

FORTY-FIFTH DAY, FEBRUARY 21, 2007

2007 REGULAR SESSION

FORTY-FIFTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, February 21, 2007

The Senate was called to order at 10:00 a.m. by President Pro Tempore. The Secretary called the roll and announced to the President Pro Tempore that all Senators were present with the exception of Senator Fairley.

The Sergeant at Arms Color Guard consisting of Pages Shelby Hewitson and Kory Rasmussen, presented the Colors. Reverend Ian King of the Universal Life Church 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

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

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.

Elizabeth Willis, reappointment April 4, 2007, for the term ending April 3, 2011, as a member of Member, State Board for Community and Technical Colleges.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

MOTION

On motion of Senator Eide, gubernatorial appointment No. 9194 was updated to reflect corrected term dates.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6094 by Senators Pridemore, Tom and Kohl-Welles

AN ACT Relating to the improving core subject instruction for all students pilot program; adding a new section to chapter 28A.630 RCW; providing an expiration date; and declaring an emergency.

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

SB 6095 by Senators Rasmussen and Schoesler

AN ACT Relating to estate tax deductions for certain property held by qualified family-owned businesses; and adding a new section to chapter 83.100 RCW.

Referred to Committee on Ways & Means.

SB 6096 by Senators Hewitt, Hobbs, Honeyford, Carrell, Zarelli, Roach, Clements, Schoesler, Brandland, Hatfield, Prentice, Pridemore, Rockefeller, Fraser, Rasmussen, Shin,

McCaslin, Parlette, Marr, Swecker, Kohl-Welles, Berkey, Delvin and Holmquist

AN ACT Relating to Purple Heart special license plates; and reenacting and amending RCW 46.16.305.

Referred to Committee on Transportation.

SB 6097 by Senators Honeyford, Brown, Morton, Zarelli, Schoesler, Brandland, Pridemore and Delvin

AN ACT Relating to providing a use tax exemption for motor vehicles used solely in this state for commuting to and from a place of employment located in a contiguous state or foreign country; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

SB 6098 by Senators Roach and Rasmussen

AN ACT Relating to protecting and recovering property owned by utilities, telecommunications companies, railroads, state agencies, political subdivisions of the state, construction firms, and other parties; adding a new section to chapter 80.28 RCW; adding a new chapter to Title 19 RCW; creating a new section; repealing RCW 9.91.110; and prescribing penalties.

Referred to Committee on Judiciary.

SB 6099 by Senator Murray

AN ACT Relating to a state route number 520 expansion impact plan mediator; adding a new section to chapter 47.01 RCW; and declaring an emergency.

Referred to Committee on Transportation.

SB 6100 by Senators Kline and Brandland

AN ACT Relating to charitable donations and other costs imposed on defendants; amending RCW 10.01.160; adding a new section to chapter 10.01 RCW; and adding a new section to chapter 46.63 RCW.

Referred to Committee on Judiciary.

SB 6101 by Senators Oemig, Haugen, Keiser, Weinstein, Kilmer and Hobbs

AN ACT Relating to the broadcast of legal notices over the internet; adding a new section to chapter 43.105 RCW; and creating a new section.

Referred to Committee on Judiciary.

SB 6102 by Senators Poulsen, Morton, Rockefeller and Pridemore

AN ACT Relating to authorizing locally regulated telecommunications services to the general public and public agencies by public utility districts; and amending RCW 54.16.330, 54.16.340, and 54.16.005.

Referred to Committee on Water, Energy & Telecommunications.

Senator McAuliffe moved adoption of the following resolution:

SENATE RESOLUTION
8637

By Senator McAuliffe

WHEREAS, Civic education is the foundation for an educated citizenry and a representative democracy; and

WHEREAS, In order to adequately prepare our state's youth for meaningful participation in our democratic institutions and processes, it is important to have strong educational resources aimed at teaching students and the public about the fragile nature of our Constitution; and

WHEREAS, Civic education is part of the fabric of our country and for all students in our public schools; and

WHEREAS, Civic education is a vital tool to promote greater understanding of the role of legislators in a representative democracy and the legislative process; and

WHEREAS, The First Annual Senate Civic Education Day recognizes the value of civic education in Washington state; and

WHEREAS, Civic Education Day establishes a forum for civic educators across the state to collaborate with legislators and other supporters; and

WHEREAS, Many organizations such as the Legislative Youth Advisory Council, We the People Foundation, Washington Media Association, Washington State Council of Social Studies, 4-H, YMCA Youth & Government, Washington State Bar Association, Office of the Secretary of State, Service Learning of Washington, Washington State Historical Society, Legislative Scholars Program, and Project Citizen state winners from Touchet School are dedicated to making civic education a priority for Washington state and its citizens; and

WHEREAS, The contributions of committed teachers, principals, community leaders, parents, state employees, and volunteers contribute to the goals of these laudable organizations to create an engaged citizenry; and

WHEREAS, February 21, 2007, is recognized as the First Annual Washington State Senate Civic Education Day;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize the responsibility to serve and inform all Washingtonians and honor civic educators across the state; and

BE IT FURTHER RESOLVED, That the Senate of the State of Washington hereby honor, thank, and celebrate the civic educators of the state.

Senators McAuliffe, Pridemore, Rasmussen, Fraser, Pflug, Eide, Kohl-Welles and Keiser spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8637.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced representatives of a number of civic education groups.

MOTION

Senator Haugen moved adoption of the following resolution:

SENATE RESOLUTION
8636

By Senator Haugen

WHEREAS, Oak Harbor High School this past fall claimed the 4A State Championship football title when the Wildcats capped an exciting season with a 21 to 14 victory in the championship game at the Tacoma Dome; and

SB 6103 by Senators Kline, Roach, Weinstein, McCaslin, Brandland, Carrell, Hargrove, Delvin, Honeyford, Shin, Kohl-Welles and Rasmussen

AN ACT Relating to a pilot program for enforcement of financial fraud and identity theft laws; creating a new section; and making an appropriation.

Referred to Committee on Judiciary.

SB 6104 by Senators Kline and Weinstein

AN ACT Relating to citizen enforcement of health and environmental laws; adding a new chapter to Title 4 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SB 6105 by Senators Weinstein, Kline and Spanel

AN ACT Relating to authorizing the issuance of civil inspection warrants; adding a new section to chapter 2.08 RCW; adding a new section to chapter 3.02 RCW; adding a new section to chapter 3.46 RCW; adding a new section to chapter 3.50 RCW; adding a new section to chapter 3.66 RCW; and adding a new section to chapter 35.20 RCW.

Referred to Committee on Judiciary.

SB 6106 by Senators Spanel, Kohl-Welles, Clements and Keiser

AN ACT Relating to the regulation of certain trades by the department of labor and industries; amending RCW 18.118.020; and adding a new chapter to Title 18 RCW.

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

SJR 8221 by Senators Kline and Honeyford

Revising the application of discovery rules to proceedings of the judicial conduct commission.

Referred to Committee on Judiciary.

MOTION

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

MOTION

On motion of Senator Eide, Senate Rule 20 was suspended for the remainder of the day to allow consideration of additional floor resolutions.

EDITOR'S NOTE: Senate Rule 20 prohibits limits consideration of floor resolutions not essential to the operation of the Senate to one per day during regular daily sessions.

MOTION

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

MOTION

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WHEREAS, Along with capturing the State 4A title, the Wildcats, led by Coach Dave Ward, finished their storybook season with an impressive record of 13 and 1; and

WHEREAS, The winning of this year's 4A state title by Oak Harbor was the first football championship won by the school; and

WHEREAS, Quarterback Marshall Lobbestael, who will play for the Washington State University Cougars, was named Class 4A State Player of the Year by the Associated Press; and

WHEREAS, Offensive Lineman Will Hunter was named to the Associated Press All State First Team; and

WHEREAS, With the victory in the state title game Coach Dave Ward compiled his 100th career victory as a head coach;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the Oak Harbor Wildcats for their 4A State Football Championship; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Oak Harbor School District Superintendent, the Oak Harbor High School Principal, and the Oak Harbor High School's Wildcats Football team members and coaches.

Senator Haugen spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8636.

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

INTRODUCTION OF SPECIAL GUESTS

The President Pro Tempore welcomed and introduced Oak Harbor School District Superintendent, Dr. Rick Shulte; Cheerleading Squad Coach Pam Headridge; members of the Oak Harbor High School Football Team and the National Cheerleading champions, Oak Harbor cheerleading squad who were seated in the gallery.

MOTION

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

MOTION

On motion of Rockefeller, the rules were suspended, the Senate, with a single vote, considered the confirmations of Gubernatorial Appointments and the vote of the Senate was recorded as a separate vote for each appointment.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Pridemore moved that Gubernatorial Appointment No. 9013, Denise Colley; Gubernatorial Appointment No. 9010, Annabelle Fitts; Gubernatorial Appointment No. 9053, Sherry Perry; Gubernatorial Appointment No. 9080, Eric Wiseman; Gubernatorial Appointment No. James L. Kemp; Gubernatorial Appointment No. 9158, Charles P. Nelson; Gubernatorial Appointment No. 9169, W. Stephen Rainey and Gubernatorial Appointment No. 9216, John Driscoll as members of the Board of Trustees, State School for the Blind, be confirmed.

Senators Pridemore and Brandland spoke in favor of the motion.

APPOINTMENT OF DENISE COLLEY

The President Pro Tempore declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9013, Denise Colley, Gubernatorial Appointment No. 9019, Annabelle Fitts; Gubernatorial Appointment No. 9053, Sherry Perry; Gubernatorial Appointment No. 9080, Eric Wiseman; Gubernatorial Appointment No. 9138, James L. Kemp; Gubernatorial Appointment No. 9158, Charles P. Nelson; Gubernatorial Appointment No. 9169, W. Stephen Rainey and Gubernatorial Appointment No. 9216, John Driscoll as members of the Board of Trustees, State School for the Blind.

MOTION

On motion of Senator Regala, Senator Fairley was excused.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9013, Denise Colley as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

APPOINTMENT OF ANNABELL FITTS

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9019, Annabelle Fitts: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

APPOINTMENT OF SHERRY PERRY

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9053, Sherry Perry as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

APPOINTMENT OF ERIC WISEMAN

The Secretary called the roll on the confirmation of

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Gubernatorial Appointment No. 9080, Eric Wiseman as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

APPOINTMENT OF JAMES L. KEMP

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9138, James L. Kemp as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

APPOINTMENT OF CHARLES P. NELSON

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9158, Charles P. Nelson as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

APPOINTMENT OF W. STEPHEN RAINEY

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9169, W. Stephen Rainey as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

APPOINTMENT OF JOHN DRISCOLL

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9216, John Driscoll as a member of the Board of Trustees, State School for the Blind and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

Gubernatorial Appointment No. 9013, Denise Colley, Gubernatorial Appointment No. 9019, Annabelle Fitts; Gubernatorial Appointment No. 9053, Sherry Perry; Gubernatorial Appointment No. 9080, Eric Wiseman; Gubernatorial Appointment No. 9138, James L. Kemp; Gubernatorial Appointment No. 9158, Charles P. Nelson; Gubernatorial Appointment No. 9169, W. Stephen Rainey and Gubernatorial Appointment No. 9216, John Driscoll, having received the constitutional majority were declared confirmed as members of the Board of Trustees, State School for the Blind.

MOTION

At 10:54 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:43 a.m. by President Pro Tempore.

MOTION

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

REPORTS OF STANDING COMMITTEES

February 19, 2007
SB 5104 Prime Sponsor, McAuliffe: Expanding the applied baccalaureate degree pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5104 as recommended by Committee on Higher Education be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Rules for second reading.

February 20, 2007
SB 5115 Prime Sponsor, Kilmer: Expanding competitive local infrastructure financing tools projects. Reported by Committee on Economic Development, Trade & Management

MAJORITY recommendation: That Substitute Senate Bill No. 5115 be substituted therefor, and the substitute bill do

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

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

February 19, 2007

SB 5152 Prime Sponsor, Franklin: Changing the minimum age for children being transported on motorcycles or motor-driven cycles. Revised for 1st Substitute: Modifying restrictions on children riding motorcycles. Reported by Committee on Transportation

February 19, 2007

SB 5236 Prime Sponsor, Parlette: Concerning the management of public lands. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 5152 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Berkey, Eide, Jacobsen, Kastama, Kauffman, Kilmer, Pflug, Sheldon and Spanel

MAJORITY recommendation: That Substitute Senate Bill No. 5236 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen, Spanel, Stevens and Swecker

MINORITY recommendation: Do not pass. Signed by Senators Benton, Delvin, Holmquist and Swecker. Without recommendation. Signed by Senator Clements

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 19, 2007

February 19, 2007
SB 5206 Prime Sponsor, Haugen: Addressing the use of tires with retractable studs. Revised for 1st Substitute: Modifying the regulation of studded tire use. Reported by Committee on Transportation

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

MAJORITY recommendation: That Substitute Senate Bill No. 5206 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Benton, Berkey, Clements, Delvin, Eide, Jacobsen, Kastama, Kauffman, Kilmer, Pflug, Sheldon, Spanel and Swecker

MAJORITY recommendation: That Substitute Senate Bill No. 5254 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

MINORITY recommendation: Do not pass. Signed by Senator Holmquist

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

February 19, 2007

February 19, 2007
SB 5217 Prime Sponsor, Jacobsen: Allowing counties to increase funding for properties acquired through conservation futures. Reported by Committee on Natural Resources, Ocean & Recreation

SB 5332 Prime Sponsor, Roach: Creating a statewide automated victim information and notification system. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5217 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen and Spanel

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

MINORITY recommendation: Do not pass. Signed by Senator Stevens. Without recommendation. Signed by Senator Swecker

Passed to Committee on Rules for second reading.

Passed to Committee on Ways & Means.

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SB 5222 Prime Sponsor, Hargrove: Modifying provisions affecting the appointment of indeterminate sentence review board members. Reported by Committee on Ways & Means

SB 5387 Prime Sponsor, Kastama: Promoting economic development through commercialization of technologies. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5222 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

MAJORITY recommendation: That Substitute Senate Bill No. 5387 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Rules for second reading.

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SB 5423 Prime Sponsor, Keiser: Improving the quality of health care through the use of health information technologies. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5423 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles, Marr and Pflug

Passed to Committee on Ways & Means.

February 19, 2007
SB 5434 Prime Sponsor, Poulsen: Regarding excise taxation of sales of tangible personal property originating from or destined to foreign countries. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Rules for second reading.

February 19, 2007
SB 5483 Prime Sponsor, Kauffman: Retaining the distribution of city hardship assistance program funds to cities and towns for street maintenance. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5483 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Berkey, Clements, Delvin, Eide, Holmquist, Jacobsen, Kastama, Kauffman, Kilmer, Pflug, Sheldon, Spanel and Swecker

MINORITY recommendation: Without recommendation. Signed by Senator Benton

Passed to Committee on Rules for second reading.

February 20, 2007
SB 5599 Prime Sponsor, Schoesler: Modifying provisions related to the distribution of tax proceeds from thermal electric generating facilities. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Fraser, Holmquist, Honeyford, Marr, Morton, Oemig, Pridemore and Regala

MINORITY recommendation: Do not pass. Signed by Senator Delvin

Passed to Committee on Rules for second reading.

February 19, 2007

SB 5632 Prime Sponsor, Kastama: Meeting financial responsibility requirements for automobiles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5632 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Benton, Berkey, Clements, Delvin, Eide, Holmquist, Jacobsen, Kastama, Kilmer, Pflug, Sheldon, Spanel and Swecker

MINORITY recommendation: Do not pass. Signed by Senator Kauffman

Passed to Committee on Financial Institutions & Insurance.

February 20, 2007
SB 5635 Prime Sponsor, Brandland: Revising provisions relating to limitations on polygraph tests. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

February 19, 2007
SB 5648 Prime Sponsor, Swecker: Providing sales and use tax exemptions for prescribed durable medical equipment used in the home and prescribed mobility enhancing equipment. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5648 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles, Marr and Pflug

Passed to Committee on Ways & Means.

February 19, 2007
SB 5656 Prime Sponsor, Jacobsen: Creating a regional transfer of development rights program. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 5656 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Morton, Poulsen, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

February 19, 2007
SB 5723 Prime Sponsor, Rasmussen: Creating and funding the community agricultural worker safety grant program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Hatfield, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler and Tom

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Passed to Committee on Rules for second reading.

February 19, 2007

SB 5743 Prime Sponsor, Kastama: Linking economic clusters and quality management practices to customized training. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5743 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Rules for second reading.

February 19, 2007

SB 5766 Prime Sponsor, Fraser: Eliminating limitations on the investment of certain state moneys. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Rules for second reading.

February 20, 2007

SB 5847 Prime Sponsor, Kline: Addressing overpayments received by courts. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

February 19, 2007

SB 5930 Prime Sponsor, Keiser: Providing high quality, affordable health care to Washingtonians based on the recommendations of the blue ribbon commission on health care costs and access. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5930 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Fairley, Kastama, Kohl-Welles, Marr and Pflug

MINORITY recommendation: Without recommendation. Signed by Senator Carrell

Passed to Committee on Ways & Means.

February 20, 2007

SB 6011 Prime Sponsor, Poulsen: Creating the Maury Island aquatic reserve. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6011 be substituted therefor, and the substitute bill do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Delvin, Fraser, Marr, Oemig, Pridemore and Regala

MINORITY recommendation: Do not pass. Signed by Senators Holmquist, Honeyford and Morton

Passed to Committee on Rules for second reading.

February 20, 2007

SB 6012 Prime Sponsor, Poulsen: Concerning shoreline master program provisions on islands in Puget Sound. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Poulsen, Chair; Rockefeller, Vice Chair; Delvin, Fraser, Marr, Morton, Oemig, Pridemore and Regala

MINORITY recommendation: Do not pass. Signed by Senators Holmquist and Honeyford

Passed to Committee on Rules for second reading.

February 19, 2007

SJR 8220 Prime Sponsor, Fraser: Eliminating prohibitions on the investment of certain state moneys. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Carrell, Fairley, Hatfield, Hewitt, Hobbs, Honeyford, Keiser, Kohl-Welles, Oemig, Rasmussen, Roach, Rockefeller, Schoesler, Tom and Zarelli

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee Report be referred to the committees as designated.

MOTION

Senator Schoesler moved to amend the motion by Senator Eide to refer Senate Bill No. 6011 to the Committee on Ways & Means.

President Pro Tempore declared the question before the Senate to be the motion by Senator Schoesler to refer Senate Bill No. 6011 to the Committee on Ways & Means.

Senator Schoesler spoke in favor of the motion.

POINT OF ORDER

Senator Brown: "Is the speaker speaking to the referral of the bill or to people who have problems with the bill?"

Senator Prentice spoke against the motion.

POINT OF ORDER

Senator Benton: "Thank you Madam President. Just an inquiry of the President, do we have a technical difficulty here

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because we hear speeches but there's no reader board on what the speeches are about or what bill we're referring to. For those of us who didn't catch the very first speech then. There we go. Thank you very much."

The motion by Senator Schoesler failed.

The President Pro Tempore declared the question before the senate to be the motion by Senator Eide that all measures listed on the Standing Committee Report be referred to the committees as designated.

The motion by Senator Eide carried.

MOTION

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

SECOND READING

SENATE JOINT RESOLUTION NO. 8206, by Senators Brown, Zarelli, Eide, Hewitt, Haugen, Franklin, Kilmer, Kauffman, Marr, Rasmussen, Berkey, Sheldon, Keiser, Tom, McAuliffe, Parlette and Rockefeller

Creating the budget stabilization account in the state Constitution.

MOTION

On motion of Senator Brown, Substitute Senate Joint Resolution No. 8206 was substituted for Senate Joint Resolution No. 8206 and the substitute resolution was placed on the second reading and read the second time.

MOTION

Senator Zarelli moved that the following amendment by Senators Zarelli and Brown be adopted.

On page 2, beginning on line 19, strike all material down through line 26 and insert the following:

"(e) Amounts in the budget stabilization account may be invested as provided by law and retained in that account. When the balance in the budget stabilization account, including investment earnings, equals more than ten percent of the estimated general state revenues in that fiscal year, the legislature by the favorable vote of a majority of the members elected to each house of the legislature may withdraw and appropriate the balance to the extent that the balance exceeds ten percent of the estimated general state revenues. Appropriations under this subsection (e) may be made solely for deposit to the education construction fund."

Senators Zarelli and Brown spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Zarelli and Brown on page 2, line 19 to Substitute Senate Joint Resolution No. 8206.

The motion by Senator Zarelli carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Engrossed Substitute Senate Joint Resolution No. 8206 was

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advanced to third reading, the second reading considered the third and the resolution was placed on final passage.

Senators Brown, Zarelli, Prentice and Hargrove spoke in favor of passage of the resolution.

POINT OF INQUIRY

Senator Jacobsen: "Will Senator Zarelli yield to a question? Senator Zarelli, if the scenario that the previous speaker referred to, if we had an issue down the line or that had a fiscal impact like 695, took about a billion dollars out of the budget. Would that constitute an emergency and then we'd be able to go into the reserve?"

Senator Zarelli: "The emergency, there's two ways to get to the money without a sup majority in this constitutional amendment. One, is when employment growth falls below one percent which indicative if you go back in time. It's clearly when we have significant down turns in which we'd need a reserve like this and the other is in the event of catastrophic event such as a Katrina like event in which an emergency is declared and then we would pass legislation via simple majority to access that fund. Those are the two ways in which the fund as established could be accessed."

Senator Jacobsen spoke against passage of the resolution.

Senator Brandland spoke on passage of the resolution.

Senators Brown and Zarelli spoke in favor of passage of the resolution again.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Joint Resolution No. 8206.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Resolution No. 8206 and the resolution passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Kastama, Kauffman, Keiser, Kilmer, Kline, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Stevens, Swecker, Tom, Weinstein and Zarelli – 45

Voting Nay: Senators Jacobsen, Kohl-Welles and Spanel -- 3

Excused: Senator Fairley - 1

ENGROSSED SUBSTITUTE SENATE JOINT RESOLUTION NO. 8206, having received the constitutional majority, was declared passed.

SECOND READING

SENATE BILL NO. 5311, by Senators Brown, Zarelli, Prentice, Marr, Tom, McAuliffe and Kilmer

Creating the budget stabilization account.

MOTION

On motion of Senator Brown, Substitute Senate Bill No. 5311 was substituted for Senate Bill No. 5311 and the substitute bill was placed on the second reading and read the second time.

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MOTION

Senator Zarelli moved that the following amendment by Senators Zarelli and Brown be adopted.

On page 2, beginning on line 16, after "(4)" strike all material down through and including "(5)" on line 25.

Senator Zarelli spoke in favor of adoption of the amendment.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators Zarelli and Brown on page 2, line 16 to Substitute Senate Bill No. 5311.

The motion by Senator Zarelli carried and the amendment was adopted by voice vote.

MOTION

On motion of Senator Brown, the rules were suspended, Engrossed Substitute Senate Bill No. 5311 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Zarelli spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5311.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5311 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Clements, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, Morton, Murray, Oemig, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Fairley - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5311, 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.

MOTION

At 12:18 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, February 22, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

5104	Committee Report	4
5115	Committee Report	4
5152	Committee Report	5

5206	Committee Report	5	6102	Introduction & 1st Reading	1
5217	Committee Report	5	6103	Introduction & 1st Reading	2
5222	Committee Report	5	6104	Introduction & 1st Reading	2
5236	Committee Report	5	6105	Introduction & 1st Reading	2
5254	Committee Report	5	6106	Introduction & 1st Reading	2
5311	Second Reading	8	8206	Second Reading	8
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	Third Reading Final Passage	9		Third Reading Final Passage	8
5332	Committee Report	5	8220	Committee Report	7
5387	Committee Report	5	8221	Introduction & 1st Reading	2
5423	Committee Report	6	8636	Adopted	3
5434	Committee Report	6		Introduced	2
5483	Committee Report	6	8637	Adopted	2
5599	Committee Report	6		Introduced	2
5632	Committee Report	6	9013 Denise Colley	Confirmed	3, 4
5635	Committee Report	6	9019, Annabelle Fitts	Confirmed	3
5648	Committee Report	6	9053, Sherry Perry	Confirmed	3
5656	Committee Report	6	9138, James L. Kemp	Confirmed	4
5723	Committee Report	6	9158, Charles P. Nelson	Confirmed	4
5743	Committee Report	7	9169, W. Stephen Rainey	Confirmed	4
5766	Committee Report	7	9194	Other Action	1
5847	Committee Report	7		PRESIDENT OF THE SENATE (SENATOR FRANKLIN PRESIDING)	
5930	Committee Report	7		Intro. Special Guest, Civic Ed. Leaders	2
6011	Committee Report	7		Oak Harbor Wildcats Football Team	3
6012	Committee Report	7		WASHINGTON STATE SENATE	
6094	Introduction & 1st Reading	1		Point of Inquiry, Senator Jacobsen	8
6095	Introduction & 1st Reading	1		Point of Order, Senator Benton	7
6096	Introduction & 1st Reading	1		Point of Order, Senator Brown	7
6097	Introduction & 1st Reading	1			
6098	Introduction & 1st Reading	1			
6099	Introduction & 1st Reading	1			
6100	Introduction & 1st Reading	1			
6101	Introduction & 1st Reading	1			