

TWENTY-FOURTH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, February 6, 2008

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 Senator Parlette.

The Sergeant at Arms Color Guard consisting of Pages Seika McCoy and Mae Boettcher, presented the Colors. Senator Hargrove 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

February 4, 2008

SB 5981 Prime Sponsor, Senator Kohl-Welles: Providing for lead poisoning prevention education and screening. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 5981 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Fairley; Kastama; Kohl-Welles and Marr.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Pflug and Carrell.

Passed to Committee on Ways & Means.

February 4, 2008

SB 6212 Prime Sponsor, Senator Jacobsen: Seeking to improve recreational opportunities on state-owned lands managed by the department of natural resources. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 6212 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Hatfield, Vice Chair; Morton; Fraser; Spanel; Stevens and Swecker.

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6277 Prime Sponsor, Senator Haugen: Requiring the accommodation of certain private transit providers at park and ride lots. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6277 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Berkey; Delvin; Holmquist; Kauffman; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6301 Prime Sponsor, Senator Oemig: Preventing conduct that is intended to provide a person the information necessary to commit a pedophilic act. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6301 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin; Carrell; McDermott; Roach and Weinstein.

Passed to Committee on Rules for second reading.

February 5, 2008

SB 6317 Prime Sponsor, Senator Berkey: Requiring the payment of interest upon failure to pay death benefits that are payable under the terms of a group life insurance policy. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 6317 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin; Prentice and Schoesler.

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6353 Prime Sponsor, Senator Haugen: Concerning public transportation fares. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6353 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Berkey; Delvin; Holmquist; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

February 5, 2008

SB 6362 Prime Sponsor, Senator Marr: Ordering a review of statutes of limitation for sex offenses. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6372 Prime Sponsor, Senator Eide: Including defendants who are persons specifically authorized to assist and act at the direction of law enforcement officers for the purpose of affirmative defenses. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6395 Prime Sponsor, Senator Spanel: Protecting orca whales from the impacts from vessels. Reported by Committee on Natural Resources, Ocean & Recreation

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MAJORITY recommendation: That Substitute Senate Bill No. 6395 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Hatfield, Vice Chair; Morton; Fraser; Hargrove; Rockefeller and Spanel.

MINORITY recommendation: Do not pass. Signed by Senator Swecker.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator and Stevens.

Passed to Committee on Rules for second reading.

February 5, 2008

SB 6438 Prime Sponsor, Senator Kohl-Welles: Creating a statewide high-speed internet deployment and adoption effort. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6438 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford; Delvin; Fraser; Holmquist; Oemig; Pridemore and Regala.

Passed to Committee on Ways & Means.

February 5, 2008

SB 6499 Prime Sponsor, Senator Weinstein: Modifying provisions regulating spyware. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6499 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Honeyford; Delvin; Haugen; Jacobsen; Kilmer; McCaslin and Tom.

Passed to Committee on Rules for second reading.

February 1, 2008

SB 6514 Prime Sponsor, Senator Tom: Regarding identifying real property. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6514 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin; Carrell; Hargrove; McDermott; Roach and Weinstein.

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6531 Prime Sponsor, Senator Haugen: Addressing environmental mitigation in highway construction. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Berkey; Delvin; Holmquist; Kauffman; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6602 Prime Sponsor, Senator Haugen: Modifying certain provisions of the pilotage act. Reported by Committee on Transportation

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MAJORITY recommendation: That Substitute Senate Bill No. 6602 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Berkey; Delvin; Holmquist; Kauffman; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

February 1, 2008

SB 6615 Prime Sponsor, Senator Tom: Granting authority of a watershed management partnership to exercise powers of its forming governments. Reported by Committee on Judiciary

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

MINORITY recommendation: Do no pass. Signed by Senators Carrell and Hargrove.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator and Roach.

Passed to Committee on Rules for second reading.

February 5, 2008

SB 6711 Prime Sponsor, Senator Kauffman: Creating the smart homeownership choices program. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6711 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Honeyford; Delvin; Haugen; Jacobsen; Kilmer; McCaslin and Tom.

Passed to Committee on Ways & Means.

February 5, 2008

SB 6712 Prime Sponsor, Senator Kauffman: Creating the affordable housing and community facilities rapid response loan program. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6712 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Haugen; Jacobsen; Kilmer and McCaslin.

MINORITY recommendation: That it be referred without recommendation. Signed by Senators Honeyford and Delvin.

Passed to Committee on Ways & Means.

February 5, 2008

SB 6714 Prime Sponsor, Senator Kohl-Welles: Concerning the national crime prevention and privacy compact. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

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SB 6745 Prime Sponsor, Senator Fraser: Concerning homeowners' associations. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6745 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Haugen; Jacobsen and Kilmer.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Tom.

Passed to Committee on Rules for second reading.

February 5, 2008

SB 6763 Prime Sponsor, Senator Tom: Concerning background checks. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

February 5, 2008

SB 6840 Prime Sponsor, Senator Weinstein: Authorizing county prosecutors and city attorneys to enforce certain provisions of the consumer protection act. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: Do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Haugen; Jacobsen; Kilmer and McCaslin.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford; Delvin and Tom.

Passed to Committee on Rules for second reading.

February 4, 2008

SB 6852 Prime Sponsor, Senator Kohl-Welles: Addressing the presence of toxins in households or dwellings. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug; Carrell; Fairley; Kastama; Kohl-Welles and Marr.

Passed to Committee on Consumer Protection & Housing.

February 4, 2008

SB 6898 Prime Sponsor, Senator Kline: Modifying criminal sentencing requirements. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6898 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin; Carrell; McDermott; Roach and Weinstein.

Passed to Committee on Rules for second reading.

February 5, 2008

SB 6900 Prime Sponsor, Senator Tom: Establishing vehicle engine displacement and emissions fees. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford; Delvin; Hatfield; Morton; Oemig; Pridemore and Regala.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Holmquist.

Passed to Committee on Transportation.

January 31, 2008

SJM 8026 Prime Sponsor, Senator Jacobsen: Requesting that the new Tacoma Narrows bridge be named the Bob Oke bridge. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Joint Memorial No. 8026 be substituted therefor, and the substitute joint memorial do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Berkey; Delvin; Holmquist; Jacobsen; Kastama; Kauffman; Kilmer; King; Sheldon and Spanel.

MINORITY recommendation: Do not pass. Signed by Senator Benton.

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. 6395 which was referred to the Committee on Rules.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6920 by Senator Swecker

AN ACT Relating to helicopter access for emergencies; creating a new section; and making an appropriation.

Referred to Committee on Transportation.

SB 6921 by Senator Delvin

AN ACT Relating to exempting certain proprietary information from disclosure under the public records act; reenacting and amending RCW 42.56.270; and providing an effective date.

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

SB 6922 by Senator Hobbs

AN ACT Relating to cord blood banking; amending RCW 70.54.220; adding a new section to chapter 70.54 RCW; creating a new section; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 6923 by Senators Murray, Kohl-Welles, Weinstein, Pridemore, Jacobsen and Kline

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AN ACT Relating to a passenger vehicle greenhouse gas excise tax; adding a new section to chapter 82.44 RCW; and creating a new section.

AN ACT Relating to the children's administration's use of information services; and amending RCW 43.105.080, 43.105.170, 43.105.180, 43.105.190, and 43.105.210.

Referred to Committee on Transportation.

Referred to Committee on Human Services & Corrections.

SB 6924 by Senators Fairley, Hargrove, Hatfield, Sheldon and McCaslin

SB 6929 by Senators McAuliffe, Tom, Rasmussen, Zarelli, King, Brandland, Jacobsen and Fairley

AN ACT Relating to the adoption of a primary election system in which the two candidates with the most votes qualify for the general election; amending RCW 29A.04.008, 29A.04.086, 29A.04.128, 29A.04.133, 29A.08.161, 29A.20.021, 29A.20.121, 29A.20.131, 29A.20.141, 29A.24.081, 29A.24.101, 29A.24.141, 29A.24.151, 29A.24.161, 29A.24.171, 29A.24.181, 29A.24.191, 29A.24.311, 29A.28.041, 29A.28.061, 29A.32.031, 29A.32.036, 29A.32.121, 29A.32.241, 29A.36.011, 29A.36.071, 29A.36.101, 29A.36.121, 29A.36.131, 29A.36.161, 29A.36.171, 29A.36.180, 29A.36.201, 29A.40.091, 29A.44.201, 29A.44.221, 29A.48.020, 29A.52.106, 29A.52.116, 29A.52.231, 29A.52.321, 29A.52.351, 29A.56.040, 29A.60.021, 29A.60.221, 29A.64.011, 29A.64.021, 29A.64.041, 29A.64.061, 29A.64.081, 29A.68.011, 29A.80.011, 29A.80.020, 29A.84.261, 29A.84.311, 42.12.040, and 29A.84.711; reenacting and amending RCW 29A.04.310, 29A.24.030, 42.12.040, and 42.17.020; adding a new section to chapter 29A.24 RCW; adding a new section to chapter 29A.52 RCW; repealing RCW 29A.20.201, 29A.24.210, 29A.24.211, 29A.28.011, 29A.28.021, 29A.36.104, 29A.36.106, 29A.36.191, 29A.52.011, 29A.52.141, and 29A.52.151; and providing a contingent effective date.

AN ACT Relating to education; adding a new section to Title 28A RCW; creating new sections; repealing RCW 28A.150.010, 28A.150.020, 28A.150.030, 28A.150.040, 28A.150.050, 28A.150.060, 28A.150.070, 28A.150.080, 28A.150.100, 28A.150.200, 28A.150.205, 28A.150.210, 28A.150.211, 28A.150.220, 28A.150.230, 28A.150.240, 28A.150.250, 28A.150.260, 28A.150.262, 28A.150.270, 28A.150.275, 28A.150.280, 28A.150.290, 28A.150.295, 28A.150.300, 28A.150.305, 28A.150.310, 28A.150.315, 28A.150.350, 28A.150.360, 28A.150.370, 28A.150.380, 28A.150.390, 28A.150.400, 28A.150.410, 28A.150.420, 28A.150.500, 28A.150.510, 28A.150.520, 28A.150.530, 28A.155.010, 28A.155.020, 28A.155.030, 28A.155.040, 28A.155.045, 28A.155.050, 28A.155.060, 28A.155.065, 28A.155.070, 28A.155.080, 28A.155.090, 28A.155.100, 28A.155.105, 28A.155.115, 28A.155.140, 28A.155.160, 28A.155.170, 28A.155.180, 28A.160.010, 28A.160.020, 28A.160.030, 28A.160.040, 28A.160.050, 28A.160.060, 28A.160.070, 28A.160.080, 28A.160.090, 28A.160.100, 28A.160.110, 28A.160.115, 28A.160.120, 28A.160.130, 28A.160.140, 28A.160.150, 28A.160.160, 28A.160.170, 28A.160.180, 28A.160.190, 28A.160.195, 28A.160.200, 28A.160.205, 28A.160.210, 28A.165.005, 28A.165.015, 28A.165.025, 28A.165.035, 28A.165.045, 28A.165.055, 28A.165.065, 28A.165.075, 28A.165.900, 28A.170.050, 28A.170.075, 28A.170.080, 28A.170.090, 28A.175.010, 28A.175.025, 28A.175.035, 28A.175.045, 28A.175.055, 28A.175.065, 28A.175.075, 28A.180.010, 28A.180.020, 28A.180.030, 28A.180.040, 28A.180.060, 28A.180.080, 28A.180.090, 28A.180.100, 28A.185.010, 28A.185.020, 28A.185.030, 28A.185.040, 28A.185.050, 28A.190.010, 28A.190.020, 28A.190.030, 28A.190.040, 28A.190.050, 28A.190.060, 28A.193.005, 28A.193.010, 28A.193.020, 28A.193.030, 28A.193.040, 28A.193.050, 28A.193.060, 28A.193.070, 28A.193.080, 28A.193.900, 28A.193.901, 28A.195.010, 28A.195.020, 28A.195.030, 28A.195.040, 28A.195.050, 28A.195.060, 28A.195.070, 28A.195.080, 28A.205.010, 28A.205.020, 28A.205.030, 28A.205.040, 28A.205.050, 28A.205.070, 28A.205.080, 28A.205.090, 28A.210.010, 28A.210.020, 28A.210.030, 28A.210.040, 28A.210.060, 28A.210.070, 28A.210.080, 28A.210.090, 28A.210.100, 28A.210.110, 28A.210.120, 28A.210.130, 28A.210.140, 28A.210.150, 28A.210.160, 28A.210.170, 28A.210.180, 28A.210.190, 28A.210.200, 28A.210.210, 28A.210.220, 28A.210.240, 28A.210.250, 28A.210.255, 28A.210.260, 28A.210.270, 28A.210.280, 28A.210.290, 28A.210.300, 28A.210.310, 28A.210.320, 28A.210.330, 28A.210.340, 28A.210.350, 28A.210.360, 28A.210.365, 28A.210.370, 28A.215.010, 28A.215.020, 28A.215.030, 28A.215.040, 28A.215.050, 28A.215.060, 28A.220.010, 28A.220.020, 28A.220.030, 28A.220.040, 28A.220.050, 28A.220.060, 28A.220.070, 28A.220.080, 28A.220.900, 28A.225.005, 28A.225.010, 28A.225.015, 28A.225.020, 28A.225.025, 28A.225.030, 28A.225.031, 28A.225.035, 28A.225.055, 28A.225.060, 28A.225.080, 28A.225.090, 28A.225.095, 28A.225.110, 28A.225.115, 28A.225.140, 28A.225.151, 28A.225.160, 28A.225.170, 28A.225.200, 28A.225.210, 28A.225.215, 28A.225.220, 28A.225.225, 28A.225.230, 28A.225.240, 28A.225.250, 28A.225.260, 28A.225.270, 28A.225.280, 28A.225.290, 28A.225.300,

Referred to Committee on Ways & Means.

SB 6925 by Senator Hargrove

AN ACT Relating to the governance of the indeterminate sentence review board; amending RCW 9.95.003; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 6926 by Senator McCaslin

AN ACT Relating to disincorporation of cities and towns; amending RCW 35.07.010 and 35.07.090; and repealing RCW 35.07.020, 35.07.040, 35.07.050, 35.07.060, 35.07.070, 35.07.080, 35.07.100, 35.07.110, 35.07.130, 35.07.140, 35.07.150, 35.07.160, 35.07.170, 35.07.180, 35.07.190, 35.07.200, 35.07.210, 35.07.220, and 35.07.225.

Referred to Committee on Government Operations & Elections.

SB 6927 by Senator Delvin

AN ACT Relating to county elected officials keeping offices at the county seat; and amending RCW 36.23.080, 36.28.160, 36.29.170, and 36.80.015.

Referred to Committee on Government Operations & Elections.

SB 6928 by Senator Hargrove

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28A.225.310, 28A.225.330, 28A.230.010, 28A.230.020,
 28A.230.030, 28A.230.040, 28A.230.050, 28A.230.060,
 28A.230.070, 28A.230.080, 28A.230.090, 28A.230.095,
 28A.230.097, 28A.230.100, 28A.230.120, 28A.230.125,
 28A.230.130, 28A.230.140, 28A.230.150, 28A.230.160,
 28A.230.170, 28A.230.180, 28A.230.185, 28A.230.195,
 28A.230.205, 28A.230.250, 28A.235.010, 28A.235.020,
 28A.235.030, 28A.235.040, 28A.235.050, 28A.235.060,
 28A.235.070, 28A.235.080, 28A.235.090, 28A.235.100,
 28A.235.110, 28A.235.120, 28A.235.130, 28A.235.140,
 28A.235.145, 28A.235.150, 28A.235.155, 28A.235.160,
 28A.245.005, 28A.245.010, 28A.245.020, 28A.245.030,
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 28A.300.470, 28A.300.475, 28A.300.480, 28A.300.490,
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 28A.300.520, 28A.300.800, 28A.305.011, 28A.305.021,
 28A.305.035, 28A.305.130, 28A.305.140, 28A.305.145,
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 28A.310.390, 28A.310.400, 28A.310.410, 28A.310.420,
 28A.310.430, 28A.310.440, 28A.310.460, 28A.310.470,
 28A.310.480, 28A.310.490, 28A.315.005, 28A.315.015,
 28A.315.025, 28A.315.035, 28A.315.045, 28A.315.055,
 28A.315.065, 28A.315.075, 28A.315.085, 28A.315.095,
 28A.315.105, 28A.315.115, 28A.315.125, 28A.315.135,
 28A.315.145, 28A.315.155, 28A.315.165, 28A.315.175,
 28A.315.185, 28A.315.195, 28A.315.205, 28A.315.215,
 28A.315.225, 28A.315.235, 28A.315.245, 28A.315.255,
 28A.315.265, 28A.315.275, 28A.315.285, 28A.315.295,
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 28A.320.160, 28A.320.165, 28A.320.170, 28A.320.175,
 28A.320.180, 28A.320.230, 28A.320.240, 28A.320.300,
 28A.320.310, 28A.320.320, 28A.320.330, 28A.320.400,
 28A.320.410, 28A.320.420, 28A.320.430, 28A.320.440,
 28A.320.500, 28A.320.510, 28A.320.520, 28A.323.010,
 28A.323.020, 28A.323.030, 28A.323.040, 28A.323.050,
 28A.323.060, 28A.323.070, 28A.323.080, 28A.323.090,
 28A.323.100, 28A.325.010, 28A.325.020, 28A.325.030,
 28A.330.010, 28A.330.020, 28A.330.030, 28A.330.040,
 28A.330.050, 28A.330.060, 28A.330.070, 28A.330.080,

28A.330.090, 28A.330.100, 28A.330.110, 28A.330.200,
 28A.330.210, 28A.330.220, 28A.330.230, 28A.330.240,
 28A.335.010, 28A.335.020, 28A.335.030, 28A.335.040,
 28A.335.050, 28A.335.060, 28A.335.070, 28A.335.080,
 28A.335.090, 28A.335.100, 28A.335.110, 28A.335.120,
 28A.335.130, 28A.335.140, 28A.335.150, 28A.335.155,
 28A.335.160, 28A.335.170, 28A.335.180, 28A.335.190,
 28A.335.200, 28A.335.205, 28A.335.210, 28A.335.220,
 28A.335.230, 28A.335.240, 28A.335.250, 28A.335.260,
 28A.335.270, 28A.335.280, 28A.335.290, 28A.335.300,
 28A.335.320, 28A.335.330, 28A.340.010, 28A.340.020,
 28A.340.030, 28A.340.040, 28A.340.060, 28A.340.070,
 28A.343.010, 28A.343.020, 28A.343.030, 28A.343.040,
 28A.343.050, 28A.343.060, 28A.343.070, 28A.343.300,
 28A.343.310, 28A.343.320, 28A.343.330, 28A.343.340,
 28A.343

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

SB 6930 by Senators Tom and McAuliffe

AN ACT Relating to bonuses for nationally certified teachers who become principals or superintendents; and amending RCW 28A.405.415.

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

SB 6931 by Senators Kline, Weinstein and McDermott

AN ACT Relating to providing funding for additional emphasis patrols for DUI enforcement and chemical dependency treatment; amending RCW 66.08.190 and 66.16.010; and reenacting and amending RCW 69.50.520.

Referred to Committee on Ways & Means.

SB 6932 by Senators Haugen, Swecker, Spanel, Jacobsen, Marr, Kilmer, Rockefeller and Shin

AN ACT Relating to ferry vessel and terminal planning; amending RCW 47.60.375 and 47.60.345; and adding new sections to chapter 47.60 RCW.

Referred to Committee on Transportation.

SJM 8031 by Senators Hobbs and Fairley

Requesting that federal election day be made a legal public holiday.

Referred to Committee on Government Operations & Elections.

SJM 8032 by Senator Morton

Requesting that the federal government share in the costs of postage for returning vote-by-mail ballots.

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. 6931 which was referred to the Committee on Ways & Means.

TWENTY-FOURTH DAY, FEBRUARY 6, 2008

2008 REGULAR SESSION

MOTION

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

MOTION

Senator Kohl-Welles moved adoption of the following resolution:

SENATE RESOLUTION
8721

By Senators Kohl-Welles, Tom, Regala, Fraser, Rockefeller, Pridemore, Prentice, Zarelli, Hobbs, Rasmussen, Spanel, Marr, Keiser, McDermott, Jacobsen, Franklin, and Benton

WHEREAS, Participation in athletics is one of the most effective ways for girls and women in the United States to develop leadership skills, discipline, initiative, and self-confidence; and

WHEREAS, Sport and fitness activities contribute to girls' and women's emotional and physical well-being; and

WHEREAS, The communication, competition, and cooperation skills learned through athletic experience play a key role in the contributions of athletes to the home, workplace, and society; and

WHEREAS, Early motor skill training and enjoyable experiences of physical activity strongly encourage enduring habits of physical fitness; and

WHEREAS, Girls and women who participate in sports have higher levels of self-esteem, fewer incidence of depression, and a reduced risk for heart disease, breast cancer, and other illness; and

WHEREAS, The bonds built among girls and women through athletics help to break down the social barriers of racism and prejudice; and

WHEREAS, The National Girls and Women in Sports Coalition, established in 1987, has declared February 6, 2008, to be National Girls and Women in Sports Day; and

WHEREAS, 68,232 female athletes participate in high school sports and athletic activities in Washington, constituting 42 percent of the total number of athletes; and

WHEREAS, High school girls' athletic teams in the state of Washington have achieved many accomplishments that serve as an inspiration to young women to promote the values of teamwork and cooperation; and

WHEREAS, Washington high schools foster outstanding achievements in girls' and women's sports, such as volleyball and soccer. These include state volleyball champions: Mead, Hanford, Selah, Colfax, LaConner, and Tekoa-Oakesdale; and state soccer champions: Eastlake, Issaquah, Fife, and Meridian; and state tennis champions: Lewis and Clark, West Valley (Yakima), Sequim, Lynden, Bush, and Sprague-Harrington; and

WHEREAS, Institutions of higher education continue to produce elite athletes competing with pride, commitment, and passion. The participation of Washington female collegiate athletes is among the highest in the country at 48 percent of total athletes. Currently, there are 136 female athletes at Whitworth College, 346 female athletes at the University of Washington, 46 female athletes at The Evergreen State College, 119 female athletes at Seattle University, 78 female athletes at St. Martin's University, 181 female athletes at Eastern Washington University, 195 female athletes at Western Washington University, 209 female athletes at Washington State University, 107 female athletes at Whitman College, and 120 female athletes at Seattle Pacific University; and

WHEREAS, The number of funded research projects focusing on the specific needs of female athletes is limited and

the information provided by the projects is imperative to the health and performance of future female athletes; and

WHEREAS, Student-athletes graduate at a higher rate than nonathlete college students (62 percent compared to 60 percent, respectively); and

WHEREAS, Washington colleges and universities have fostered outstanding achievements by women in sports; and

WHEREAS, The Western Washington University women's volleyball team won the Great Northwest Athletic Conference (GNAC) championship for the fourth time in seven years, with team member Courtney Schneider named GNAC player of the year, establishing school and GNAC records of 851 season digs and 2,695 career digs; and

WHEREAS, The Western Washington University softball team won their first GNAC title, with team member Liza Teichler named softball's GNAC Player of the Year and Jackie Quint named GNAC pitcher of the year; and

WHEREAS, University of Washington female athletes have also been recognized for outstanding achievements this year. These include Katelin Snyder, coxswain for the Women's Varsity 8 Crew team, who led her boat to an undefeated season and the 2007 IRA National Championship, Anita Campbell and Katie Follett who are the eighth and ninth women in Husky track history to achieve All-American status, and volleyball players Christal Morrison, Jessica Swarbrick, and Tamari Miyashiro, who all earned All-American honors; and

WHEREAS, Gonzaga University Women's Basketball team won their first WCC tournament title and first NCAA tournament bid; and

WHEREAS, Stephanie Hawk was the first Gonzaga University athlete to earn All-American honors from the Associated Press; and

WHEREAS, Kelsey Penn and Lynde Clarke of Central Washington University have both been named to the GNAC Women's Soccer Second Team; and

WHEREAS, Kelli Spaulding of Central Washington University has been named to the Louisville Slugger/National Fastpitch Coaches' Association Division II All-West Region First Team; and

WHEREAS, Kristen Berndt, Corina Gabbert, Kristen Middlesteadt, and Alisa Larson-Xu of Whitman College received NCAA Division III All-West Region honors; and

WHEREAS, The Washington State University women's soccer team earned the National Soccer Coaches Association of America Team Academic Award for 2006-07 marking the third time in the last four years the Cougars have received the honor; and

WHEREAS, Jessica Pixler of Seattle Pacific University has been named the 2007 U.S. Track & Field and Cross Country Coaches Association Division II Women's Cross Country Athlete of the Year; and

WHEREAS, Washington is honored to host the Seattle Storm, the only women's professional basketball team in the Northwest and the first major professional sports team in Seattle to bring home a championship in more than 25 years; and

WHEREAS, Four local women with a history of civic, community, and Title IX involvement - Force 10 Hoops L.L.C. - have secured an exclusive option to purchase the Storm and keep the team in Seattle, making them among the few women owners of any professional sports team anywhere in the nation;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor Washington girls and women in sports on February 6, 2008, and encourage others to observe the day with appropriate ceremonies and activities; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Washington State Senate and all the aforementioned athletes and their respective institutions.

Senators Kohl-Welles and Jacobsen spoke in favor of adoption of the resolution.

TWENTY-FOURTH DAY, FEBRUARY 6, 2008

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8721.

The motion by Senator Kohl-Welles carried and the resolution was adopted by voice vote.

REMARKS BY THE PRESIDENT

President Owen: "Senator Kohl-Welles, the President believes that there are guests in the gallery but I have no information. Do you have any information on this? Senator Kohl-Welles, you may introduce them if you like from the floor."

REMARKS BY SENATOR KOHL-WELLES

Senator Kohl-Welles: "Thank you Mr. President. I had thought that you had that list, so I'm sorry that that did not happen. We do have several guests with us today who are in the south gallery. They are from Whitman College as well as from Western Washington University and they've got their parents with them. We do have Kristen Berndt, plays soccer from Whitman College; Corina Gabbert also playing soccer from Whitman College; the coach for the Western Washington University Volleyball Team, Coach Flick; Katelin Snyder who is on the Western Washington University Volleyball team; Coach Hicks from the Western softball team; and Liza Teichler and Jackie Quint from Western; and Kelli Spaulding from Central Washington University soft ball team and parents of these athletes. We would of liked to have had high school players but importantly they are in school right now. I would appreciate it if they could greeted by our senate."

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Miss Page Davisson, the Miss Omak 2007, who was seated at the rostrum.

MOTION

At 10:16 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 11:20 a.m. by President Owen.

MOTION

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

SECOND READING

SENATE BILL NO. 6508, by Senators Eide, Fraser, Murray, McDermott and Morton

Authorizing the creation of beach management districts.

MOTION

On motion of Senator Rockefeller, Substitute Senate Bill No. 6508 was substituted for Senate Bill No. 6508 and the substitute bill was placed on the second reading and read the second time.

Senator Rockefeller spoke in favor of the substitute bill.

MOTION

2008 REGULAR SESSION

On motion of Senator Rockefeller, the rules were suspended, Substitute Senate Bill No. 6508 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Eide spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6508.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6508 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 1; Excused, 0.

Voting yea: Senators Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Murray, Oemig, Pflug, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Sheldon, Shin, Spanel, Swecker, Tom and Weinstein - 39

Voting nay: Senators Benton, Holmquist, Honeyford, King, Morton, Roach, Schoesler, Stevens and Zarelli - 9

Absent: Senator Parlette - 1

SUBSTITUTE SENATE BILL NO. 6508, 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

SENATE BILL NO. 6794, by Senators Haugen, Spanel, Shin and Rockefeller

Requiring the procurement of new ferry vessels that carry no more than one hundred motor vehicles.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 6794 was substituted for Senate Bill No. 6794 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 6794 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen, Hargrove and Spanel spoke in favor of passage of the bill.

Senators Stevens and Pflug spoke against passage of the bill.

MOTION

On motion of Senator Delvin, Senator Parlette was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6794.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6794 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Prentice, Pridemore, Rasmussen, Regala,

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Roach, Rockefeller, Sheldon, Shin, Spanel, Swecker, Tom, Weinstein and Zarelli - 40

Voting nay: Senators Benton, Brandland, Carrell, Holmquist, Honeyford, Pflug, Schoesler and Stevens - 8

Excused: Senator Parlette - 1

SUBSTITUTE SENATE BILL NO. 6794, 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

SENATE BILL NO. 6452, by Senators Tom, Weinstein, Oemig and Keiser

Requiring certain borrower disclosures of yield spread premiums.

MOTIONS

On motion of Senator Tom, Substitute Senate Bill No. 6452 was substituted for Senate Bill No. 6452 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Tom, the rules were suspended, Substitute Senate Bill No. 6452 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Tom spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6452.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6452 and the bill passed the Senate by the following vote: Yeas, 31; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Senators Brandland, Brown, Carrell, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, McAuliffe, McDermott, Murray, Oemig, Pflug, Prentice, Pridemore, Rasmussen, Rockefeller, Sheldon, Shin, Spanel, Tom and Weinstein - 31

Voting nay: Senators Benton, Berkey, Delvin, Hewitt, Hobbs, Holmquist, Honeyford, King, Marr, McCaslin, Morton, Regala, Roach, Schoesler, Stevens, Swecker and Zarelli - 17

Excused: Senator Parlette - 1

SUBSTITUTE SENATE BILL NO. 6452, 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

SENATE BILL NO. 6381, by Senators Weinstein, Kauffman, Tom, Fairley, McAuliffe, Kohl-Welles, Kline and Murray

Establishing fiduciary duties for mortgage brokers.

The measure was read the second time.

MOTION

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Senator Honeyford moved that the following amendment by Senator Honeyford be adopted.

On page 1, beginning on line 6, strike the remainder of the bill and insert the following:

"A mortgage broker owes a duty of reasonable care to the borrower which shall include, but not be limited to, the following:

(1) A mortgage broker shall not engage in the use of deceptive or fraudulent sales practices in the origination of a loan secured by real estate; and

(2) A mortgage broker must carry out all lawful instructions provided by the borrower."

On page 1, line 1 of the title, after "Relating to", strike "fiduciary"

Senator Honeyford spoke in favor of adoption of the amendment.

Senator Weinstein spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Honeyford on page 1, beginning on line 6 to Senate Bill No. 6381.

The motion by Senator Honeyford failed and the amendment was not adopted by voice vote.

MOTION

On motion of Senator Weinstein, the rules were suspended, Senate Bill No. 6381 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Weinstein spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6381.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6381 and the bill passed the Senate by the following vote: Yeas, 29; Nays, 19; Absent, 0; Excused, 1.

Voting yea: Senators Brandland, Brown, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, Kline, Kohl-Welles, McAuliffe, McDermott, Murray, Oemig, Prentice, Pridemore, Rasmussen, Rockefeller, Sheldon, Shin, Spanel, Tom and Weinstein - 29

Voting nay: Senators Benton, Berkey, Carrell, Delvin, Hewitt, Hobbs, Holmquist, Honeyford, King, Marr, McCaslin, Morton, Pflug, Regala, Roach, Schoesler, Stevens, Swecker and Zarelli - 19

Excused: Senator Parlette - 1

SENATE BILL NO. 6381, 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

SENATE BILL NO. 6728, by Senators Berkey, Kohl-Welles, Franklin, Regala and Keiser

Enacting the governor's homeownership security task force recommendations regarding responsible mortgage lending and homeownership.

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The measure was read the second time.

SENATE BILL NO. 6335,
and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

On motion of Senator Berkey, the rules were suspended, Senate Bill No. 6728 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Berkey, Honeyford and Benton spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6728.

SIGNED BY THE PRESIDENT

The President signed:
SENATE BILL NO. 6272,
SENATE BILL NO. 6335,

MOTION

At 1:28 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, February 7, 2008.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6728 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, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Parlette - 1

SENATE BILL NO. 6728, 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 12:06 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

AFTERNOON SESSION

The Senate was called to order at 1:26 p.m. by President Owen.

MOTION

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

MESSAGE FROM THE HOUSE

February 6, 2008

MR. PRESIDENT:

The House has passed the following bills:

SENATE BILL NO. 6272,

and the same is herewith transmitted.

BARBARA BAKER, Chief Clerk

MESSAGE FROM THE HOUSE

February 6, 2008

MR. PRESIDENT:

The House has passed the following bills:

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6212	Committee Report	1
6272	Messages	9
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6277	Committee Report	1
6301	Committee Report	1
6317	Committee Report	1
6335	Messages	9
	President Signed	9
6353	Committee Report	1
6362	Committee Report	1
6372	Committee Report	1
6381	Second Reading	8
	Third Reading Final Passage	8
6395	Committee Report	1
	Other Action	3
6438	Committee Report	2
6452	Second Reading	8
6452-S	Second Reading	8
	Third Reading Final Passage	8
6499	Committee Report	2
6508	Second Reading	7
6508-S	Second Reading	7
	Third Reading Final Passage	7
6514	Committee Report	2
6531	Committee Report	2
6602	Committee Report	2
6615	Committee Report	2
6711	Committee Report	2
6712	Committee Report	2
6714	Committee Report	2
6728	Second Reading	8
	Third Reading Final Passage	9
6745	Committee Report	3

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 Committee Report 3

6794
 Second Reading 7

6794-S
 Second Reading 7
 Third Reading Final Passage 8

6840
 Committee Report 3

6852
 Committee Report 3

6898
 Committee Report 3

6900
 Committee Report 3

6920
 Introduction & 1st Reading 3

6921
 Introduction & 1st Reading 3

6922
 Introduction & 1st Reading 3

6923
 Introduction & 1st Reading 3

6924
 Introduction & 1st Reading 4

6925
 Introduction & 1st Reading 4

6926
 Introduction & 1st Reading 4

6927
 Introduction & 1st Reading 4

6928
 Introduction & 1st Reading 4

6929
 Introduction & 1st Reading 4

6930
 Introduction & 1st Reading 5

6931
 Introduction & 1st Reading 5
 Other Action 5

6932
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8032
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