

FORTY-THIRD DAY, FEBRUARY 19, 2007

2007 REGULAR SESSION

FORTY-THIRD DAY

NOON SESSION

Senate Chamber, Olympia, Monday, February 19, 2007

The Senate was called to order at 12:00 noon by President Owen. 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

February 15, 2007

SB 5163 Prime Sponsor, Jacobsen: Creating the Washington state capitol park. Revised for 1st Substitute: Creating a capitol campus tourism task force. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 5163 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen, Spanel and Stevens

Passed to Committee on Rules for second reading.

February 15, 2007

SB 5164 Prime Sponsor, Jacobsen: Expanding the veterans conservation corps program. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 5164 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen, Spanel and Stevens

Passed to Committee on Ways & Means.

February 15, 2007

SB 5224 Prime Sponsor, Jacobsen: Concerning the statewide salmon recovery office. Revised for 1st Substitute: Regarding the governor's salmon recovery office. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 5224 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen and Spanel

MINORITY recommendation: Without recommendation. Signed by Senator Stevens

Passed to Committee on Ways & Means.

February 15, 2007

SB 5233 Prime Sponsor, Hatfield: Concerning special purpose district commissioner per diem compensation. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5233 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

MINORITY recommendation: Without recommendation. Signed by Senators Benton and Roach

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5245 Prime Sponsor, Hargrove: Modifying foster children placement provisions. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5245 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Ways & Means.

February 15, 2007

SB 5278 Prime Sponsor, Franklin: Concerning use of public funds to finance campaigns for local office. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 5278 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline and Pridemore

MINORITY recommendation: Do not pass. Signed by Senators Benton, Roach and Swecker

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5339 Prime Sponsor, Kilmer: Authorizing the acquisition and operation of tourism-related facilities by port districts. Reported by Committee on Economic Development, Trade & Management

MAJORITY recommendation: That Substitute Senate Bill No. 5339 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Kilmer, Vice Chair; Clements, Kauffman, Shin and Zarelli

Passed to Committee on Rules for second reading.

February 15, 2007

SB 5362 Prime Sponsor, Jacobsen: Preserving farm and agricultural land through conservation futures levies. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5362 be substituted therefor, and the substitute bill do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

February 16, 2007

SB 5425 Prime Sponsor, Kohl-Welles: Adding additional appropriate locations for the transfer of newborn children. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, McAuliffe and Stevens

MINORITY recommendation: Without recommendation. Signed by Senator Carrell

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5429 Prime Sponsor, Franklin: Concerning deductions from moneys received by an inmate. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5478 Prime Sponsor, Kastama: Increasing local economic competitiveness. Revised for 1st Substitute: Addressing less than countywide port district formation. Reported by Committee on Economic Development, Trade & Management

MAJORITY recommendation: That Substitute Senate Bill No. 5478 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Kilmer, Vice Chair; Clements, Kauffman, Shin and Zarelli

Passed to Committee on Rules for second reading.

February 15, 2007

SB 5568 Prime Sponsor, Rasmussen: Extending the date when counties which have authorized facilities for agriculture promotion must allow a credit for city lodging taxes. Revised for 1st Substitute: Extending the date when counties east of the crest of the Cascade mountains that pledged lodging tax revenue for payment of bonds prior to June 26, 1975, must allow a credit for city lodging taxes. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 5568 be substituted therefor, and the substitute bill do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

February 16, 2007

SB 5625 Prime Sponsor, Hargrove: Authorizing counties and cities to contract for jail services with counties and cities in adjacent states. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5625 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5634 Prime Sponsor, Brandland: Revising corrections personnel training provisions. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5634 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Ways & Means.

February 16, 2007

SB 5644 Prime Sponsor, Regala: Establishing standards for clubhouse rehabilitation services. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5644 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5754 Prime Sponsor, Stevens: Creating the family, children, and youth administration in the department of social and health services. Revised for 1st Substitute: Creating the children in families administration in the department of social and health services. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5754 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Rules for second reading.

February 15, 2007

SB 5761 Prime Sponsor, Rasmussen: Providing for the taxation of vegetation management services using goats or sheep. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

February 16, 2007

SB 5773 Prime Sponsor, Hargrove: Modifying treatment records provisions. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5807 Prime Sponsor, Stevens: Establishing CPS training pilot programs. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5807 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Ways & Means.

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SB 5939 Prime Sponsor, Kauffman: Concerning benchmarking mechanisms for the economic climate council. Reported by Committee on Economic Development, Trade & Management

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Kilmer, Vice Chair; Clements, Kauffman, Shin and Zarelli

Passed to Committee on Rules for second reading.

February 16, 2007

SB 5983 Prime Sponsor, Stevens: Requiring juvenile courts to provide truancy hearing notice within the court's resources. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

February 16, 2007

SJR 8212 Prime Sponsor, Hargrove: Revising limitations on use of inmate labor. Reported by Committee on Human Services & Corrections

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5245, Senate Bill No. 5634 and Senate Bill No. 5807 which were 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 6, 2007

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.

TOM KOENNINGER, reappointed April 4, 2007, for the term ending April 3, 2011, as Member of the State Board for Community and Technical Colleges.

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

There being no objection, the Senate advanced to the fourth order of business.

MESSAGE FROM THE HOUSE

February 16, 2007

MR. PRESIDENT:

The House has passed the following bills:
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1024,
ENGROSSED HOUSE BILL NO. 1283,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MESSAGE FROM THE HOUSE

February 16, 2007

MR. PRESIDENT:

The House has passed the following bills:
SUBSTITUTE HOUSE BILL NO. 1045,
HOUSE BILL NO. 1366,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

There being no objection, the Senate advanced to the fifth order of business.

INTRODUCTION AND FIRST READING

SB 6067 by Senators Hobbs, Keiser, Fraser, Weinstein, Regala, Pridemore, Spanel, Rasmussen and Kohl-Welles

AN ACT Relating to creating the Washington voluntary retirement accounts program; and adding new sections to chapter 41.50 RCW.

Referred to Committee on Ways & Means.

SB 6068 by Senators Hobbs, Stevens, Haugen, Fairley, Berkey, McAuliffe, Shin and Kohl-Welles

AN ACT Relating to a feasibility study on commuter rail service between Everett and Leavenworth; creating a new section; making an appropriation; and providing an expiration date.

Referred to Committee on Transportation.

SB 6069 by Senators Hargrove, Hatfield and Rasmussen

AN ACT Relating to the establishment of advisory rates for log haulers; and adding a new chapter to Title 80 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6070 by Senators Shin, Sheldon, Spanel and Delvin

AN ACT Relating to the modification of the governing boards of state colleges and universities; amending RCW

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28B.20.100, 28B.30.100, 28B.35.100, and 28B.40.100; and creating a new section.

Referred to Committee on Higher Education.

SB 6071 by Senators Delvin, Brown, Kohl-Welles and Sheldon

AN ACT Relating to the tax on cleaning up radioactive waste and other byproducts of weapons production and nuclear research and development; amending RCW 82.04.263; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6072 by Senators Kastama, Franklin and Regala

AN ACT Relating to the sales and use tax funding of certain high-capacity transportation systems; amending RCW 81.104.170; and adding a new section to chapter 81.112 RCW.

Referred to Committee on Transportation.

SB 6073 by Senators Shin, Clements, Sheldon, Kauffman, Berkey, Jacobsen and Rasmussen

AN ACT Relating to providing incentives for the preservation of manufactured/mobile home communities; amending RCW 43.185A.050; adding a new section to chapter 43.185A RCW; adding a new section to chapter 43.180 RCW; adding a new chapter to Title 82 RCW; and creating a new section.

Referred to Committee on Consumer Protection & Housing.

SB 6074 by Senators Shin and Rasmussen

AN ACT Relating to maintenance and operation funding for parks; and reenacting and amending RCW 82.46.035.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6075 by Senator Haugen

AN ACT Relating to increasing competitive bid limits for the purchase of materials, equipment, or supplies; and reenacting and amending RCW 36.32.245.

Referred to Committee on Government Operations & Elections.

SB 6076 by Senators McCaslin and Carrell

AN ACT Relating to disclosure of investigative records of law enforcement agencies; and amending RCW 42.56.240.

Referred to Committee on Judiciary.

SB 6077 by Senators Kilmer, Delvin, Shin, Sheldon, Hatfield, Keiser, Tom, Hobbs, Weinstein, Rasmussen, Pridemore and Murray

AN ACT Relating to college textbooks; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

SB 6078 by Senators Murray, Clements and Kohl-Welles

AN ACT Relating to retailer licenses for the sale of alcoholic beverages; amending RCW 66.44.310, 66.24.400, 66.08.180, 66.08.220, 66.20.010, 66.20.310, 66.24.410, and 66.24.440; reenacting and amending RCW 66.04.010 and 66.24.420; adding a new section to chapter 66.24 RCW; and providing an effective date.

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

SB 6079 by Senators Roach and Rasmussen

AN ACT Relating to luring of a child or person with a developmental disability; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Judiciary.

SB 6080 by Senators Honeyford, Morton, Schoesler, Stevens, McCaslin and Rasmussen

AN ACT Relating to increasing state funding for local effort assistance; amending RCW 28A.500.020 and 28A.500.020; reenacting and amending RCW 28A.500.030; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6081 by Senators Parlette, Poulsen, Honeyford and Rasmussen

AN ACT Relating to outdoor burning in urban growth areas of certain small cities; amending RCW 70.94.743; and creating a new section.

Referred to Committee on Ways & Means.

SB 6082 by Senators Kohl-Welles and Keiser

AN ACT Relating to unemployment insurance voluntary quit provisions; amending RCW 50.20.050 and 50.20.100; and creating a new section.

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

SB 6083 by Senators Pflug, Keiser, Parlette, Kastama and Rasmussen

AN ACT Relating to access to medical information for physicians; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.57 RCW; and adding a new section to chapter 28B.20 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6084 by Senators Pflug, Poulsen, Rockefeller, Brandland, Rasmussen, Kohl-Welles and Kline

AN ACT Relating to retail sales taxes on vehicles using clean alternative fuels; amending RCW 82.08.813 and 82.12.813; and amending 2005 c 296 s 5 (uncodified).

Referred to Committee on Ways & Means.

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SB 6085 by Senators Roach, Benton and Sheldon

AN ACT Relating to protection and facilitation of the right to petition; amending RCW 29A.72.170 and 29A.72.140; adding a new section to chapter 29A.72 RCW; creating new sections; prescribing penalties; and providing effective dates.

Referred to Committee on Government Operations & Elections.

SB 6086 by Senators Spanel, Rasmussen, Brandland, Jacobsen, Honeyford, Hatfield, Kohl-Welles, Clements, Hargrove and Shin

AN ACT Relating to providing excise tax relief for purchases of diesel fuel for use in commercial fishing; and amending RCW 82.08.0298 and 82.12.0298.

Referred to Committee on Ways & Means.

SB 6087 by Senators Kastama, Pflug and Rasmussen

AN ACT Relating to creating the rural manufacturer export outreach program; adding a new section to chapter 43.210 RCW; repealing RCW 43.210.050; and making an appropriation.

Referred to Committee on Economic Development, Trade & Management.

SB 6088 by Senators Jacobsen, Morton, Fraser, Brandland, Hargrove and Rasmussen

AN ACT Relating to state trust lands; amending RCW 79.13.010, 79.13.060, 79.13.110, 79.17.200, 79.19.010, 79.19.020, 79.19.030, 79.19.070, and 79.19.080; reenacting and amending RCW 79.17.010 and 79.17.020; adding a new section to chapter 79.10 RCW; adding a new section to chapter 79.17 RCW; and creating new sections.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6089 by Senator Benton

AN ACT Relating to a sales and use tax exemption for equipment purchased by volunteer firefighters; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

SB 6090 by Senators Delvin, Zarelli and McCaslin

AN ACT Relating to persons who perform crowd management or guest services; and amending RCW 18.170.010 and 18.170.020.

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

SCR 8406 by Senators Shin, Rasmussen, Morton, Schoesler and Hatfield

Creating an aerospace task force.

Referred to Committee on Economic Development, Trade & Management.

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. 6074 which was referred to the Committee on Natural Resources, Ocean & Recreation.

MOTION

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

MOTION

Senator Rasmussen moved adoption of the following resolution:

SENATE RESOLUTION
8635

By Senator Rasmussen

WHEREAS, The 4-H Youth Development Program of Washington State University Extension has assisted the young people in Washington state develop essential "life skills" since it was established in 1902; and

WHEREAS, The program centers on teaching young people to become productive members of society by fostering citizenship, science, math and technology literacy, health and wellness, communication, and decision-making skills; and

WHEREAS, Over 80,000 young people and nearly 10,000 adult volunteers throughout Washington participated in 4-H Youth Development Programs in 2006; and

WHEREAS, These programs helped participants learn about a wide variety of subjects including science, family living, applied arts, and government activism; and

WHEREAS, These programs work with traditional community clubs and reach youth through urban groups, special interest groups, nutrition programs, after-school programs, camping, and interagency learning experiences; and

WHEREAS, More than 300 4-H members from around the state are currently visiting the State Capitol as part of an annual statewide education program titled "4-H Know Your Government"; and

WHEREAS, The 4-H Know Your Government Program focused this year on the media's influence and relationship with the political process and bettering the understanding of the issues related to pivotal political happenings; and

WHEREAS, 4-H will continue its dedication to empowering young people to become active global citizens and realize the value, significance, and responsibility of taking part in local, regional, state, national, and international community issues;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Washington State Senate recognize the 4-H Youth Development Program for its many contributions to the youth of Washington and the betterment of our communities; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary to Pat BoyEs, the State 4-H Director for the Washington State University Extension 4-H Youth Development Program.

Senators Rasmussen and Eide spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8635.

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

REMARKS BY SENATOR RASMUSSEN

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Senator Rasmussen: "I apologize, I had over forty signatures on this resolution and some where between the bar and a senators desk we lost it. So, and it wasn't your fault Mr. President, but I would want to make sure that the members that has signed onto this resolution would have the opportunity to do so. I don't know if I can get them all to sign on before two o'clock this afternoon but I'm not alone on this resolution. I'm sure the entire members of the senate would of put their name on it if I could find it. With that, I want to thank you Mr. President for hearing this resolution and please remember we are honoring the young leaders in the youth of tomorrow. With that, thank you very much."

REMARKS BY THE PRESIDENT

President Owen: "Senator Rasmussen, you can have additional time in order to find those signatures and when you get, have it, let us know and we will place them on there for you."

REMARKS BY SENATOR RASMUSSEN

Senator Rasmussen: "Thank you Mr. President. I certainly appreciate that because I know both caucuses wanted this resolution to be signed by their entire members and I know that I got almost all of them on the other side and I got all of ours and so I will scurry around and make sure it's done. Thank you."

MOTION

At 12:10 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Tuesday, February 20, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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