

**EIGHTEENTH DAY**

## NOON SESSION

Senate Chamber, Olympia, January 27, 2005

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

## 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 26, 2005

I-330 Prime Sponsor, People of the State of Washington: Relating to health care liability reform. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Without recommendation. Signed by Senators Keiser, Chair; Benson, Brandland, Deccio, Franklin, Johnson, Kastama, Kline and Parlette

Passed to Committee on Judiciary.

January 26, 2005

I-336 Prime Sponsor, People of the State of Washington: Relating to health care quality protection. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Without recommendation. Signed by Senators Keiser, Chair; Benson, Brandland, Deccio, Franklin, Johnson, Kastama, Kline and Parlette

Passed to Committee on Judiciary.

January 25, 2005

SB 5046 Prime Sponsor, Regala: Modifying provisions governing ethics complaints. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Haugen, Kline, McCaslin, Mulliken and Pridemore

Passed to Committee on Rules for second reading.

January 26, 2005

SB 5106 Prime Sponsor, Swecker: Clarifying authority over hazardous materials inspections. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Oke, Swecker and Weinstein

Passed to Committee on Rules for second reading.

January 25, 2005

SB 5220 Prime Sponsor, Kastama: Managing the motor pool within the department of general administration. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Haugen, Kline, McCaslin, Mulliken and Pridemore

Passed to Committee on Ways & Means.

January 25, 2005

SB 5221 Prime Sponsor, Schmidt: Making the joint committee on veterans' and military affairs permanent. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Haugen, Kline, McCaslin, Mulliken and Pridemore

Passed to Committee on Rules for second reading.

January 26, 2005

SB 5270 Prime Sponsor, Haugen: Assisting vessel registration enforcement. Reported by Committee on Transportation

MAJORITY recommendation: Without recommendation. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Swecker and Weinstein

Passed to Committee on Ways & Means.

January 26, 2005

SB 5402 Prime Sponsor, Oke: Exempting ferry fuel used by Washington state ferries from excise taxes. Reported by Committee on Transportation

MAJORITY recommendation: Without recommendation. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Swecker and Weinstein

Passed to Committee on Ways & Means.

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 fourth order of business.

MESSAGE FROM THE HOUSE

January 26, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:  
SUBSTITUTE HOUSE BILL NO. 1014,  
HOUSE BILL NO. 1049,  
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5523 by Senators Finkbeiner, Thibaudeau, Kohl-Welles and Keiser

AN ACT Relating to epinephrine; and amending RCW 18.73.250.

Referred to Committee on Health & Long-Term Care.

SB 5524 by Senators Regala, Parlette, McAuliffe, Carrell, Prentice, Schoesler, Franklin, Kohl-Welles, Mulliken and Rasmussen

AN ACT Relating to school district bidding requirements; and amending RCW 28A.335.190 and 28A.525.020.

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

SB 5525 by Senators Oke, Kohl-Welles, Mulliken, Stevens, Parlette, Schmidt, Roach, Benton and Johnson

AN ACT Relating to provisional ballots; and adding a new section to chapter 29A.36 RCW.

Referred to Committee on Government Operations & Elections.

SB 5526 by Senators Oke, Stevens, Roach and Johnson

AN ACT Relating to provisional ballots; amending RCW 29A.04.008, 29A.08.625, 29A.08.820, 29A.08.830, 29A.40.050, 29A.40.140, 29A.44.330, and 29A.44.340; adding a new chapter to Title 29A RCW; and recodifying RCW 29A.40.050.

Referred to Committee on Government Operations & Elections.

SB 5527 by Senators Morton, Mulliken, Schoesler, Carrell, Benson, Honeyford, McCaslin and Stevens

AN ACT Relating to prohibiting automatic fee increases; amending RCW 43.135.055; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5528 by Senators Morton, Mulliken, Schoesler, Benson, Delvin, Honeyford, Carrell, McCaslin and Stevens

AN ACT Relating to the department of ecology's inspection fees for hydraulic works; amending RCW 90.03.470; creating a new section; and declaring an emergency.

Referred to Committee on Water, Energy & Environment.

SB 5529 by Senators Fairley and Kohl-Welles

AN ACT Relating to continuing health insurance coverage for convicted felons; amending RCW 48.41.160, 48.44.220, 48.44.360, and 48.46.380; and adding a new section to chapter 48.46 RCW.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5530 by Senators Kline, Esser, Weinstein, Roach, Fairley, Franklin and Kohl-Welles

AN ACT Relating to prohibiting discrimination in life insurance based on lawful travel destinations; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5531 by Senators Kline, Johnson, Fraser, Stevens, Haugen, Swecker, Regala, Franklin, Kohl-Welles, Benton and Shin

AN ACT Relating to indigent defense services; amending RCW 10.101.005 and 10.101.030; and adding new sections to chapter 10.101 RCW.

Referred to Committee on Judiciary.

SB 5532 by Senators Kohl-Welles, Esser and Poulsen

AN ACT Relating to animal cruelty; amending RCW 16.52.205, 16.52.207, 16.52.117, 16.52.190, 16.52.200, 16.08.020, and 9.94A.030; reenacting and amending RCW 9.94A.515; adding a new section to chapter 16.52 RCW; repealing RCW 16.08.030; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

SB 5533 by Senators Fairley, Benton, Keiser, Benson, Kohl-Welles and Franklin

AN ACT Relating to information provided to and by financial institution employers; adding a new section to chapter 4.24 RCW; adding a new section to chapter 49.12 RCW; and creating a new section.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5534 by Senators Poulsen, Swecker, Kohl-Welles, Weinstein, Prentice, Kline, Esser, Fairley, Oke and Benson

AN ACT Relating to city monorail transportation authorities; amending RCW 35.95A.050, 35.95A.110, 39.36.030, 35.95A.070, 35.95A.130, 82.44.065, and 82.44.120; adding new sections to chapter 35.95A RCW; adding a new section to chapter 46.16 RCW; adding a new section to chapter 82.44 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Transportation.

SB 5535 by Senators Franklin, Brandland, Berkey, Spanel, Schoesler, Rockefeller, Delvin, Kohl-Welles, Oke and Shin

AN ACT Relating to optometry; amending RCW 18.53.010; providing an effective date; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5536 by Senators Parlette, Haugen, Poulsen, Finkbeiner, Morton, Benson, Delvin, Kline, Kohl-Welles, Mulliken and Shin

AN ACT Relating to the basic health plan; creating a new section; and making an appropriation.

Referred to Committee on Health & Long-Term Care.

SB 5537 by Senator Jacobsen

AN ACT Relating to managing state granted lands for multiple benefits under long-term leases that compensate trust beneficiaries; and adding a new chapter to Title 79 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5538 by Senators Prentice, Rockefeller, Doumit, Fairley, McAuliffe, Haugen, Berkey, Rasmussen, Keiser, Regala, Kline, Eide, Kohl-Welles, Brown, Thibaudeau, Franklin, Weinstein, Schmidt and Shin

AN ACT Relating to the early childhood education and assistance program; amending RCW 28A.215.110, 28A.215.120, and 28A.215.150; adding new sections to chapter 28A.215 RCW; and repealing RCW 28A.215.140 and 28A.215.190.

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

SB 5539 by Senators Jacobsen, Oke, Rasmussen, Doumit, Schmidt, Benson, Kastama, Shin, Pridemore, Franklin and Roach

AN ACT Relating to restoring Washington's watersheds with help from postconflict veterans; adding new sections to chapter 77.85 RCW; creating a new section; and making an appropriation.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5540 by Senators Fairley and Kline

AN ACT Relating to extortionate extension of credit; and amending RCW 9A.82.020.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5541 by Senators Carrell, Hargrove, Zarelli, Benson, Delvin and Schoesler

AN ACT Relating to enforcement of outstanding warrants from courts of limited jurisdiction; amending RCW 35.20.270, 3.62.020, and 3.62.040; and adding a new section to chapter 3.02 RCW.

Referred to Committee on Judiciary.

SB 5542 by Senators Carrell, Hargrove, Zarelli, Benson, Delvin, Schoesler and Benton

AN ACT Relating to alternative detention and rehabilitation facilities for cities and counties; amending RCW 70.48.020; adding a new section to chapter 70.48 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 5543 by Senators Spanel, Haugen, Jacobsen, Mulliken, Roach and Rasmussen

AN ACT Relating to extending a sales and use tax exemption to the construction of facilities to be used for the conditioning of vegetable seeds; amending RCW 82.60.020; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5544 by Senators Spanel, Fairley, Brandland, Keiser, Franklin, Benson and Kohl-Welles

AN ACT Relating to creating the Washington voluntary accounts program; amending RCW 43.84.092; adding a new chapter to Title 41 RCW; and providing an effective date.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5545 by Senators Roach, Rasmussen, Mulliken, Kline, Honeyford, Hewitt, Stevens, Morton, Benson, Schoesler, Schmidt, Fairley, McCaslin, Carrell, Swecker, Keiser, Delvin, Deccio and Oke

AN ACT Relating to renewing a concealed pistol license by members of the armed forces; and amending RCW 9.41.070.

Referred to Committee on Judiciary.

SB 5546 by Senators Roach, Mulliken, Swecker, Johnson, Pflug, Finkbeiner, Stevens, Carrell, Schoesler and Benson

AN ACT Relating to critical area regulations; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5547 by Senators Roach and Johnson

AN ACT Relating to the dissolution of homeowners' associations; and adding a new section to chapter 64.38 RCW.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5548 by Senators Roach, Swecker, Benson, Finkbeiner, Delvin, Mulliken, Johnson and Oke

AN ACT Relating to the assessment of property with substantial land use limitations; adding a new section to chapter 84.40 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5549 by Senators Hargrove and Poulsen

AN ACT Relating to allocation of conserved water rights; adding new sections to chapter 90.03 RCW; and creating a new section.

Referred to Committee on Water, Energy & Environment.

SB 5550 by Senators Hargrove, Keiser, Schoesler, Franklin, Doumit, Kohl-Welles, Parlette, Hewitt, Brown, Jacobsen, Mulliken and Shin

AN ACT Relating to expanding membership of the electrical board by appointment of one outside line worker; amending RCW 19.28.311; and creating a new section.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5551 by Senators Hargrove, Hewitt, Schoesler, Mulliken, Parlette and Oke

AN ACT Relating to studying the minimum wage in Washington state; and creating new sections.

Referred to Committee on Labor, Commerce, Research & Development.

SB 5552 by Senators Kohl-Welles, McAuliffe, Benton, Johnson, Shin, Carrell, Rasmussen, Mulliken and Roach

AN ACT Relating to information required for school district employment applicants; and amending RCW 28A.400.301.

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

SB 5553 by Senators Brandland, Kohl-Welles, Hargrove and Regala

AN ACT Relating to creating a pilot program for live scan devices; creating a new section; and making an appropriation.

Referred to Committee on Human Services & Corrections.

SB 5554 by Senators Kohl-Welles, Brandland, Hargrove and Stevens

AN ACT Relating to the joint task force on criminal background check processes; reenacting and amending 2004 c 41 s 2 (uncodified); providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SB 5555 by Senator Jacobsen

AN ACT Relating to managing state granted lands for multiple benefits and increasing monetary benefits to trust beneficiaries; and adding a new chapter to Title 79 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5556 by Senators Fraser, Swecker, Stevens, Rockefeller, Kline, Shin, Franklin, Regala, Pridemore, Weinstein, Hewitt, Poulsen, Morton, Kohl-Welles, McAuliffe, Oke, Spanel, Keiser, Jacobsen, Berkey, Prentice, Mulliken, Brown, Fairley and Rasmussen

AN ACT Relating to repealing statutes; and adding a new section to chapter 29A.72 RCW.

Referred to Committee on Government Operations & Elections.

SB 5557 by Senators Delvin, Stevens, Pflug, Carrell, Mulliken, McCaslin, Deccio, Parlette and Swecker

AN ACT Relating to mental health treatment for minors; and amending RCW 71.34.042, 71.34.052, 71.34.054, 71.34.025, 71.34.162, and 71.34.270.

Referred to Committee on Human Services & Corrections.

SJM 8009 by Senators Morton, McCaslin, Mulliken, Stevens, Delvin, Deccio, Parlette, Schoesler, Swecker, Honeyford and Kline  
Petitioning for the creation of a new state in Eastern Washington.

Referred to Committee on Government Operations & Elections.

SJR 8208 by Senators Morton and Brown

Amending the Constitution to allow for adjournment after cutoff during the regular session.

Referred to Committee on Government Operations & Elections.

FIRST READING OF HOUSE BILLS

SHB 1014 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Darneille, O'Brien, Cody, Morrell, Chase and Schual-Berke)

AN ACT Relating to DNA testing; amending RCW 10.73.170; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

HB 1049 by Representatives Green, DeBolt, Upthegrove, Kilmer, Kessler, McCoy, Sells, Blake, Schual-Berke, Kenney, P. Sullivan, Jarrett, Kagi, Simpson, Wood, Lantz, Hudgins, Morrell, Hunt and Ormsby

AN ACT Relating to authorization for projects recommended by the public works board; creating a new section; and declaring an emergency.

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

At 12:02 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Friday, January 28, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate