355, 46.68.035, 46.17.365, 46.17.350, 46.68.415, 36.73.065, 46.37.420, and 82.08.036; reenacting and amending RCW 43.84.092; adding a new section to chapter 46.08 RCW; adding new sections to chapter 46.68 RCW; adding a new section to chapter 47.66 RCW; adding a new section to chapter 82.80 RCW; adding a new section to chapter 46.37 RCW; adding a new section to chapter 46.17 RCW; creating new sections; prescribing penalties; providing an effective date; and providing a contingent expiration date.

Referred to Committee on Transportation.

SB 6456 by Senators Haugen, Fraser, Kilmer and Shin

AN ACT Relating to prohibiting the use of state funds and tuition fees for intercollegiate athletic expenses at the University of Washington and Washington State University; amending RCW 28B.10.703; and reenacting and amending RCW 28B.15.031.

Referred to Committee on Higher Education & Workforce Development.

SB 6457 by Senators Rolfes, Haugen and Sheldon

AN ACT Relating to the preferential hiring of veterans by the marine division of the department of transportation; and adding a new section to chapter 47.60 RCW.

Referred to Committee on Transportation.

SB 6458 by Senators Schoesler, Haugen, Baumgartner, Hewitt, King, Becker, Zarelli, Hill, Carrell, Litzow, Swecker, Stevens, Fain, Honeyford, Morton, Hargrove, Ericksen, Shin and Sheldon

AN ACT Relating to claims against public entities; amending RCW 4.22.015, 4.22.070, 4.56.115, 4.92.005, 4.96.010, 4.92.040, 4.92.090, and 4.92.130; creating new sections; and declaring an emergency.

Referred to Committee on Judiciary.

SB 6459 by Senators Conway, Schoesler and Hobbs

AN ACT Relating to membership on city disability boards; and amending RCW 41.26.110.

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

SB 6460 by Senators Tom, Hill and Frockt

AN ACT Relating to access to taxpayer-funded educational materials; adding a new section to chapter 28A.345 RCW; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Development.

SB 6461 by Senators Kohl-Welles, Chase, Conway, Nelson, Keiser, Kline and Frockt

AN ACT Relating to drayage truck operators; adding a new section to chapter 49.12 RCW; adding a new section to chapter 49.17 RCW; adding a new section to chapter 49.46 RCW; adding a new section to chapter 49.48 RCW; adding a new section to chapter 49.60 RCW; adding a new section to chapter 50.04 RCW; and creating new sections.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 6462 by Senators Fraser, Carrell, Regala, Stevens, Hargrove and Shin

AN ACT Relating to determination of income and resources for the purposes of eligibility for public assistance; and reenacting and amending RCW 74.04.005.

Referred to Committee on Human Services & Corrections.

SB 6463 by Senators Holmquist Newbry, King, Roach and Padden

AN ACT Relating to the discover pass; and amending RCW 79A.80.020.

Referred to Committee on Energy, Natural Resources & Marine Waters.

SB 6464 by Senators Holmquist Newbry, Schoesler, Hewitt, Hobbs, Fain, Padden, Honeyford, Becker, King, Roach and Parlette

AN ACT Relating to significant legislative rules; and amending RCW 34.05.360.

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

SB 6465 by Senators Holmquist Newbry and Kohl-Welles

AN ACT Relating to raffles exceeding five thousand dollars; and amending RCW 9.46.0315.

Referred to Committee on Labor, Commerce & Consumer Protection.

SB 6466 by Senators Holmquist Newbry, Harper, Hewitt, Hatfield, Kilmer, Fain, Schoesler, Ericksen, Shin, Sheldon, Keiser, Becker, King and Padden

AN ACT Relating to improving program integrity for medicaid and the children's health insurance program by implementing waste, fraud, and abuse prevention, detection, and recovery; and adding a new chapter to Title 74 RCW.

Referred to Committee on Health & Long-Term Care.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1207 by Representative Overstreet

SIXTEENTH DAY, JANUARY 24, 2012

2012 REGULAR SESSION

AN ACT Relating to compliance with Article II, section 12 of the state Constitution; amending RCW 44.04.010; and creating a new section.

28A.657.070, 28A.657.110, and 43.215.005; and reenacting and amending RCW 28A.290.010.

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

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

SHB 1349 by House Committee on Judiciary (originally sponsored by Representative Morris)

AN ACT Relating to private road maintenance agreements; adding a new chapter to Title 64 RCW; and providing an effective date.

SHB 1700 by House Committee on Transportation (originally sponsored by Representatives Fitzgibbon, Angel, Appleton, Armstrong, Rolfes, Johnson, Clibborn, Rivers, Reykdal, Ormsby, Upthegrove, Liias, Billig and Moeller)

AN ACT Relating to modifying the requirements related to designing various transportation projects; amending RCW 35.75.060, 35.78.030, 36.82.145, and 43.32.020; adding a new section to chapter 35.78 RCW; adding a new section to chapter 47.04 RCW; and creating a new section.

Referred to Committee on Judiciary.

Referred to Committee on Transportation.

SHB 1568 by House Committee on Education Appropriations & Oversight (originally sponsored by Representatives Sells, Anderson, Probst, Liias, Upthegrove, Hinkle, Carlyle, Zeiger, Ormsby, Haler, Buys, Hasegawa, Stanford, Maxwell, Springer, Miloscia, Sullivan, Haigh, Hunt, Rolfes, Jacks, Dahlquist, Crouse, Kenney and Moscoso)

HB 2138 by Representatives Ormsby and Bailey

AN ACT Relating to national Korean war veterans armistice day; amending RCW 1.20.017; and reenacting and amending RCW 1.16.050.

AN ACT Relating to appointing student members to the boards of trustees for community colleges and the state board for community and technical colleges; amending RCW 28B.50.100 and 28B.50.050; adding a new section to chapter 28B.50 RCW; and creating a new section.

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

Referred to Committee on Higher Education & Workforce Development.

SHB 2181 by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Dammeier, Orwall, Bailey, Finn, McCune, Sullivan, Klippert, Hudgins, Hope, Hunt, Taylor, Jinkins, Ladenburg, Hansen, Ryu, Maxwell, Asay, Kelley, Kenney, Hurst and Shea)

SHB 1650 by House Committee on Education Appropriations & Oversight (originally sponsored by Representatives Hasegawa, Kenney, Santos, McCoy, Moscoso, Sells, Carlyle, Reykdal, Seaquist, Jacks, Probst, Maxwell and Ormsby)

AN ACT Relating to extending the age for service in the Washington state guard; and amending RCW 38.16.015 and 38.12.180.

AN ACT Relating to state need grant eligibility; and amending RCW 28B.92.080.

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

Referred to Committee on Higher Education & Workforce Development.

SHB 2188 by House Committee on Business & Financial Services (originally sponsored by Representatives Ryu and Parker)

2SHB 1652 by House Committee on Judiciary (originally sponsored by Representatives Frockt, Kenney, Reykdal, Rolfes, Probst, Goodman, Maxwell, McCoy, Jacks, Jinkins, Ryu, Kagi, Ladenburg, Stanford, Hasegawa, Fitzgibbon, Blake, Billig, Roberts, Clibborn, Ormsby, Moscoso, Hudgins and Liias)

AN ACT Relating to air rescue or evacuation services; and amending RCW 48.01.280.

Referred to Committee on Financial Institutions, Housing & Insurance.

AN ACT Relating to electronic impersonation; adding a new section to chapter 4.24 RCW; and creating a new section.

SHB 2194 by House Committee on Judiciary (originally sponsored by Representatives Pedersen, Rodne, Goodman and Kenney)

Referred to Committee on Judiciary.

AN ACT Relating to modifying the manufactured/mobile home landlord tenant act and other related provisions; amending RCW 59.20.060, 59.20.070, 59.20.073, 59.20.080, and 59.20.200; and reenacting and amending RCW 59.30.020.

HB 1669 by Representatives Santos, Parker, Dammeier, McCoy, Kenney, Hasegawa, Moscoso and Maxwell

AN ACT Relating to the educational opportunity gap, including implementing recommendations made by the achievement gap oversight and accountability committee; amending RCW 28A.150.198, 28A.175.025, 28A.300.136, 28A.300.1361, 28A.300.137, 28A.345.070, 28A.405.100, 28A.410.260, 28A.415.370, 28A.642.005, 28A.655.115,

Referred to Committee on Financial Institutions, Housing & Insurance.

HB 2195 by Representatives Rivers, Pedersen, Rodne, Goodman and Kelley

AN ACT Relating to the uniform interstate depositions and discovery act; and adding a new chapter to Title 5 RCW.

Referred to Committee on Judiciary.

SHB 2196 by House Committee on Judiciary (originally sponsored by Representatives Eddy, Rodne, Pedersen, Nealey, Goodman, Jinkins, Kelley and Upthegrove)

AN ACT Relating to collaborative law; and adding a new chapter to Title 7 RCW.

Referred to Committee on Judiciary.

MOTION

On motion of Senator Frockt, all measures listed on the Introduction and First Reading report were referred to the committees as designated.

MOTION

At 12:06 p.m., on motion of Senator Frockt, the Senate adjourned until 10:00 a.m. Wednesday, January 25, 2012.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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