

NINETEENTH DAY

MORNING SESSION

Senate Chamber, Olympia, Friday, January 26, 2007

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 Hewitt, McAuliffe, McCaslin, Pflug, Schoesler and Spanel.

The Washington National Guard Color Guard consisting of Sergeant First Class Travis Austin, Specialist Mark Ham, Specialist Martha Mauer and Sergeant Egypt Josala presented the Colors.

Sergeant Ryan Allen performed the national anthem.

Lt. Colonel Christopher Lensch of the Washington Air National Guard 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

January 25, 2007
SB 5124 Prime Sponsor, Fraser: Abolishing the Washington wildlife rescue coalition. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

January 25, 2007
SB 5254 Prime Sponsor, Kilmer: Authorizing a grant program for industry skill panels. Reported by Committee on Ways & Means

MAJORITY recommendation: Without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Oemig, Parlette, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Economic Development, Trade & Management.

January 24, 2007
SB 5444 Prime Sponsor, Carrell: Requiring notice to property owners before condemnation decisions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell, Hargrove, McCaslin and Weinstein

Passed to Committee on Rules for second reading.

January 25, 2007
SB 5464 Prime Sponsor, Jacobsen: Adding the department of natural resources to the definition of "employer" under RCW 41.37.010. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Without recommendation. Signed by Senators Jacobsen, Chair; Fraser, Hargrove, Morton, Poulsen, Spanel, Stevens and Swecker

Passed to Committee on Ways & Means.

**REPORTS OF STANDING COMMITTEES
 GUBERNATORIAL APPOINTMENTS**

January 25, 2007
SGA 9088 SALVADOR BELTRAN, JR., reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Columbia Basin Community College District No. 19. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007
SGA 9090 KRISTIANNE BLAKE, appointed October 1, 2006, for the term ending September 30, 2012, as Member, Board of Regents, University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007
SGA 9093 LARRY BROWN, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Green River Community College District No. 10. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007
SGA 9099 DENNIS R. COLWELL, appointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Community College District No. 2 (Grays Harbor College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 24, 2007

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SGA 9103 ROOSEVELT J. CURRIE, appointed April 24, 2006, for the term ending June 30, 2010, as Chief Administrative Law Judge of the Administrative Hearings Office. Reported by Committee on Judiciary

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell, Hargrove and Roach

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9112 SHARON FAIRCHILD, reappointed April 4, 2006, for the term ending April 3, 2010, as Member of the State Board for Community and Technical Colleges. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9119 WILLIAM S. GATES, reappointed October 1, 2006, for the term ending September 30, 2012, as Member, Board of Regents, University of Washington. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9136 JO ANN KAUFFMAN, reappointed February 10, 2005, for the term ending September 30, 2009, as Member, Board of Trustees, Eastern Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9153 NEIL MCREYNOLDS, reappointed November 1, 2005, for the term ending September 30, 2011, as Member, Board of Trustees, Eastern Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9154 KRIS MIKKELSEN, reappointed October 1, 2006, for the term ending September 30, 2012, as Member, Board of Trustees, Eastern Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

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Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9157 BOB MYERS, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Wenatchee Valley Community College District No. 15. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9162 LISA PARKER, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Community College District No. 16 (Yakima Valley Community College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9182 PAUL TANAKA, reappointed November 1, 2005, for the term ending September 30, 2011, as Member, Board of Trustees, Eastern Washington University. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9189 THUY VO, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Lower Columbia Community College District No. 13. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9191 SHAUNA WEATHERBY, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Clover Park Technical College District No. 29. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9198 INES ZOZAYA-GEIST, reappointed October 1, 2006, for the term ending September 30, 2012, as Member, Board of Trustees, Eastern Washington University. Reported by Committee on Higher Education

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MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9199 JONE BOSWORTH, appointed September 11, 2006, for the term ending at the governor's pleasure, as a Director of the Washington State Department of Early Learning. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Rules for second reading.

January 25, 2007

SGA 9203 LEONOR FULLER, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, South Puget Sound Community College District No. 24. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Delvin and Schoesler

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.

MESSAGES FROM THE STATE OFFICES

January 19, 2007

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is University of Washington Audit Report. This report is mandated under RCW 43.09.310.

If you have any questions about the report, please call 360-902-0370.

Sincerely,

Brian Sonntag, State Auditor

The University of Washington Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

January 26, 2007

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Dept. of Social & Health Services, Naturalization Facilitation. This report is mandated under RCW 74.08A.130.

If you have any questions about the report, please call 360-902-4638.

The Dept. of Social & Health Services, Naturalization Facilitation is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

January 26, 2007

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Dept. of Social & Health Services, Foster Parent Report. This report is mandated under Chapter 353, Laws of 2006.

If you have any questions about the report, please call 360-902-7912.

The Dept. of Social & Health Services is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

January 26, 2007

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Dept. of Social & Health Services, Reinvesting in Youth. This report is mandated under Chapter 304, Laws of 2006.

If you have any questions about the report, please call 360-902-8079.

The Dept. of Social & Health Services, Reinvesting in Youth is on file in the Office of the Secretary of the Senate.

MESSAGE FROM THE GOVERNOR
GUBERNATORIAL APPOINTMENTS

September 19, 2006

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.

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RAJIV SHAH, appointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Seattle, So. Seattle and No. Seattle Community Colleges District No. 6.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Higher Education.

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

SB 5630 by Senators Kastama, Kohl-Welles, Kauffman, Kilmer and Jacobsen

AN ACT Relating to financing community and economic development; amending RCW 35.21.735; and creating new sections.

Referred to Committee on Economic Development, Trade & Management.

SB 5631 by Senators Keiser and Pflug

AN ACT Relating to the wholesale distribution of prescription drugs; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5632 by Senators Kastama, Eide, Delvin, Berkey and Tom

AN ACT Relating to proof of financial responsibility or motor vehicle liability insurance; and amending RCW 46.16.212, 46.16.210, and 46.30.040.

Referred to Committee on Transportation.

SB 5633 by Senators Brandland, Kline, Delvin, McCaslin and Shin

AN ACT Relating to core training requirements; and amending RCW 43.101.350.

Referred to Committee on Human Services & Corrections.

SB 5634 by Senators Brandland, Kline, McCaslin and Delvin

AN ACT Relating to corrections personnel training; and amending RCW 43.101.220.

Referred to Committee on Human Services & Corrections.

SB 5635 by Senators Brandland, Kline and Delvin

AN ACT Relating to requiring polygraph tests; and amending RCW 49.44.120.

Referred to Committee on Judiciary.

SB 5636 by Senators Keiser, Oemig, Pridemore and Shin

AN ACT Relating to signature gathering by sex offenders; and adding a new section to chapter 29A.72 RCW.

Referred to Committee on Government Operations & Elections.

SB 5637 by Senators Regala, Franklin, Kastama and Rasmussen

AN ACT Relating to sexual assault protection orders; amending RCW 7.90.020; and adding a new section to chapter 7.90 RCW.

Referred to Committee on Judiciary.

SB 5638 by Senator Rockefeller

AN ACT Relating to publications of the statute law committee; and amending RCW 40.04.031, 1.08.110, 34.05.210, 34.05.312, 34.05.380, and 42.56.580.

Referred to Committee on Judiciary.

SB 5639 by Senators Spanel, Clements, Pflug, Kohl-Welles, Jacobsen, Rasmussen, Poulsen, Regala and Kline

AN ACT Relating to a caterer's endorsement for licensed microbreweries; amending RCW 66.24.244; reenacting and amending RCW 66.24.244; providing an effective date; and providing an expiration date.

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

SB 5640 by Senators Kauffman, Fairley, Prentice, Swecker, Rockefeller, Fraser, Kohl-Welles, Shin, Rasmussen and Kline

AN ACT Relating to authorizing tribal governments to participate in public employees' benefits board programs; amending RCW 41.05.011, 41.05.021, 41.05.050, 41.05.065, 41.05.080, and 41.05.195; creating a new section; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5641 by Senators Rasmussen, Honeyford, Schoesler, Prentice, Delvin and Holmquist

AN ACT Relating to exempting wholesale sales of unprocessed milk for processing from business and occupation tax; and amending RCW 82.04.332.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5642 by Senators Kohl-Welles, Rockefeller, Franklin and Tom

AN ACT Relating to reduced cigarette ignition propensity; reenacting and amending RCW 43.79A.040; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date.

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

SB 5643 by Senators Regala, Delvin, Carrell, Hargrove, Keiser, Kohl-Welles, Shin, Tom and Kline

AN ACT Relating to children and families of incarcerated parents; adding a new section to chapter 72.09 RCW; adding a new section to chapter 74.04 RCW; adding a new section to chapter 43.215 RCW; adding a new section to chapter 28A.300 RCW; adding a new section to chapter 43.63A RCW; creating a new section; and making appropriations.

Referred to Committee on Human Services & Corrections.

SB 5644 by Senators Regala, Brandland, Hargrove, Keiser, Pridemore and Delvin

AN ACT Relating to clubhouse rehabilitation services; and amending RCW 71.24.025, 71.24.037, and 49.19.010.

Referred to Committee on Human Services & Corrections.

SB 5645 by Senators Rockefeller, Morton, Hatfield, Brandland, Sheldon and Rasmussen

AN ACT Relating to shellfish aquaculture; adding new sections to chapter 28B.40 RCW; adding a new chapter to Title 15 RCW; creating new sections; and providing expiration dates.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5646 by Senators Rasmussen, Delvin, Sheldon, Spanel, Fraser and Shin

AN ACT Relating to construction work at state and regional universities and The Evergreen State College; and amending RCW 28B.10.350.

Referred to Committee on Higher Education.

SB 5647 by Senators Fraser, Morton, McAuliffe, Fairley, Swecker, Regala, Hatfield, Spanel, Rockefeller, Kohl-Welles and Rasmussen

AN ACT Relating to clarifying the use of existing lodging tax revenues for tourism promotion; and amending RCW 67.28.080.

Referred to Committee on Economic Development, Trade & Management.

SB 5648 by Senators Swecker, Schoesler, Hatfield, McCaslin and Rasmussen

AN ACT Relating to sales and use tax exemptions for prescribed durable medical equipment used in the home and prescribed mobility enhancing equipment; amending RCW 82.08.0283, 82.12.0277, 82.08.803, 82.12.803, 82.08.945, and 82.12.945; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5649 by Senators Tom, Honeyford, Kohl-Welles, Hatfield, Pridemore, Clements, Jacobsen and Kline

AN ACT Relating to the state poet laureate; adding new sections to chapter 43.46 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5650 by Senators Kauffman, Kohl-Welles, Weinstein and Keiser

AN ACT Relating to disclosure of the percentage of automatic service charges paid to servers; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Consumer Protection & Housing.

SB 5651 by Senators Kauffman, Kastama and Kilmer

AN ACT Relating to investigating and assessing performance in meeting community credit needs; and amending RCW 30.60.010 and 32.40.010.

Referred to Committee on Financial Institutions & Insurance.

SB 5652 by Senators Kauffman, Kastama, Kilmer, Brown, Berkey, Rockefeller, Keiser and Shin

AN ACT Relating to microenterprise development; amending RCW 43.330.010; adding a new section to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Economic Development, Trade & Management.

SB 5653 by Senators Kauffman, Kastama, Brown, Berkey, Rockefeller, Keiser, Franklin, Kohl-Welles and Shin

AN ACT Relating to the establishment of a self-employment assistance program; amending RCW 50.20.095; and adding a new section to chapter 50.20 RCW.

Referred to Committee on Economic Development, Trade & Management.

SB 5654 by Senator Shin

AN ACT Relating to dealer warranty reimbursements; and amending RCW 46.96.105.

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

SB 5655 by Senator Fairley

AN ACT Relating to intermediate drivers' licenses; and amending RCW 46.20.267 and 43.131.398.

Referred to Committee on Transportation.

SB 5656 by Senators Jacobsen, Kline, Rockefeller, Regala and Tom

AN ACT Relating to the creation of a regional transfer of development rights program for the purpose of preserving forested, rural, and agricultural lands; and adding a new chapter to Title 43 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5657 by Senators Keiser, Delvin, Hewitt, Hobbs, Oemig, Murray, Tom, Brandland, Rockefeller, McAuliffe and Kohl-Welles

AN ACT Relating to creating the revised uniform anatomical gift act; adding a new chapter to Title 68 RCW; repealing RCW 68.50.520, 68.50.530, 68.50.540, 68.50.550, 68.50.560, 68.50.570, 68.50.580, 68.50.590, 68.50.600, 68.50.610, and 68.50.620; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SB 5658 by Senators Keiser, Kohl-Welles, Fairley, Franklin and Rockefeller

AN ACT Relating to establishing a health care reinsurance program for small businesses; amending RCW 48.21.045, 48.44.023, and 48.46.066; adding new sections to chapter 48.43 RCW; adding a new section to chapter 82.24 RCW; creating new sections; and making an appropriation.

Referred to Committee on Health & Long-Term Care.

SB 5659 by Senators Keiser, Kohl-Welles, Fairley, Franklin, Brown and Kline

AN ACT Relating to family and medical leave insurance; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 49 RCW; and providing for submission of this act to a vote of the people.

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

SB 5660 by Senator Haugen

AN ACT Relating to rural county authority to fund certain power line conversions with sales and use tax collections; and amending RCW 82.14.370.

Referred to Committee on Water, Energy & Telecommunications.

SB 5661 by Senator Prentice

AN ACT Relating to the term of existence of a collective bargaining agreement; and amending RCW 41.56.070.

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

SB 5662 by Senators Weinstein, Honeyford, McCaslin, Delvin, Tom, Kline, Keiser, Shin and Rasmussen

AN ACT Relating to charitable organizations that solicit contributions from the public; amending RCW 19.09.010, 19.09.020, 19.09.075, 19.09.076, 19.09.079, 19.09.085, 19.09.097, 19.09.100, 19.09.210, and 19.09.440; adding new sections to chapter 19.09 RCW; prescribing penalties; and repealing RCW 19.09.095.

Referred to Committee on Consumer Protection & Housing.

SB 5663
Kohl-Welles

by Senators Oemig, Kline, Fairley, Keiser and

AN ACT Relating to electronic voter registration; adding a new section to chapter 29A.08 RCW; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5664
Welles

by Senators Oemig, Fairley, Swecker and Kohl-

AN ACT Relating to voter registration; amending RCW 29A.08.113, 29A.08.115, 29A.08.125, 29A.08.135, 29A.08.140, 29A.08.410, 29A.08.430, 29A.08.510, 29A.08.520, 29A.08.605, 29A.08.640, 29A.08.651, 29A.40.010, 29A.40.020, 29A.40.061, 29A.40.091, and 29A.60.235; reenacting and amending RCW 29A.04.611, 29A.08.620, and 29A.40.110; and repealing RCW 29A.04.103, 29A.08.145, 29A.08.660, and 29A.08.785.

Referred to Committee on Government Operations & Elections.

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. 5640 which was referred to the Committee on Government Operations & Elections.

MOTION

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

SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fairley moved that Gubernatorial Appointment No. 9009, Bill Brumsickle, as a member of the Public Disclosure Commission, be confirmed.

Senators Fairley and Benton spoke in favor of the motion.

MOTION

On motion of Senator Regala, Senators Haugen, Kastama, McAuliffe, Poulsen and Spanel were excused.

MOTION

On motion of Senator Delvin, Senator Zarelli was excused.

APPOINTMENT OF BILL BRUMSICKLE

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9009, Bill Brumsickle as a member of the Public Disclosure Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9009, Bill Brumsickle as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 1; Excused, 5.

Voting yea: Senators Benton, Berkey, Brandland, Brown,

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Carrell, Clements, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, Morton, Murray, Oemig, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Sheldon, Shin, Stevens, Swecker, Tom, Weinstein and Zarelli - 43

Absent: Senator Pflug - 1

Excused: Senators Hewitt, McAuliffe, McCaslin, Schoesler and Spanel - 5

Gubernatorial Appointment No. 9009, Bill Brumsickle, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

MOTION

On motion of Senator Delvin, Senator Pflug was excused.

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fairley moved that Gubernatorial Appointment No. 9049, Jane Noland, as a member of the Public Disclosure Commission, be confirmed.

Senator Fairley spoke in favor of the motion.

APPOINTMENT OF JANE NOLAND

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9049, Jane Noland as a member of the Public Disclosure Commission.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9049, Jane Noland as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, Morton, Murray, Oemig, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Sheldon, Shin, Stevens, Swecker, Tom, Weinstein and Zarelli - 43

Excused: Senators Hewitt, McAuliffe, McCaslin, Pflug, Schoesler and Spanel - 6

Gubernatorial Appointment No. 9049, Jane Noland, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Fairley moved that Gubernatorial Appointment No. 9063, Kenneth Schellberg, as a member of the Public Disclosure Commission, be confirmed.

Senator Fairley spoke in favor of the motion.

APPOINTMENT OF KENNETH SCHELLBERG

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9063, Kenneth Schellberg as a member of the Public Disclosure Commission.

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The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9063, Kenneth Schellberg as a member of the Public Disclosure Commission and the appointment was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, Morton, Murray, Oemig, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Sheldon, Shin, Stevens, Swecker, Tom, Weinstein and Zarelli - 43

Excused: Senators Hewitt, McAuliffe, McCaslin, Pflug, Schoesler and Spanel - 6

Gubernatorial Appointment No. 9063, Kenneth Schellberg, having received the constitutional majority was declared confirmed as a member of the Public Disclosure Commission.

MOTION

At 10:29 a.m., on motion of Senator Eide, the Senate was declared to be at ease for the purpose of caucuses.

The Senate was called to order at 11:37 a.m. by President Owen.

MOTION

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

MOTION

Senator Hobbs moved adoption of the following resolution:

SENATE RESOLUTION 8610

By Senators Hobbs, Eide, Prentice, Kohl-Welles, Kauffman, Berkey, Tom, Spanel, Franklin, Sheldon, Kline, Oemig, Keiser, Fraser, Regala, Parlette, Haugen, McAuliffe, Brandland, Schoesler, Stevens, Rasmussen, Shin, Poulsen, Hewitt, Kastama, Pridemore, Jacobsen, Hatfield and Kilmer

WHEREAS, Nearly eighty-six hundred men and women of the Washington National Guard continue to serve the country as guardians of American interests at home and abroad; and

WHEREAS, These recognized leaders in state, regional, and national preparedness, who reside in every legislative district throughout Washington, volunteer their time and personal efforts to serve the needs of the people of Washington state; and

WHEREAS, The Guard answered the state's call numerous times in response to firefighting and flood support efforts and to protect lives in both civil and natural emergencies and disasters; and

WHEREAS, The Washington Army and Air National Guard provided critical mission support in both personnel and equipment to Operation Iraqi Freedom and Operation Enduring Freedom in Iraq and Afghanistan, respectively, and Operation Noble Eagle here at home; and

WHEREAS, The Washington Army and Air National Guard answered the call in support of hurricane relief efforts on the Gulf Coast resulting from Hurricanes Katrina, Rita, and Wilma; and

WHEREAS, The Guard continues to train and prepare for both natural disasters and threats to our national security; and

WHEREAS, The Guard continues to promote positive lifestyles and activities for Washington's youth through involvement in and support of highly effective drug prevention programs with school-aged children and community-based organizations; and

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WHEREAS, The Guard continues to actively participate in the state's counterdrug efforts by providing soldiers, airmen, and specialized equipment to over thirty-five local, state, and federal law enforcement agencies; and

WHEREAS, The Guard adds value to communities by opening its readiness centers for public use, food banks, and other community and youth activities. The Guard continues to build upon these readiness centers and armories throughout the state to enhance education, add to quality of life, and increase economic vitality;

NOW, THEREFORE, BE IT RESOLVED, That the Senate express its thanks and appreciation to the devoted families and dedicated employers of our Washington National Guard soldiers and airmen for their support, without whom the Guard's missions could not be successful; and

BE IT FURTHER RESOLVED, That the Senate recognize the value and dedication of a strong Washington National Guard to the viability, economy, safety, security, and well-being of this state, both through the outstanding performance of its state emergency and disaster relief mission, and through the continued benefit to local communities by the presence of productively employed, drug-free, well-equipped, and trained Guard units and the readiness centers and armories that house them; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to The Adjutant General of the Washington National Guard, the Governor of the State of Washington, the Secretaries of the United States Army and Air Force, and the President of the United States.

Senator Hobbs spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8610.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the women and men of the National Guard who were seated in the gallery.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Adjutant General Lowenberg and Mike Gregoire, who was seated at the rostrum.

MOTION

On motion of Senator Eide, the Senate reverted to the sixth order of business.

SECOND READING

HOUSE BILL NO. 1168, by Representatives Roach, Hurst, Newhouse, Santos, Orcutt, Pettigrew, Moeller, Morrell, Priest, Armstrong, Curtis, Haler, Condotta, Buri, Kristiansen, Alexander, Warnick, Strow, Ericksen, Dunshee, Kirby, Chase, Bailey, Springer, McDonald, Ross, Blake, Kenney, Lovick, Appleton, Darneille, McCoy, O'Brien, Sells, Takko, Williams, VanDeWege, Hunter, Ormsby, Schual-Berke, Pearson, Fromhold, Hinkle, Simpson, Clibborn, Lantz, Linville, Campbell, Kelley, Green, Eddy and McCune

Regarding disorderly conduct.

The measure was read the second time.

MOTION

On motion of Senator Rasmussen, the rules were suspended, House Bill No. 1168 was advanced to third reading, the second

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reading considered the third and the bill was placed on final passage.

Senators Rasmussen, Roach, Kohl-Welles and Carrell spoke in favor of passage of the bill.

Senator Kline spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of House Bill No. 1168.

ROLL CALL

The Secretary called the roll on the final passage of House Bill No. 1168 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 1; Absent, 0; Excused, 6.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kohl-Welles, Marr, Morton, Murray, Oemig, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Sheldon, Shin, Stevens, Swecker, Tom, Weinstein and Zarelli - 42

Voting nay: Senator Kline - 1

Excused: Senators Hewitt, McAuliffe, McCaslin, Pflug, Schoesler and Spanel - 6

HOUSE BILL NO. 1168, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SECOND SUBSTITUTE HOUSE BILL NO. 1095, by House Committee on Appropriations (originally sponsored by Representatives Barlow, Hinkle, Appleton, Green, Ormsby, Schual-Berke, Cody, Blake, B. Sullivan, Hurst, O'Brien, Clibborn, Morrell, Conway, Kenney, Linville, Rolfes, Moeller and Dunn)

Implementing the part D drug copayment program.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Second Substitute House Bill No. 1095 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Parlette spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute House Bill No. 1095.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute House Bill No. 1095 and the bill passed the Senate by the following vote: Yeas, 43; Nays, 0; Absent, 0; Excused, 6.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, Morton, Murray, Oemig, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Sheldon, Shin, Stevens, Swecker, Tom, Weinstein and Zarelli - 43

Excused: Senators Hewitt, McAuliffe, McCaslin, Pflug, Schoesler and Spanel - 6

SECOND SUBSTITUTE HOUSE BILL NO. 1095, having received the constitutional majority, was declared passed. There

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being no objection, the title of the bill was ordered to stand as the title of the act.

POINT OF ORDER

Senator Delvin: "I don't know if this is a point of personal privilege or maybe a point of order on something that occurred just recent past on this floor. Well, the good gentleman from the Forty-Fourth District, I understand he's new to the body. He stood up and was reading from what looked like a prepared script. I want to applaud his service in the National Guard and I'm not sure what he did, stature, that's kind of.... but I won't question that but I think he needs to be reminded about reading from materials without permission from the good Mr. President of the Senate.

REMARKS BY THE PRESIDENT

President Owen: "I appreciate pointing that point of order out to us."

PERSONAL PRIVILEGE

Senator Pridemore: "Well, Mr. President I think that this body should be thrilled to welcome the new member from the forty-fourth. It's going to be wonderful to have a member who can read join us. It's also extremely rare that we have welcomed somebody of his stature, his renown and his ability to this body. It's certainly somebody who has been so successful in business as he has been. As many of us know he was born and raised in San Francisco and attended lectures at Hewitt Packard and Palo Alto where he met somebody who would become vital life long friend in Steve Wozniak. He attended Wozniak bu dropped out after only one semester, returned to California and began working with Mr. Wozniak on Atari computers, eventually leading to the development of what would be become known as the Apple computer."

POINT OF ORDER

Senator Rockefeller: "Thank you Mr. President. I believe the good gentleman from the forty-ninth district is actually referring to Steve Jobs not Steve Hubbs, however, I am told that our good Senator Hubbs has actually invented the internet."

PERSONAL PRIVILEGE

Senator Pridemore: "I'm sorry, it's Hobbs. I thought it was Jobs. What computer did Hobbs ever invent? Mr. President, never mind."

PERSONAL PRIVILEGE

Senator Brandland: "That is a rough act to follow Mr. President but I did want to make a couple of observations. It's really kind of sad to be very honest with you that Senator McCaslin is not here because as much we attempt to make light of our new members, no one can do that like Senator McCaslin. He did make a couple of statements I thought were pretty interesting and that is that what he was talking about the National Guard, and he thought you can not tell us apart. Well, I beg to differ because when I walked in that room back in here his knees were quivering. He was absolutely quivering, was so nervous he could barely talk. I knew what was about to happen but he also kind of distinguished himself I think already in the

Senate in a committee that I was in. He took the liberty of introducing himself as a simple person. I gave him more credit than that. I thought you were a little bit better than that. Especially somebody that would refer to himself as 'the Hobbinator.' You may not have known that, he is officially referred to as 'the Hobbinator' and I think I've heard, I haven't been there yet, but I understand that if you go to his office it looks like a museum. He's got stuff all over the walls. I think that if you go to anybody else's office it looks pretty bare, not with Senator Hobbs. He's been three weeks, he's already filled the walls with everything imaginable. Every picture of anybody that he's ever known. I don't know if they knew him but he's got their picture on his wall. All kidding aside, I think he did a great job on your speech and we welcome you. We certainly welcome the gifts you're about to give to us. Thank you."

PERSONAL PRIVILEGE

Senator Prentice: "Thank you Mr. President. I've know Senator Hobbs for about a year and half and I thought that I knew him well but he did say one thing in his speech this morning. He said, 'You can always tell a National Guardsman.' I guess what I've discovered is that you can't tell them much."

PERSONAL PRIVILEGE

Senator Stevens: "Thank you Mr. President. I have perhaps known our new Senator for more years than the rest of you in this chamber. As I had the opportunity to teach him a few things about campaigning and how to run for office and how to take defeat. He took it very well. I would like to say that he has, as it turns out, fine-tuned his skills of speaking since those early, early day when he was but a young, young boy. I would like to also say that certainly the rhetoric that he is using today is much more profound and certainly has more content and more value to this body than it did back then. Mostly I would like to say that it is indeed amazing, if you've been here long enough you will see your opponents sitting in the seat next to you. So, at this time I would just like to say, Welcome Senator Hobbs and we will learn to tolerate further speeches from you I am sure. Thank you."

PERSONAL PRIVILEGE

Senator Jacobsen: "Mr. President, I can see that the good Senator was a little bit nervous earlier so I tried to calm him down. I said 'You know most Americans would rather be shot at than to have to give a speech in public' and he exclaimed to me, 'I'd rather be in Bagdad than have to do this'. I said 'Well, it's not that desperate, you're going to survive this one,' and you did a really good job."

REMARKS BY THE PRESIDENT

President Owen: "The President appreciates Senator Brandlands comments and clarifying for me that he's known as 'the Hobbinator' by his fellow soldiers. I was told that it was the Hobbit.' Whichever, did you wish to respond at all Senator Hobbs?"

PERSONAL PRIVILEGE

Senator Hobbs: "Mr. President. I'd like to apologize to the members. I know that I'm inexperienced, however, my youthful appearance and good looks will get me past this. And because I

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need your forgiveness and your votes I offer you this gift. We're going to hand out to you, Tee Shirts that say 'Aqua Fest' on it. 'Aqua Fest 2005.' That's all I can afford, but I want you to know that the city of Lake Stevens has this Aqua Fest every year. It's a great place, come down, recreate, we got water skiing. We've got parks, coffee shops. We have a great parade. In about four years I'll be in that parade. I'd like to be there for that and I want you to come down. Mr. President, I would like for you to be there, in Aqua Fest and I'll introduce you. They won't know who you are, so I got to do that. But I offer this to you and I ask for your forgiveness."

REMARKS BY THE PRESIDENT

President Owen: "It's under consideration, message received."

MOTION

At 12:10 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Monday, January 29, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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