

**THIRTY-THIRD DAY**

**MORNING SESSION**

Senate Chamber, Olympia, Friday, February 15, 2008

The Senate was called to order at 9:30 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Brown, Fairley, Kaufman, Kline and Pflug.

The Sergeant at Arms Color Guard consisting of Pages David Mangis and Justin Bonnell, presented the Colors. Pastor John Shaffer of Stanwood United Methodist 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.

**MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS**

October 3, 2007

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

YVONNE LOPEZ MORTON, appointed October 3, 2007, for the term ending June 17, 2010, as a Chair of the Human Rights Commission.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Judiciary.

February 6, 2008

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

RICHARD K. WALLACE, appointed February 16, 2008, for the term ending January 15, 2011, as Member of the Northwest Power and Conservation Council.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Water, Energy & Telecommunications.

June 25, 2007

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON  
Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

BILL WILKERSON, appointed June 26, 2007, for the term ending June 25, 2010, as Member of the Puget Sound Partnership.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Water, Energy & Telecommunications.

**MOTION**

On motion of Senator Eide, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

**MOTION**

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

**MESSAGE FROM THE HOUSE**

February 14, 2008

MR. PRESIDENT:

The House has passed the following bills:  
SUBSTITUTE HOUSE BILL NO. 1534,  
HOUSE BILL NO. 2780,  
SUBSTITUTE HOUSE BILL NO. 2788,  
SUBSTITUTE HOUSE BILL NO. 2859,  
SUBSTITUTE HOUSE BILL NO. 2885,  
HOUSE BILL NO. 3088,  
HOUSE BILL NO. 3143,  
SUBSTITUTE HOUSE BILL NO. 3255,  
HOUSE JOINT MEMORIAL NO. 4031,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

**MESSAGE FROM THE HOUSE**

February 14, 2008

MR. PRESIDENT:

The House has passed the following bills:  
HOUSE BILL NO. 2210,  
SUBSTITUTE HOUSE BILL NO. 2560,  
SUBSTITUTE HOUSE BILL NO. 2676,  
SUBSTITUTE HOUSE BILL NO. 2718,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2758,  
SUBSTITUTE HOUSE BILL NO. 2778,  
SUBSTITUTE HOUSE BILL NO. 2899,  
SUBSTITUTE HOUSE BILL NO. 2925,  
SUBSTITUTE HOUSE BILL NO. 3120,  
SECOND SUBSTITUTE HOUSE BILL NO. 3121,  
SUBSTITUTE HOUSE BILL NO. 3126,  
HOUSE BILL NO. 3210  
HOUSE BILL NO. 3362,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

**MESSAGE FROM THE HOUSE**

February 14, 2008

MR. PRESIDENT:

The House has passed the following bills:  
SUBSTITUTE HOUSE BILL NO. 2471,  
SUBSTITUTE HOUSE BILL NO. 2501,  
SUBSTITUTE HOUSE BILL NO. 2595,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2631,  
HOUSE BILL NO. 2678,  
HOUSE BILL NO. 2700,  
SUBSTITUTE HOUSE BILL NO. 2727,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 3115,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 3122,  
and the same are herewith transmitted.

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BARBARA BAKER, Chief Clerk

## MOTION

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

## INTRODUCTION AND FIRST READING

SB 6947 by Senator Prentice

AN ACT Relating to criminal justice.

Referred to Committee on Ways &amp; Means.

SB 6948 by Senator Prentice

AN ACT Relating to human services.

Referred to Committee on Ways &amp; Means.

SB 6949 by Senators Brown, Hargrove and Kauffman

AN ACT Relating to simplifying the administration of the low-income homeowner deferral program; amending RCW 84.37.020, 84.37.030, 84.37.040, 84.37.050, 84.37.070, 84.37.090, and 82.03.130; and adding a new section to chapter 84.37 RCW.

Referred to Committee on Ways &amp; Means.

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

4SHB 1103 by House Committee on Appropriations (originally sponsored by Representatives Campbell, Green, Kenney, Hudgins, Appleton, Schual-Berke and Cody)

AN ACT Relating to health professions; amending RCW 18.130.020, 18.130.050, 18.130.060, 18.130.080, 18.130.095, 18.130.170, 18.130.310, 70.41.210, 43.70.320, 18.130.140, 18.130.150, 18.130.165, 18.130.172, 18.130.180, 9.96A.020, 9.95.240, 43.43.825, 18.71.0191, and 18.79.130; reenacting and amending RCW 18.130.160, 18.130.040, and 18.130.040; adding new sections to chapter 18.130 RCW; adding a new section to chapter 42.52 RCW; adding a new section to chapter 18.71 RCW; adding a new section to chapter 18.79 RCW; adding a new section to chapter 18.25 RCW; adding a new section to chapter 18.32 RCW; creating new sections; prescribing penalties; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Ways &amp; Means.

EHB 1129 by Representatives Dickerson and McIntire

AN ACT Relating to the excise taxation of zoos; adding a new section to chapter 82.04 RCW; and creating a new section.

Referred to Committee on Ways &amp; Means.

2SHB 1273 by House Committee on Insurance, Financial Services & Consumer Protection (originally sponsored by Representatives Roach, Ericks, Hurst, Kirby, Strow, Newhouse, Simpson, Williams, Haler, O'Brien, Moeller, Pearson, VanDeWege, McCune, Kenney, Rolfes and Morrell)

AN ACT Relating to financial fraud; and adding a new chapter to Title 19 RCW.

Referred to Committee on Financial Institutions &amp; Insurance.

EHB 1383 by Representatives Appleton, Campbell, Cody, Hinkle, Morrell, Walsh, Schual-Berke, Curtis, Green, Clibborn, Lantz, Moeller, Condotta, Hasegawa, Kagi and Santos

AN ACT Relating to preventing the spread of disease in body piercing practices through standard universal precautions and sterilization requirements; amending RCW 5.40.050; adding new sections to chapter 70.54 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health &amp; Long-Term Care.

SHB 1421 by House Committee on State Government & Tribal Affairs (originally sponsored by Representatives Green, Miloscia, Kretz, Armstrong, Appleton, Kessler, Ormsby, Warnick and Moeller)

AN ACT Relating to modifying the provisions of the address confidentiality program; amending RCW 40.24.020, 40.24.030, 40.24.040, 40.24.060, and 40.24.070; and adding a new section to chapter 40.24 RCW.

Referred to Committee on Government Operations &amp; Elections.

E4SHB 1806 by House Committee on Appropriations Subcommittee on Education (originally sponsored by Representatives Pedersen, Upthegrove, Campbell, Kenney, McDermott, Morrell, Chase, Appleton, Dunshee, McIntire, Santos, Moeller, Darneille, Roberts, Hudgins, Hunt, Hasegawa, Conway, O'Brien, Green, Rolfes, Simpson, Schual-Berke, Goodman, Wood and Lantz)

AN ACT Relating to pesticide application in school facilities; adding new sections to chapter 28A.345 RCW; and creating new sections.

Referred to Committee on Ways &amp; Means.

ESHB 1865 by House Committee on Judiciary (originally sponsored by Representatives Williams, O'Brien, Springer, Fromhold, Warnick and McCune)

AN ACT Relating to limiting the obligations of landlords under writs of restitution; amending RCW 59.18.312; and declaring an emergency.

Referred to Committee on Consumer Protection &amp; Housing.

2ESHB 2016 by House Committee on Judiciary (originally sponsored by Representatives Springer, Lantz, Wallace, Seaquist, Sullivan, Moeller, Lovick, Takko, Kessler, Morrell, Rolfes, Ericks, VanDeWege, Goodman, Simpson, Linville and Ormsby)

AN ACT Relating to eminent domain; amending RCW 8.25.020, 28A.335.120, 35.58.340, 35.80A.030, 35.94.040, 36.68.010, 43.43.115, 43.82.010, 47.12.063, 47.12.283, 47.52.050, 53.08.090, 53.25.040, 70.44.300, 79.36.330, 80.28.230, 80.40.030, and 81.112.080; adding new sections to chapter 8.25 RCW; adding a new section to chapter 39.33 RCW; adding a new section to chapter 8.04 RCW; adding a new section to chapter 8.08 RCW; adding a new section to

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chapter 8.12 RCW; adding a new section to chapter 8.16 RCW; adding a new section to chapter 8.20 RCW; and creating a new section.

Referred to Committee on Transportation.

2SHB 2216 by House Committee on Local Government (originally sponsored by Representatives Appleton, Sells, Simpson, Takko, Wallace, Ormsby, Conway and Strow)

AN ACT Relating to requiring the appointment of nonvoting labor members to public transportation governing bodies; amending RCW 35.58.270, 36.57.030, and 36.57A.050; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Transportation.

SHB 2337 by House Committee on Technology, Energy & Communications (originally sponsored by Representative Armstrong)

AN ACT Relating to services provided by television reception improvement districts; and amending RCW 36.95.010 and 36.95.140.

Referred to Committee on Water, Energy & Telecommunications.

SHB 2427 by House Committee on Commerce & Labor (originally sponsored by Representatives Kenney, Hankins, Dickerson, Conway, Ormsby, Pettigrew, Santos, Fromhold, Haler, Sullivan, Schual-Berke, Moeller, McCoy, Quall, Darneille, Morris, Williams, Skinner, Flannigan, Bailey, Kelley, Hunt, Campbell, Grant, Morrell, Chase, Barlow and Green)

AN ACT Relating to the cosmetology apprenticeship program; amending RCW 18.16.020, 18.16.030, 18.16.050, 18.16.060, 18.16.100, 18.16.180, and 18.16.280; and reenacting and amending RCW 18.16.175.

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

HB 2460 by Representative Fromhold

AN ACT Relating to the leasehold excise tax exemption for leasehold interests in specified amphitheater property; and amending RCW 82.29A.130.

Referred to Committee on Ways & Means.

HB 2469 by Representatives Uptegrove, VanDeWege, Hinkle, Dickerson and Lantz

AN ACT Relating to authorizing structures in waterways; and amending RCW 79.120.040.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 2472 by House Committee on Ecology & Parks (originally sponsored by Representatives Blake, Warnick, Condotta, Sells, Linville, Hinkle, VanDeWege, McCoy, Lantz, Morrell, Loomis, Kretz, Chase, Kristiansen and McDonald)

AN ACT Relating to establishing a work group to make recommendations for improving recreation on state trust lands, aquatic lands, and other state-owned lands managed

by the department of natural resources; and creating new sections.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 2474 by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Wood, Morrell, Barlow and Green)

AN ACT Relating to supervised experience requirements for social worker licenses; amending RCW 18.225.090; and creating a new section.

Referred to Committee on Human Services & Corrections.

SHB 2475 by House Committee on Health Care & Wellness (originally sponsored by Representatives Cody, Morrell and Green)

AN ACT Relating to the practice of health care assistants; amending RCW 18.135.010, 18.135.020, and 18.135.065; and adding a new section to chapter 18.135 RCW.

Referred to Committee on Health & Long-Term Care.

SHB 2482 by House Committee on Local Government (originally sponsored by Representative Moeller)

AN ACT Relating to the signature validation process for petitions that seek annexation; and amending RCW 35.21.005 and 35A.01.040.

Referred to Committee on Government Operations & Elections.

HB 2483 by Representatives Moeller and Dunn

AN ACT Relating to assessed valuation requirements for the direct petition method of annexation; and amending RCW 35.13.130.

Referred to Committee on Government Operations & Elections.

SHB 2487 by House Committee on Judiciary (originally sponsored by Representatives Moeller and Morrell)

AN ACT Relating to vulnerable adult protection orders; amending RCW 74.34.120 and 74.34.135; and adding new sections to chapter 74.34 RCW.

Referred to Committee on Judiciary.

HB 2492 by Representatives Takko, Blake, McIntire, Haigh and Orcutt

AN ACT Relating to the date for establishing school district boundaries for excess property tax levies; amending RCW 84.09.030; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

ESHB 2494 by House Committee on Judiciary (originally sponsored by Representatives Moeller, Ormsby and Chase)

AN ACT Relating to end-life health care directives;

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amending RCW 43.70.480; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

SHB 2496 by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Williams, Condotta, Moeller, Chandler, Green, Hurst, Wood, McIntire, Kenney and Chase)

AN ACT Relating to enhancing the mobility of certified public accountants; amending RCW 18.04.025, 18.04.195, 18.04.205, 18.04.345, and 18.04.350; and creating new sections.

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

HB 2497 by Representatives Green, Seaquist, Williams, Cody, Condotta, Hinkle, Morrell and Simpson

AN ACT Relating to the prescriptive authority of advanced registered nurse practitioners; and repealing RCW 18.79.255.

Referred to Committee on Health & Long-Term Care.

HB 2510 by Representatives Simpson, O'Brien and Appleton

AN ACT Relating to allowing medicare only health insurance benefits for certain employees of political subdivisions under a divided referendum process; and amending RCW 41.48.030.

Referred to Committee on Ways & Means.

EHB 2516 by Representatives Green, Roberts, Schual-Berke and Loomis

AN ACT Relating to scoliosis screening in schools; creating a new section; and repealing RCW 28A.210.180, 28A.210.190, 28A.210.200, 28A.210.210, 28A.210.220, 28A.210.240, and 28A.210.250.

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

EHB 2518 by Representatives Schual-Berke, Hinkle, Pedersen, Green, Morrell, Moeller, Seaquist, VanDeWege, Ormsby and Cody

AN ACT Relating to a retired volunteer medical worker license; and amending RCW 18.130.360.

Referred to Committee on Health & Long-Term Care.

SHB 2522 by House Committee on Select Committee on Environmental Health (originally sponsored by Representatives Hudgins, Campbell and Chase)

AN ACT Relating to clarifying the civil penalty provisions for on-site sewage disposal systems administered by local health jurisdictions; amending RCW 70.118.130; and prescribing penalties.

Referred to Committee on Water, Energy & Telecommunications.

2SHB 2523 by House Committee on Appropriations Subcommittee on Education (originally sponsored by Representatives Hudgins, Schual-Berke, Hasegawa, Roberts, Goodman, Kenney, Santos, Chase and Quall)

AN ACT Relating to creation of the position of world language supervisor; adding a new section to chapter 28A.300 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SHB 2541 by House Committee on Judiciary (originally sponsored by Representatives Kelley, McCune, Springer, Williams, Miloscia and Campbell)

AN ACT Relating to reserve accounts and studies for condominium associations; amending RCW 64.34.010, 64.34.020, 64.34.304, 64.34.410, and 64.34.425; and adding new sections to chapter 64.34 RCW.

Referred to Committee on Consumer Protection & Housing.

HB 2544 by Representatives Hunter, Orcutt, Ericks, Moeller, Ormsby, McIntire, Kenney and Conway

AN ACT Relating to tax exemptions for temporary medical housing provided by health or social welfare organizations, as defined in RCW 82.04.431; amending RCW 82.04.431 and 36.100.040; adding a new section to chapter 82.08 RCW; adding a new section to chapter 67.28 RCW; adding a new section to chapter 67.40 RCW; adding a new section to chapter 35.101 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SHB 2551 by House Committee on Human Services (originally sponsored by Representatives Dickerson, Appleton, McCoy, Roberts, Kenney and Kagi)

AN ACT Relating to expanding the types of treatment programs provided under the suspended disposition alternative for juveniles; and amending RCW 13.40.0357.

Referred to Committee on Human Services & Corrections.

HB 2558 by Representatives Upthegrove, Clibborn, O'Brien, Kenney and Rolfes

AN ACT Relating to exempting certain minor new construction associated with construction storm water general permits from the state environmental policy act; amending RCW 43.21C.0383; and creating a new section.

Referred to Committee on Water, Energy & Telecommunications.

HB 2565 by Representatives O'Brien and Pearson

AN ACT Relating to including defendants who are persons specifically authorized to assist and act at the direction of law enforcement officers for the purpose of affirmative defenses; and amending RCW 9.68A.110.

Referred to Committee on Judiciary.

SHB 2567 by House Committee on State Government & Tribal Affairs (originally sponsored by Representative Haler)

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AN ACT Relating to open meetings; amending RCW 42.30.120; and prescribing penalties.

Referred to Committee on Government Operations & Elections.

HB 2571 by Representatives Seaquist, McCoy, McCune, Conway, Hurst, Haigh, Morrell, Campbell, VanDeWege, Chase, Barlow, Green and Simpson

AN ACT Relating to armed forces and veterans license plates; and amending RCW 46.16.30920, 46.16.30921, 43.60A.140, and 73.04.110.

Referred to Committee on Transportation.

SHB 2582 by House Committee on Higher Education (originally sponsored by Representatives Roberts, Hasegawa, Ormsby, Jarrett, Sells, Williams, Appleton, McIntire, Goodman, Green and Quall)

AN ACT Relating to child care at institutions of higher education; amending RCW 28B.135.010 and 28B.135.030; adding a new section to chapter 28B.135 RCW; and creating a new section.

Referred to Committee on Higher Education.

2SHB 2598 by House Committee on Appropriations Subcommittee on Education (originally sponsored by Representatives Sullivan, Ormsby, Haigh, Schual-Berke, Green and Simpson)

AN ACT Relating to development of an online mathematics curriculum; amending RCW 28A.305.215; and creating new sections.

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

EHB 2607 by Representatives Santos, Hasegawa, Ormsby, Anderson, Lantz, Hudgins, Uptegrove, Sullivan, Chase, Darneille and Simpson

AN ACT Relating to preparing teachers to teach English language learner students; and creating new sections.

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

EHB 2608 by Representatives Hasegawa, Wallace, Sells and Chase

AN ACT Relating to clarifying terms for workforce and economic development; amending RCW 28B.50.030, 28B.50.273, 43.330.090, 51.32.099, and 74.08A.250; and providing an expiration date.

Referred to Committee on Higher Education.

HB 2629 by Representatives Kagi, Wallace, Kenney, Simpson, Ormsby, Roberts, Moeller, Goodman, Hudgins, Haigh, Fromhold, Haler, Barlow and Chase

AN ACT Relating to the delivery of educational services to children who are deaf and hearing impaired; amending RCW 72.40.010, 72.40.019, 72.40.024, 72.40.028, 72.40.120, 72.40.200, 72.40.210, 72.40.031, 72.42.010, 72.42.015, 72.42.016, 72.42.021, 72.42.041, 72.40.022,

72.40.070, 72.40.090, 72.40.220, 72.40.230, 72.40.240, 72.40.250, 72.40.260, 72.40.280, 72.42.060, 26.44.210, 28A.155.160, 28A.310.010, 28A.310.180, 28A.310.200, 28A.335.205, 28A.400.303, 28A.400.305, 28A.600.420, 41.40.088, and 70.198.020; adding new sections to chapter 72.42 RCW; creating new sections; repealing RCW 72.40.023; and providing an expiration date.

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

HB 2637 by Representatives Pearson, O'Brien, Ericks, Ross and Roach

AN ACT Relating to records in a criminal case; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

EHB 2641 by Representatives Jarrett, Priest, Wallace, Ormsby, McIntire, Sells, Morrell, Uptegrove, Sullivan and Haler

AN ACT Relating to higher education performance agreements; adding new sections to chapter 28B.10 RCW; adding a new section to chapter 44.28 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 2652 by Representatives Morrell, Fromhold, Moeller, McIntire, Simpson and Kenney

AN ACT Relating to coordination of benefit plans that allow state and public employees to pay on a pretax basis to participate in benefits offered under sections 125 and 129 of the internal revenue code, including transfer of the dependent care assistance program to the health care authority; amending RCW 41.05.300, 41.05.310, 41.05.320, 41.05.123, 41.05.330, 41.05.340, 41.05.350, 41.05.360, 28B.50.874, and 41.50.780; reenacting and amending RCW 41.05.011; adding a new section to chapter 41.05 RCW; creating a new section; repealing RCW 41.04.600, 41.04.605, 41.04.610, 41.04.615, 41.04.620, 41.04.625, 41.04.630, 41.04.635, 41.04.640, and 41.04.645; and providing an effective date.

Referred to Committee on Ways & Means.

SHB 2654 by House Committee on Health Care & Wellness (originally sponsored by Representatives Hinkle, Cody, Moeller, Green and Kenney)

AN ACT Relating to consumer-directed mental health care; and creating a new section.

Referred to Committee on Human Services & Corrections.

HB 2655 by Representatives Conway, Condotta, Green and Wood

AN ACT Relating to the imposition of delinquency tax rates for qualified employers; amending RCW 50.29.010; and creating a new section.

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

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SHB 2661 by House Committee on Commerce & Labor (originally sponsored by Representatives Green and Morrell)

AN ACT Relating to self-service storage facility late fees; amending RCW 19.150.010, 19.150.020, 19.150.901, and 19.150.902; and adding a new section to chapter 19.150 RCW.

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

SHB 2670 by House Committee on Health Care & Wellness (originally sponsored by Representatives Campbell, Hunt and Kenney)

AN ACT Relating to the adverse health events and incident reporting system; amending RCW 70.56.020, 70.56.040, and 70.56.050; reenacting and amending RCW 42.56.360 and 42.56.360; providing an effective date; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

2SHB 2674 by House Committee on Appropriations (originally sponsored by Representatives Barlow, Morrell, Moeller, Conway, Simpson and Kenney)

AN ACT Relating to modifying credentialing standards for counselors; amending RCW 18.19.020, 18.19.030, 18.19.040, 18.19.050, 18.19.060, 18.19.090, 18.19.100, 18.225.010, 18.225.020, 18.225.150, 18.205.020, 18.205.030, and 18.205.040; adding new sections to chapter 18.19 RCW; adding a new section to chapter 18.225 RCW; adding a new section to chapter 18.205 RCW; creating new sections; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SHB 2679 by House Committee on Appropriations (originally sponsored by Representatives Roberts, Pettigrew, Hunt, Hasegawa, Sullivan, Chase, Morrell, McIntire, Santos, Barlow, Simpson, Kenney, Goodman, Wood, Darneille, Lantz and McDonald)

AN ACT Relating to improving educational outcomes for students in foster care; amending RCW 28A.150.510; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 74.13 RCW; and creating a new section.

Referred to Committee on Ways & Means.

2SHB 2722 by House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Kenney, Morris, Sullivan, Hasegawa, Upthegrove, Loomis, Pedersen, Dameille, Conway, Hudgins, Quall, Ericks, Kagi and Ormsby)

AN ACT Relating to addressing the achievement gap for African- American students; adding a new section to chapter 28A.300 RCW; and creating new sections.

Referred to Committee on Ways & Means.

HB 2730 by Representatives Rolfes, Appleton and Hudgins

AN ACT Relating to the provision of ferry service by port districts; and amending RCW 47.01.350, 47.60.645, 47.60.662, and 53.08.295.

Referred to Committee on Transportation.

HB 2740 by Representatives Hudgins, Conway and Condotta

AN ACT Relating to private cemeteries; and amending RCW 68.20.010, 68.20.020, and 68.20.050.

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

HB 2762 by Representatives Takko, Blake, Orcutt and Herrera

AN ACT Relating to changing the number of district court judges; and amending RCW 3.34.010.

Referred to Committee on Judiciary.

SHB 2775 by House Committee on Appropriations (originally sponsored by Representatives Barlow, Moeller, Wood, O'Brien, Ormsby, Hasegawa, Green, Seaquist, Goodman, Roberts, Lantz, Sullivan, McIntire and Kelley)

AN ACT Relating to bonuses for certain instructional staff certified by the national board for professional teaching standards; amending RCW 28A.405.415; and creating new sections.

Referred to Committee on Ways & Means.

E2SHB 2783 by House Committee on Appropriations (originally sponsored by Representatives Wallace, Chase, Anderson, Sells, Haigh, Roberts, Hasegawa, Morrell, Sullivan, Kenney and Hudgins)

AN ACT Relating to transfer and articulation between institutions of higher education; adding new sections to chapter 28B.10 RCW; adding a new section to chapter 28B.76 RCW; and creating new sections.

Referred to Committee on Ways & Means.

E2SHB 2798 by House Committee on Appropriations (originally sponsored by Representatives Pettigrew, Hinkle, Kenney, Springer, Blake, Priest, Hunt, Linville, Newhouse, Kretz, Dunshee, Green, Hudgins, Campbell, Ericks, Walsh, McCune, Quall, Goodman, Hurst, Seaquist, Hunter, Anderson, Hasegawa, Cody, Williams, Dickerson, Kagi, Roberts, Takko, Morrell, McIntire, Schual-Berke, Nelson, Rolfes, Loomis, Lias, Simpson, VanDeWege, McCoy, Warnick, Pedersen, Lantz, Appleton, Upthegrove, Sells, Conway, Sullivan, Santos, Moeller and Ormsby)

AN ACT Relating to local food production; amending RCW 43.19.1906; reenacting and amending RCW 43.19.1905 and 28A.335.190; adding a new section to chapter 15.64 RCW; adding a new section to chapter 28A.235 RCW; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 43.70 RCW; creating new sections; repealing RCW 43.19.706; and providing expiration dates.

Referred to Committee on Agriculture & Rural Economic Development.

2SHB 2805 by House Committee on Appropriations (originally sponsored by Representatives Schual-Berke, Cody,

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AN ACT Relating to umbilical cord blood; and creating new sections.

Referred to Committee on Health & Long-Term Care.

2SHB 2808 by House Committee on Appropriations (originally sponsored by Representatives Sullivan, Upthegrove, Quall, Liias, Priest, Green, Conway, Pedersen, Kenney, Hudgins, Santos, Kelley and Ormsby)

AN ACT Relating to providing enhanced counseling and learning opportunities for certain high school students; adding new sections to chapter 28A.320 RCW; and creating new sections.

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

SHB 2810 by House Committee on Appropriations (originally sponsored by Representatives Sullivan, Quall, Upthegrove, Anderson, Conway, Kenney, Haigh, Hudgins, Santos, Simpson and Ormsby)

AN ACT Relating to enhancing resources and assistance in school districts with concentrations of English language learner students; amending RCW 28A.165.055; and creating new sections.

Referred to Committee on Ways & Means.

SHB 2811 by House Committee on Appropriations Subcommittee on Education (originally sponsored by Representatives Sullivan, Liias, Quall, Haigh, Simpson and Ormsby)

AN ACT Relating to creating the healthy student grant program; adding a new section to chapter 28A.630 RCW; and creating new sections.

Referred to Committee on Ways & Means.

E2SHB 2826 by House Committee on Appropriations (originally sponsored by Representatives Priest, Ormsby, Sullivan, Haigh, Fromhold, Quall, Wallace, Kenney, Anderson, Conway, Haler, Wood, Roach and Simpson)

AN ACT Relating to secondary career and technical education; amending RCW 28C.04.100, 28C.04.110, 28A.230.097, 28A.655.065, 28A.600.045, 28B.102.020, 28B.102.040, and 28A.505.220; amending 2007 c 354 s 12 (uncodified); adding new sections to chapter 28B.50 RCW; adding new sections to chapter 28A.245 RCW; adding a new chapter to Title 28A RCW; creating new sections; recodifying RCW 28C.04.100, 28C.04.110, and 28C.22.020; repealing RCW 28C.22.005 and 28C.22.010; providing an effective date; and providing an expiration date.

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

SHB 2848 by House Committee on Housing (originally sponsored by Representatives Ormsby, Barlow, Springer and Simpson)

AN ACT Relating to a voluntary contribution program for property owners taking the multifamily property tax exemption; amending RCW 84.14.100; adding a new section to chapter 84.14 RCW; and providing expiration dates.

Referred to Committee on Consumer Protection & Housing.

2SHB 2869 by House Committee on Appropriations (originally sponsored by Representatives Liias, Sullivan, Ericks, Williams, Loomis, Simpson, Ormsby, Miloscia, Hasegawa, Roberts and Lantz)

AN ACT Relating to bonuses for nationally certified teachers who become principals; amending RCW 28A.405.415; and creating a new section.

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

2SHB 2870 by House Committee on Appropriations (originally sponsored by Representatives Liias, Sullivan, Ericks, Williams, Loomis, Simpson, Ormsby, Miloscia, Hasegawa, Roberts, Santos, Quall and Nelson)

AN ACT Relating to professional development for instructional assistants; adding a new section to chapter 28A.415 RCW; and creating new sections.

Referred to Committee on Ways & Means.

SHB 2871 by House Committee on Agriculture & Natural Resources (originally sponsored by Representatives Kretz and McCune)

AN ACT Relating to penalties for small scale prospecting and mining violations; amending RCW 77.15.300; and prescribing penalties.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 2881 by House Committee on Health Care & Wellness (originally sponsored by Representatives Hinkle, Kenney and Cody)

AN ACT Relating to the practice of dentistry; amending RCW 18.32.215; adding a new section to chapter 18.32 RCW; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

HB 2909 by Representatives Orcutt, Blake, Kretz, McCune and VanDeWege

AN ACT Relating to studying the state's specialized forest product resources; amending 2007 c 392 s 2 (uncodified); and providing an expiration date.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 2920 by Representatives Kessler, Rodne, Springer, Upthegrove, Morrell and VanDeWege

AN ACT Relating to an eminent domain information pamphlet; amending RCW 8.25.290; and adding a new section to chapter 8.25 RCW.

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Referred to Committee on Judiciary.

SHB 2986 by House Committee on Finance (originally sponsored by Representatives Takko and Schindler)

AN ACT Relating to property tax collection and assessment; amending RCW 58.08.040, 84.40.042, 84.56.070, 86.09.490, 84.60.050, 87.03.265, 87.03.270, 85.08.480, 82.45.090, and 84.69.030; and creating a new section.

Referred to Committee on Government Operations & Elections.

SHB 3029 by House Committee on Transportation (originally sponsored by Representatives Eddy, Takko, Armstrong, Sells, Simpson and Springer)

AN ACT Relating to a secure internet-based system to generate temporary permits to operate vehicles; and amending RCW 46.16.045.

Referred to Committee on Transportation.

2SHB 3168 by House Committee on Appropriations (originally sponsored by Representatives Goodman, Kagi, Walsh, Haler, Roberts, Pettigrew, Hinkle, Sullivan, Kessler, Green, Hudgins, Darneille, McIntire, Liias, Kelley, Kenney, Hankins, Nelson, Santos and Ormsby)

AN ACT Relating to the creation of the Washington head start program; adding new sections to chapter 43.215 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 3200 by Representatives Schmick, Simpson, Warnick, Schindler and Sullivan

AN ACT Relating to establishing a cemetery district in a county; amending RCW 68.52.100; and adding a new section to chapter 68.52 RCW.

Referred to Committee on Government Operations & Elections.

SHB 3204 by House Committee on Health Care & Wellness (originally sponsored by Representatives Morrell, Campbell and Green)

AN ACT Relating to protecting medicaid residents in boarding homes; and adding a new section to chapter 18.20 RCW.

Referred to Committee on Health & Long-Term Care.

SHB 3212 by House Committee on Education (originally sponsored by Representatives Santos and Hudgins)

AN ACT Relating to monitoring and addressing achievement of groups of students; and amending RCW 28A.300.130, 43.06B.020, and 28A.655.090.

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

HB 3220 by Representative Condotta

AN ACT Relating to allowing counties, cities, and towns to

conduct raffles under certain terms and conditions; and amending RCW 9.46.0209.

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

SHB 3297 by House Committee on Commerce & Labor (originally sponsored by Representative Green)

AN ACT Relating to professional athletics regulated by the department of licensing; amending RCW 67.08.002, 67.08.007, 67.08.015, 67.08.017, 67.08.030, 67.08.050, 67.08.055, 67.08.060, 67.08.080, 67.08.110, 67.08.140, 67.08.160, 67.08.170, 67.08.180, 67.08.200, and 67.08.300; reenacting and amending RCW 67.08.090 and 67.08.100; adding new sections to chapter 67.08 RCW; repealing RCW 67.08.010, 67.08.040, 67.08.130, 67.08.220, and 67.08.240; prescribing penalties; and providing an effective date.

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

E2SHB 3306 by House Committee on Appropriations Subcommittee on Education (originally sponsored by Representatives Wallace and Dunn)

AN ACT Relating to electronic learning at institutions of higher education; and creating new sections.

Referred to Committee on Higher Education.

ESHCR 4408 by House Committee on Higher Education (originally sponsored by Representatives Wallace, Haigh and Sells)

Requesting approval of the statewide strategic master plan for higher education.

Referred to Committee on Ways & Means.

#### MOTION

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

#### MOTION

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

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Alexander Jonlin, Chair of the Legislative Youth Advisory Council, who was seated at the rostrum.

#### PERSONAL PRIVILEGE

Senator Jacobsen: "Thank you. Well Alex attended a school where my wife taught and she was on playground duty one day and he came up with a petition that had four hundred signatures on it to create a youth legislative advisory council. I met with the young man because I could see that he had done a lot of work. I was very impressed. The only other thing I'll tell you when he testified on these bills Senator McCaslin was on the committee and he asked Alex how old he was and I think he said eleven. He said to me pointed at me and said, 'You got seven more years and you'd better get out of the way.'"



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SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

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## MOTION

Senator Prentice moved that Gubernatorial Appointment No. 9303, Isaura Gallegos, as a member of the Board of Trustees, Eastern Washington University, be confirmed.

Senator Prentice spoke in favor of the motion.

## MOTION

On motion of Senator Brandland, Senators Benton and Pflug were excused.

## MOTION

On motion of Senator Regala, Senator Kauffman was excused.

## APPOINTMENT OF ISAURA GALLEGOS

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9303, Isaura Gallegos as a member of the Board of Trustees, Eastern Washington University.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9303, Isaura Gallegos as a member of the Board of Trustees, Eastern Washington University and the appointment was confirmed by the following vote: Yeas, 44; Nays, 0; Absent, 3; Excused, 2.

Voting yea: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Keiser, Kilmer, King, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 44

Absent: Senators Brown, Fairley and Kline - 3

Excused: Senators Kauffman and Pflug - 2

Gubernatorial Appointment No. 9303, Isaura Gallegos, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Eastern Washington University.

## MOTION

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

## MOTION

Senator Eide moved adoption of the following resolution:

SENATE RESOLUTION  
8696

By Senator Eide

WHEREAS, Dr. Jon R. Almquist, a pediatrician at Virginia Mason Federal Way, retired September 9, 2007, after 43 years in pediatrics; and

WHEREAS, Jon wanted to be a physician from the time he was eight or nine and graduated from Yale University School of Medicine in 1965, then returned to Seattle to begin his career as a pediatrician; and

WHEREAS, Dr. Almquist's patients called him "the child whisperer" because he was so extraordinarily talented with

children, playing with kids while examining them with the kids most of the time not knowing they were being examined; and

WHEREAS, Jon's joyfulness as a pediatrician was infectious, and his heart was so full and willing to help others that he changed many lives; and

WHEREAS, One woman remembered Dr. Almquist closed his practice for one day and came to the hospital to supervise care of her son who had been hit by a car and suffered a head injury; and

WHEREAS, Dr. Almquist, through his medical practice, invested in the social, emotional, and mental health of thousands of young people in the Federal Way area and remains active in the Boy Scouts of America; and

WHEREAS, Dr. Almquist was the recipient of Virginia Mason's Tate Mason Award for the 2002 Outstanding Physician Award, served as Clinical Professor of Pediatrics for the University of Washington, held a position on the American Academy of Pediatrics, and held many other positions on medically related committees;

NOW, THEREFORE, BE IT RESOLVED, That the members of the Washington State Senate acknowledge and honor Dr. Jon R. Almquist, whose dedication, professionalism, and medical expertise enriched the lives of thousands of Puget Sound area children and their families, and has helped contribute to the betterment and well-being of the community he served.

Senator 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. 8696.

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

## INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Dr. Jon R. Almquist, who was seated at the rostrum.

## MOTION

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

## SECOND READING

## CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

## MOTION

Senator Prentice moved that Gubernatorial Appointment No. 9341, Bertha Ortega, as a member of the Board of Trustees, Eastern Washington University, be confirmed.

Senators Prentice and Honeyford spoke in favor of passage of the motion.

## MOTION

On motion of Senator Regala, Senator Fairley was excused.

## APPOINTMENT OF BERTHA ORTEGA

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9341, Bertha Ortega as a member of the Board of Trustees, Eastern Washington University.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9341, Bertha Ortega as a member of the Board of Trustees, Eastern Washington University and the appointment was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove,

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Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 47

Excused: Senators Kauffman and Pflug - 2

Gubernatorial Appointment No. 9341, Bertha Ortega, having received the constitutional majority was declared confirmed as a member of the Board of Trustees, Eastern Washington University.

## SECOND READING

SENATE BILL NO. 6606, by Senators Spanel, Kohl-Welles, Honeyford, Prentice, Murray and Rasmussen

Requiring the licensing of home inspectors.

## MOTION

On motion of Senator Spanel, Substitute Senate Bill No. 6606 was substituted for Senate Bill No. 6606 and the substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Spanel moved that the following amendment by Senators Spanel, Honeyford and Kohl-Welles be adopted.

On page 3, line 34, after "AUTHORITY." strike "(1)"

On page 4, at the beginning of line 1, strike "(a)" and insert "(1)"

On page 4, at the beginning of line 3, strike "(b)" and insert "(2)"

On page 4, at the beginning on line 4, strike "(c)" and insert "(3)"

On page 4, at the beginning on line 7, strike "(d)" and insert "(4)"

On page 4, beginning on line 9, strike all of subsection (2)

On page 7, line 31, after "(5)" strike "Pest control operators licensed under chapter 15.58" and insert "Pesticide operators licensed under chapter 17.21"

Senator Spanel spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Spanel, Honeyford and Kohl-Welles on page 3, line 34 to Substitute Senate Bill No. 6606.

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

## MOTION

On motion of Senator Spanel, the rules were suspended, Engrossed Substitute Senate Bill No. 6606 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Spanel spoke in favor of passage of the bill.

Senator Holmquist spoke against passage of the bill.

## MOTION

On motion of Senator Regal, Senator Prentice was excused.

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The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6606.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6606 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 8; Absent, 0; Excused, 2.

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

Voting nay: Senators Benton, Carrell, Hewitt, Holmquist, Morton, Roach, Stevens and Zarelli - 8

Excused: Senators Pflug and Prentice - 2

ENGROSSED SUBSTITUTE SENATE BILL NO. 6606, 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. 6765, by Senators Parlette and Keiser

Concerning the Washington state health insurance pool.

## MOTIONS

On motion of Senator Parlette, Substitute Senate Bill No. 6765 was substituted for Senate Bill No. 6765 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Parlette, the rules were suspended, Substitute Senate Bill No. 6765 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette and Keiser 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. 6765.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6765 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, Parlette, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Pflug - 1

SUBSTITUTE SENATE BILL NO. 6765, 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

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On motion of Senator Eide, Rule 15 was suspended for the remainder of the day for the purpose of allowing continued floor action.

Establishing a program to screen and treat children with attachment disorders.

EDITOR'S NOTE: Senate Rule 15 establishes the floor schedule and calls for a lunch and dinner break of 90 minutes each per day during regular daily sessions.

MOTIONS

MOTION TO LIMIT DEBATE

Senator Eide: "Mr. President, I move that the members of the Senate be allowed to speak but once on each question before the Senate, that such speech be limited to three minutes and that members be prohibited from yielding their time, however, the maker of a motion shall be allowed to open and close debate. This motion shall be in effect through February 15, 2008."

On motion of Senator Zarelli, Second Substitute Senate Bill No. 6479 was substituted for Senate Bill No. 6479 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Zarelli, the rules were suspended, Second Substitute Senate Bill No. 6479 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the motion by Senator Eide to limit debate.

Senators Zarelli, Prentice and Shin spoke in favor of passage of the bill.

The motion by Senator Eide carried and debate was limited through February 15, 2008 by voice vote.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6479.

SECOND READING

ROLL CALL

SENATE BILL NO. 6807, by Senators Kastama, Keiser, Fairley and Kohl-Welles

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6479 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Restricting long-term care facilities.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

MOTIONS

On motion of Senator Kastama, Substitute Senate Bill No. 6807 was substituted for Senate Bill No. 6807 and the substitute bill was placed on the second reading and read the second time.

SECOND SUBSTITUTE SENATE BILL NO. 6479, 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.

On motion of Senator Kastama, the rules were suspended, Substitute Senate Bill No. 6807 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

SECOND READING

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6807.

SENATE BILL NO. 6222, by Senators Keiser, Kohl-Welles and Franklin

ROLL CALL

Expanding programs for persons needing long-term care.

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6807 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

MOTIONS

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, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

On motion of Senator Keiser, Second Substitute Senate Bill No. 6222 was substituted for Senate Bill No. 6222 and the second substitute bill was placed on the second reading and read the second time.

Voting nay: Senator Marr - 1

On motion of Senator Keiser, the rules were suspended, Second Substitute Senate Bill No. 6222 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SUBSTITUTE SENATE BILL NO. 6807, 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.

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

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6222.

SECOND READING

ROLL CALL

SENATE BILL NO. 6479, by Senators Zarelli, Prentice, Rasmussen and Roach

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6222 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove,

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Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SECOND SUBSTITUTE SENATE BILL NO. 6222, 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. 5831, by Senators Kohl-Welles, Franklin, Keiser and Murray

Providing for the certification of mechanics performing heating, ventilating, air conditioning, refrigeration, and gas piping work. Revised for 1st Substitute: Providing for the certification of heating, ventilation, air conditioning, and refrigeration contractors and mechanics.

#### MOTION

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5831 was substituted for Senate Bill No. 5831 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Kastama moved that the following striking amendment by Senators Kastama, Berkey and Haugen be adopted:

Strike everything after the enacting clause and insert the following:

**"New Section, Sec. 1.** (1)(a) A joint legislative task force on heating, ventilating, air conditioning, and refrigeration is established, with members as provided in this subsection.

(i) The chair and ranking minority member of the senate labor, commerce, research and development committee;

(ii) The chair and ranking minority member of the house commerce and labor committee;

(iii) Four members representing the heating, ventilating, air conditioning, and refrigeration industry, selected from nominations submitted by statewide business organizations representing a cross-section of industries and appointed jointly by the president of the senate and the speaker of the house of representatives; and

(iv) Four members representing labor, selected from nominations submitted by statewide labor organizations representing a cross-section of industries and appointed jointly by the president of the senate and the speaker of the house of representatives.

(b) In addition, the department of labor and industries shall cooperate with the joint legislative task force and maintain a liaison representative, who shall be a nonvoting member. The department shall cooperate with the joint legislative task force and provide information as the joint legislative task force may reasonably request.

(c) The joint legislative task force shall choose its chair from among its membership.

(2) The joint legislative task force shall review the following issues:

(a) Requirements for registering, certifying, or licensing heating, ventilating, air conditioning, and refrigeration mechanics;

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(b) Methods of registering or licensing contractors who qualify for two or more registrations or licenses;

(c) Establishing at least three levels of HVAC/R mechanics, with the ability to be certified in several specialties including gas piping, sheet metal, and refrigeration;

(d) The on-the-job experience requirements for each mechanic level;

(e) The methods by which apprentices and other persons learning to perform heating, ventilating, air conditioning, and refrigeration work obtain training certificates;

(f) Exemptions to the registering, certification, or licensing requirements; and

(g) Such other factors the joint legislative task force deems necessary.

(3) Legislative members of the joint legislative task force shall be reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members, except those representing an employer or organization, are entitled to be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(4) The expenses of the joint legislative task force shall be paid jointly by the senate and the house of representatives.

(5) The joint legislative task force shall report its findings and recommendations to the legislature by January 1, 2009.

(6) This section expires July 1, 2009."

Senator Brown moved without objection, the following oral amendment to the striking amendment be adopted:

"Beginning on page 1, line 7 after (Senate) strike everything through the word 'development' on line 8 and insert 'economic development, trade and management.'"

Senators Brown and Kastama spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Brown to the striking amendment to Substitute Senate Bill No. 5831.

The motion by Senator Brown carried and the amendment to the striking amendment was adopted by voice vote.

Senators Kastama, King, Shin and Honeyford spoke in favor of adoption of the striking amendment as amended.

Senators Kohl-Welles, Franklin and Keiser spoke against the adoption of the striking as amended.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Kastama, Berkey and Haugen as amended to Substitute Senate Bill No. 5831.

The motion by Senator Kastama carried and the striking amendment as amended was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "mechanics;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

#### MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Engrossed Substitute Senate Bill No. 5831 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5831.

#### ROLL CALL

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The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5831 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 2; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Tom, Weinstein and Zarelli - 47

Voting nay: Senators Stevens and Swecker - 2

ENGROSSED SUBSTITUTE SENATE BILL NO. 5831, 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. 6275, by Senators Haugen and Rasmussen

Granting authority for drainage district commissioners to implement drainage maintenance plans.

The measure was read the second time.

MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 6275 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Haugen 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. 6275.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6275 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 48

Absent: Senator Zarelli - 1

SENATE BILL NO. 6275, 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

On motion of Senator Marr, the Senate advanced to the seventh order of business.

THIRD READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5456, by

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Senate Committee on Judiciary (originally sponsored by Senator Morton).

Revising rules concerning nonresidents' participation in hunting and organized shooting events.

The bill was read on Third Reading.

Senators Morton and Kline spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5456.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5456 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

ENGROSSED SUBSTITUTE SENATE BILL NO. 5456, 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

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

SECOND READING

SENATE BILL NO. 6483, by Senators Hatfield, Honeyford, Rasmussen, Haugen, Swecker, Tom, Morton, Rockefeller, Fraser, Hargrove, Keiser, Kohl-Welles, Brandland, Kilmer, Shin, McDermott, Kauffman, Murray, Hobbs, Kastama, Fairley, Pridemore, Regala, McAuliffe, Jacobsen, Kline, Brown, Franklin, Hewitt, Spanel, Parlette, Oemig and Roach

Enacting the local farms-healthy kids and communities act. Revised for 2nd Substitute: Enacting the local farms-healthy kids act.

MOTIONS

On motion of Senator Hatfield, Second Substitute Senate Bill No. 6483 was substituted for Senate Bill No. 6483 and the second substitute bill was placed on the second reading and read the second time.

On motion of Senator Hatfield, the rules were suspended, Second Substitute Senate Bill No. 6483 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hatfield, Rasmussen and Franklin spoke in favor of passage of the bill.

MOTION

On motion of Senator Regala, Senator Kline was excused.

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The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 6483.

ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 6483 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, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Kline - 1

SECOND SUBSTITUTE SENATE BILL NO. 6483, 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. 6885, by Senators King and Swecker

Expanding the list of persons and entities that may acquire driving record abstracts for certain purposes.

The measure was read the second time.

MOTION

On motion of Senator King, the rules were suspended, Senate Bill No. 6885 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator King 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. 6885.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6885 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, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Kline - 1

SENATE BILL NO. 6885, 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. 6532, by Senators Haugen and Keiser

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Authorizing city aquatic lands management agreements allowing cities to operate publicly owned marinas. Revised for 1st Substitute: Allowing certain cities to enter into no-fee lease agreements to use state-owned aquatic lands to operate a public marina.

MOTION

On motion of Senator Jacobsen, Substitute Senate Bill No. 6532 was substituted for Senate Bill No. 6532 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Jacobsen moved that the following striking amendment by Senators Jacobsen and Haugen be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 79.105 RCW to read as follows:

(1)(a) A city with a population between twenty thousand and twenty-five thousand on the effective date of this section and that currently operates a publicly owned marina may enter into a reduced fee lease authorizing the city to use state-owned aquatic lands for the purpose of operating a publicly owned marina. The office of financial management's population estimate must be used to determine a city's population for purposes of this section. The lease period may not exceed twenty years.

(b) No rent is due the state for the use of state-owned aquatic lands for the first ten years under such a lease. During subsequent years under such a lease, rent is due for only those lands that have been included under a previous aquatic land lease for the marina. The lease may not be renewed, extended, or put into holdover.

(2) A city choosing to enter into a lease as provided in subsection (1) of this section must do so within one year of the effective date of this section. Prior to entering into such a lease, the city must be in good standing with the department and must have paid all amounts owed the department including any accrued interest.

(3) State-owned aquatic lands that may be included in the lease are limited only to those lands included in the most recent expired lease with the city for the marina, along with any state-owned aquatic lands immediately adjacent to those lands. Only those marina operations conducted directly by the city may be included within the leased area.

(4) If a city chooses to enter into an agreement as provided in subsection (1) of this section, the city is not eligible to apply for grants from the aquatic lands enhancement account created under RCW 79.105.150 for the first ten years of the lease.

(5) Upon expiration of the twenty-year lease, the city may enter into a new lease for the use of state-owned aquatic lands or vacate the lands as agreed to in the expiring lease. To ensure the consistent state-wide application of aquatic land management principles, the new lease must be completed in accordance with all applicable sections of this title.

(6) This section expires July 1, 2029."

Senator Jacobsen spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Jacobsen and Haugen to Substitute Senate Bill No. 6532.

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

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "marina;" strike the

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remainder of the title and insert "adding a new section to chapter 79.105 RCW; and providing an expiration date."

MOTION

On motion of Senator Jacobsen, the rules were suspended, Engrossed Substitute Senate Bill No. 6532 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Jacobsen and Morton spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6532.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6532 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

ENGROSSED SUBSTITUTE SENATE BILL NO. 6532, 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. 6644, by Senators Keiser, Franklin, Kastama, Fairley, Marr, Delvin, Kohl-Welles, Brandland, Schoesler and Rasmussen

Establishing requirements for primary medical eye care.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 6644 was substituted for Senate Bill No. 6644 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Keiser moved that the following striking amendment by Senators Keiser and Pflug be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds and declares that there is a paramount concern that the right of the people to obtain access to health care in all its facets should be preserved and enhanced. The legislature also finds that the establishment of a medical home is an effective way to improve quality of care and reduce unnecessary administrative costs in the delivery of care. The legislature further finds that the unique characteristics of eye care and the structure of insurance coverage relating to medical eye care and vision only services create confusion among enrollees of health plans and create inefficiencies in the delivery of medical eye care, and that creating a primary care medical home relationship for eye care patients will improve the quality of care and reduce the cost of

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eye care. It is the intent of the legislature to eliminate unnecessary burdens faced by patients needing medical eye care services. It is, therefore, declared to be in the public interest that health plans covering primary medical eye care conform to certain minimum requirements.

**Sec. 2.** RCW 48.43.005 and 2007 c 296 s 1 and 2007 c 259 s 32 are each reenacted and amended to read as follows:

Unless otherwise specifically provided, the definitions in this section apply throughout this chapter.

(1) "Adjusted community rate" means the rating method used to establish the premium for health plans adjusted to reflect actuarially demonstrated differences in utilization or cost attributable to geographic region, age, family size, and use of wellness activities.

(2) "Basic health plan" means the plan described under chapter 70.47 RCW, as revised from time to time.

(3) "Basic health plan model plan" means a health plan as required in RCW 70.47.060(2)(e).

(4) "Basic health plan services" means that schedule of covered health services, including the description of how those benefits are to be administered, that are required to be delivered to an enrollee under the basic health plan, as revised from time to time.

(5) "Catastrophic health plan" means:

(a) In the case of a contract, agreement, or policy covering a single enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, one thousand seven hundred fifty dollars and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least three thousand five hundred dollars, both amounts to be adjusted annually by the insurance commissioner; and

(b) In the case of a contract, agreement, or policy covering more than one enrollee, a health benefit plan requiring a calendar year deductible of, at a minimum, three thousand five hundred dollars and an annual out-of-pocket expense required to be paid under the plan (other than for premiums) for covered benefits of at least six thousand dollars, both amounts to be adjusted annually by the insurance commissioner; or

(c) Any health benefit plan that provides benefits for hospital inpatient and outpatient services, professional and prescription drugs provided in conjunction with such hospital inpatient and outpatient services, and excludes or substantially limits outpatient physician services and those services usually provided in an office setting.

In July 2008, and in each July thereafter, the insurance commissioner shall adjust the minimum deductible and out-of-pocket expense required for a plan to qualify as a catastrophic plan to reflect the percentage change in the consumer price index for medical care for a preceding twelve months, as determined by the United States department of labor. The adjusted amount shall apply on the following January 1st.

(6) "Certification" means a determination by a review organization that an admission, extension of stay, or other health care service or procedure has been reviewed and, based on the information provided, meets the clinical requirements for medical necessity, appropriateness, level of care, or effectiveness under the auspices of the applicable health benefit plan.

(7) "Concurrent review" means utilization review conducted during a patient's hospital stay or course of treatment.

(8) "Covered person" or "enrollee" means a person covered by a health plan including an enrollee, subscriber, policyholder, beneficiary of a group plan, or individual covered by any other health plan.

(9) "Dependent" means, at a minimum, the enrollee's legal spouse and unmarried dependent children who qualify for coverage under the enrollee's health benefit plan.

(10) "Eligible employee" means an employee who works on a full-time basis with a normal work week of thirty or more hours. The term includes a self-employed individual, including a sole proprietor, a partner of a partnership, and may include an

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independent contractor, if the self-employed individual, sole proprietor, partner, or independent contractor is included as an employee under a health benefit plan of a small employer, but does not work less than thirty hours per week and derives at least seventy-five percent of his or her income from a trade or business through which he or she has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form. Persons covered under a health benefit plan pursuant to the consolidated omnibus budget reconciliation act of 1986 shall not be considered eligible employees for purposes of minimum participation requirements of chapter 265, Laws of 1995.

(11) "Emergency medical condition" means the emergent and acute onset of a symptom or symptoms, including severe pain, that would lead a prudent layperson acting reasonably to believe that a health condition exists that requires immediate medical attention, if failure to provide medical attention would result in serious impairment to bodily functions or serious dysfunction of a bodily organ or part, or would place the person's health in serious jeopardy.

(12) "Emergency services" means otherwise covered health care services medically necessary to evaluate and treat an emergency medical condition, provided in a hospital emergency department.

(13) "Enrollee point-of-service cost-sharing" means amounts paid to health carriers directly providing services, health care providers, or health care facilities by enrollees and may include copayments, coinsurance, or deductibles.

(14) "Grievance" means a written complaint submitted by or on behalf of a covered person regarding: (a) Denial of payment for medical services or nonprovision of medical services included in the covered person's health benefit plan, or (b) service delivery issues other than denial of payment for medical services or nonprovision of medical services, including dissatisfaction with medical care, waiting time for medical services, provider or staff attitude or demeanor, or dissatisfaction with service provided by the health carrier.

(15) "Health care facility" or "facility" means hospices licensed under chapter 70.127 RCW, hospitals licensed under chapter 70.41 RCW, rural health care facilities as defined in RCW 70.175.020, psychiatric hospitals licensed under chapter 71.12 RCW, nursing homes licensed under chapter 18.51 RCW, community mental health centers licensed under chapter 71.05 or 71.24 RCW, kidney disease treatment centers licensed under chapter 70.41 RCW, ambulatory diagnostic, treatment, or surgical facilities licensed under chapter 70.41 RCW, drug and alcohol treatment facilities licensed under chapter 70.96A RCW, and home health agencies licensed under chapter 70.127 RCW, and includes such facilities if owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations.

(16) "Health care provider" or "provider" means:

(a) A person regulated under Title 18 or chapter 70.127 RCW, to practice health or health-related services or otherwise practicing health care services in this state consistent with state law; or

(b) An employee or agent of a person described in (a) of this subsection, acting in the course and scope of his or her employment.

(17) "Health care service" means that service offered or provided by health care facilities and health care providers relating to the prevention, cure, or treatment of illness, injury, or disease.

(18) "Health carrier" or "carrier" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020.

(19) "Health plan" or "health benefit plan" means any policy, contract, or agreement offered by a health carrier to

provide, arrange, reimburse, or pay for health care services except the following:

(a) Long-term care insurance governed by chapter 48.84 RCW;

(b) Medicare supplemental health insurance governed by chapter 48.66 RCW;

(c) Coverage supplemental to the coverage provided under chapter 55, Title 10, United States Code;

(d) Limited health care services offered by limited health care service contractors in accordance with RCW 48.44.035;

(e) Disability income;

(f) Coverage incidental to a property/casualty liability insurance policy such as automobile personal injury protection coverage and homeowner guest medical;

(g) Workers' compensation coverage;

(h) Accident only coverage;

(i) Specified disease or illness-triggered fixed payment insurance, hospital confinement fixed payment insurance, or other fixed payment insurance offered as an independent, noncoordinated benefit;

(j) Employer-sponsored self-funded health plans;

(k) Dental only and vision only coverage; and

(l) Plans deemed by the insurance commissioner to have a short-term limited purpose or duration, or to be a student-only plan that is guaranteed renewable while the covered person is enrolled as a regular full-time undergraduate or graduate student at an accredited higher education institution, after a written request for such classification by the carrier and subsequent written approval by the insurance commissioner.

(20) "Material modification" means a change in the actuarial value of the health plan as modified of more than five percent but less than fifteen percent.

(21) "Preexisting condition" means any medical condition, illness, or injury that existed any time prior to the effective date of coverage.

(22) "Premium" means all sums charged, received, or deposited by a health carrier as consideration for a health plan or the continuance of a health plan. Any assessment or any "membership," "policy," "contract," "service," or similar fee or charge made by a health carrier in consideration for a health plan is deemed part of the premium. "Premium" shall not include amounts paid as enrollee point-of-service cost-sharing.

(23) "Primary medical eye care" means all health care services within the scope of practice of optometry as defined in RCW 18.53.010, whether provided or performed by a provider licensed under chapter 18.53, 18.57, or 18.71 RCW.

(24) "Primary medical eye care provider" means all providers licensed to practice optometry as defined in RCW 18.53.010, whether provided or performed by a provider licensed under chapter 18.53, 18.57, or 18.71 RCW.

(25) "Review organization" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, health care service contractor as defined in RCW 48.44.010, or health maintenance organization as defined in RCW 48.46.020, and entities affiliated with, under contract with, or acting on behalf of a health carrier to perform a utilization review.

~~((24))~~ (26) "Small employer" or "small group" means any person, firm, corporation, partnership, association, political subdivision, sole proprietor, or self-employed individual that is actively engaged in business that, on at least fifty percent of its working days during the preceding calendar quarter, employed at least two but no more than fifty eligible employees, with a normal work week of thirty or more hours, the majority of whom were employed within this state, and is not formed primarily for purposes of buying health insurance and in which a bona fide employer-employee relationship exists. In determining the number of eligible employees, companies that are affiliated companies, or that are eligible to file a combined tax return for purposes of taxation by this state, shall be considered an employer. Subsequent to the issuance of a health plan to a small employer and for the purpose of determining eligibility, the size



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of a small employer shall be determined annually. Except as otherwise specifically provided, a small employer shall continue to be considered a small employer until the plan anniversary following the date the small employer no longer meets the requirements of this definition. A self-employed individual or sole proprietor must derive at least seventy-five percent of his or her income from a trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, schedule C or F, for the previous taxable year except for a self-employed individual or sole proprietor in an agricultural trade or business, who must derive at least fifty-one percent of his or her income from the trade or business through which the individual or sole proprietor has attempted to earn taxable income and for which he or she has filed the appropriate internal revenue service form 1040, for the previous taxable year. A self-employed individual or sole proprietor who is covered as a group of one on the day prior to June 10, 2004, shall also be considered a "small employer" to the extent that individual or group of one is entitled to have his or her coverage renewed as provided in RCW 48.43.035(6).

~~((25))~~ (27) "Subcontract" means any agreement between a health carrier and another entity whereby health care services are provided to the health carrier's enrollees through providers contracted directly with such other entity.

(28) "Utilization review" means the prospective, concurrent, or retrospective assessment of the necessity and appropriateness of the allocation of health care resources and services of a provider or facility, given or proposed to be given to an enrollee or group of enrollees.

~~((26))~~ (29) "Wellness activity" means an explicit program of an activity consistent with department of health guidelines, such as, smoking cessation, injury and accident prevention, reduction of alcohol misuse, appropriate weight reduction, exercise, automobile and motorcycle safety, blood cholesterol reduction, and nutrition education for the purpose of improving enrollee health status and reducing health service costs.

**NEW SECTION, Sec. 3.** A new section is added to chapter 48.43 RCW to read as follows:

(1) For all contracts issued or renewed on or after January 1, 2009, a health benefit plan that includes primary medical eye care shall provide for enrollees a complete list of health care providers contracted with the health benefit plan, either directly or through a subcontract, to provide primary medical eye care to enrollees, and all such providers shall be available to all enrollees, subject to any service area requirements of the plan.

(2) A health benefit plan that includes primary medical eye care shall permit enrollees to access any primary medical eye care provider contracted with the health benefit plan, either directly or through a subcontract, to provide care to enrollees, on the same terms as the enrollee has access to his or her primary care provider.

(3) A referral for specialty eye care services made by a primary medical eye care provider contracted with the health benefit plan, either directly or through a subcontract, to provide primary medical eye care to enrollees, shall be deemed equivalent to a referral by a primary care provider for all purposes, including enrollee point-of-service cost-sharing calculations. A health carrier may require by contract that a primary medical eye care provider notify any gatekeeper or medical home for a patient who is referred for specialty eye care services.

(4) Enrollee point-of-service cost-sharing requirements for primary medical eye care shall be no greater than enrollee point-of-service cost-sharing requirements for services provided by a designated primary care provider.

(5) Health care providers contracted with a health carrier, either directly or through a subcontract, to provide primary medical eye care to enrollees, shall be paid for covered services included in the health benefit plan, subject to other conditions in their contract.

(6) This section does not require and shall not be construed to require any health plan to include coverage of any condition, including primary medical eye care.

(7) Nothing in this section shall be construed to expand the scope of practice for any eye care provider."

Senators Keiser and Pflug spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Keiser and Pflug to Substitute Senate Bill No. 6644.

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

MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "care;" strike the remainder of the title and insert "reenacting and amending RCW 48.43.005; adding a new section to chapter 48.43 RCW; and creating a new section."

Motion

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 6644 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Pflug and Shin spoke in favor of passage of the bill.

Senator Parlette spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6644.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6644 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 3; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, 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 - 46

Voting nay: Senators Carrell, Holmquist and Parlette - 3

ENGROSSED SUBSTITUTE SENATE BILL NO. 6644, 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 11:42 a.m., on motion of Senator Eide, the Senate was recessed until 1:45 p.m.

AFTERNOON SESSION

The Senate was called to order at 1:45 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 14, 2008

MR. PRESIDENT:

The House has passed the following bills:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1561,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2480,  
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO.

2549,

ENGROSSED HOUSE BILL NO. 2613,

and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rasmussen moved that Gubernatorial Appointment No. 9301, Billy Frank, Jr, as a member of the Puget Sound Partnership, be confirmed.

Senators Rasmussen, Fraser and Kauffman spoke in favor of passage of the motion.

MOTION

On motion of Senator Brandland, Senators Benton, McCaslin and Parlette were excused.

APPOINTMENT OF BILLY FRANK, JR.

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9301, Billy Frank, Jr as a member of the Puget Sound Partnership.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9301, Billy Frank, Jr as a member of the Puget Sound Partnership and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

Gubernatorial Appointment No. 9301, Billy Frank, Jr, having received the constitutional majority was declared confirmed as a member of the Puget Sound Partnership.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Regala moved that Gubernatorial Appointment No. 9324, Martha Kongsgaard, as a member of the Puget Sound Partnership, be confirmed.

Senators Regala and McDermott spoke in favor of passage of the motion.

APPOINTMENT OF MARTHA KONGSGAARD

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9324, Martha Kongsgaard as a member of the Puget Sound Partnership.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9324, Martha Kongsgaard as a member of the Puget Sound Partnership and the appointment was confirmed by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

Gubernatorial Appointment No. 9324, Martha Kongsgaard, having received the constitutional majority was declared confirmed as a member of the Puget Sound Partnership.

SECOND READING

CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rockefeller moved that Gubernatorial Appointment No. 9347, William D. Ruckelshaus, as Chair of the Puget Sound Partnership, be confirmed.

Senators Rockefeller, Jacobsen and Parlette spoke in favor of passage of the motion.

MOTION

On motion of Senator Delvin, Senator Zarelli was excused.

MOTION

On motion of Senator Regala, Senator Prentice was excused.

APPOINTMENT OF WILLIAM D. RUCKELSHAUS

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9347, William D. Ruckelshaus as Chair of the Puget Sound Partnership.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9347, William D. Ruckelshaus as Chair of the Puget Sound Partnership and the appointment was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

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

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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, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker and Tom - 46

Absent: Senator Weinstein - 1

Excused: Senators Prentice and Zarelli - 2

Gubernatorial Appointment No. 9347, William D. Ruckelshaus, having received the constitutional majority was declared confirmed as Chair of the Puget Sound Partnership.

SECOND READING

SENATE BILL NO. 6596, by Senators Hargrove, Carrell, Regala, Stevens, Marr, Shin, McAuliffe, Brandland and Kilmer

Providing for the creation of a sex offender policy board.

MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 6596 was substituted for Senate Bill No. 6596 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 6596 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hargrove and Stevens 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. 6596.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6596 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, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Prentice - 1

SUBSTITUTE SENATE BILL NO. 6596, 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. 6804, by Senators Kilmer, Carrell, Hobbs, Shin, Roach, Kohl-Welles, Marr, McAuliffe, Rasmussen and Benton

Providing grants to community colleges for long-term care worker training.

MOTIONS

On motion of Senator Kilmer, Substitute Senate Bill No. 6804 was substituted for Senate Bill No. 6804 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kilmer, the rules were suspended, Substitute Senate Bill No. 6804 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kilmer and Shin 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. 6804.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6804 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, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Excused: Senator Prentice - 1

SUBSTITUTE SENATE BILL NO. 6804, 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. 6665, by Senators Hargrove, Stevens and Marr

Regarding the intensive case management and integrated crisis response pilot programs.

MOTION

On motion of Senator Hargrove, Substitute Senate Bill No. 6665 was substituted for Senate Bill No. 6665 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hargrove moved that the following striking amendment by Senators Hargrove, Brown, Regala, Stevens and Carrell be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 70.96A.800 and 2005 c 504 s 220 are each amended to read as follows:

(1) The secretary shall select and contract with counties to provide intensive case management for chemically dependent persons with histories of high utilization of crisis services at two sites. In selecting the two sites, the secretary shall endeavor to site one in an urban county, and one in a rural county; and to site them in counties other than those selected pursuant to RCW 70.96B.020, to the extent necessary to facilitate evaluation of pilot project results. Within funds provided for this specific purpose, the secretary may contract with additional counties to provide intensive case management.

(2) The contracted sites shall implement the pilot programs by providing intensive case management to persons with a primary chemical dependency diagnosis or dual primary

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chemical dependency and mental health diagnoses, through the employment of chemical dependency case managers. The chemical dependency case managers shall:

(a) Be trained in and use the integrated, comprehensive screening and assessment process adopted under RCW 70.96C.010;

(b) Reduce the use of crisis medical, chemical dependency and mental health services, including but not limited to, emergency room admissions, hospitalizations, detoxification programs, inpatient psychiatric admissions, involuntary treatment petitions, emergency medical services, and ambulance services;

(c) Reduce the use of emergency first responder services including police, fire, emergency medical, and ambulance services;

(d) Reduce the number of criminal justice interventions including arrests, violations of conditions of supervision, bookings, jail days, prison sanction day for violations, court appearances, and prosecutor and defense costs;

(e) Where appropriate and available, work with therapeutic courts including drug courts and mental health courts to maximize the outcomes for the individual and reduce the likelihood of reoffense;

(f) Coordinate with local offices of the economic services administration to assist the person in accessing and remaining enrolled in those programs to which the person may be entitled;

(g) Where appropriate and available, coordinate with primary care and other programs operated through the federal government including federally qualified health centers, Indian health programs, and veterans' health programs for which the person is eligible to reduce duplication of services and conflicts in case approach;

(h) Where appropriate, advocate for the client's needs to assist the person in achieving and maintaining stability and progress toward recovery;

(i) Document the numbers of persons with co-occurring mental and substance abuse disorders and the point of determination of the co-occurring disorder by quadrant of intensity of need; and

(j) Where a program participant is under supervision by the department of corrections, collaborate with the department of corrections to maximize treatment outcomes and reduce the likelihood of reoffense.

(3) The pilot programs established by this section shall begin providing services by March 1, 2006.

(4) This section expires June 30, ~~(2008)~~ 2009.

**Sec. 2.** RCW 70.96B.800 and 2005 c 504 s 217 are each amended to read as follows:

(1) The Washington state institute for public policy shall evaluate the pilot programs and make ~~((a))~~ preliminary reports to appropriate committees of the legislature by December 1, 2007, and June 30, 2008, and a final report by ~~((September 30, 2008))~~ June 30, 2010.

(2) The evaluation of the pilot programs shall include:

(a) Whether the designated crisis responder pilot program:

(i) Has increased efficiency of evaluation and treatment of persons involuntarily detained for seventy-two hours;

(ii) Is cost-effective;

(iii) Results in better outcomes for persons involuntarily detained;

(iv) Increased the effectiveness of the crisis response system in the pilot catchment areas;

(b) The effectiveness of providing a single chapter in the Revised Code of Washington to address initial detention of persons with mental disorders or chemical dependency, in crisis response situations and the likelihood of effectiveness of providing a single, comprehensive involuntary treatment act.

(3) The reports shall consider the impact of the pilot programs on the existing mental health system and on the persons served by the system.

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**Sec. 3.** RCW 70.96B.010 and 2005 c 504 s 202 are each amended to read as follows:

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Admission" or "admit" means a decision by a physician that a person should be examined or treated as a patient in a hospital, an evaluation and treatment facility, or other inpatient facility, or a decision by a professional person in charge or his or her designee that a person should be detained as a patient for evaluation and treatment in a secure detoxification facility or other certified chemical dependency provider.

(2) "Antipsychotic medications" means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders, which includes but is not limited to atypical antipsychotic medications.

(3) "Approved treatment program" means a discrete program of chemical dependency treatment provided by a treatment program certified by the department as meeting standards adopted under chapter 70.96A RCW.

(4) "Attending staff" means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient.

(5) "Chemical dependency" means:

(a) Alcoholism;

(b) Drug addiction; or

(c) Dependence on alcohol and one or more other psychoactive chemicals, as the context requires.

(6) "Chemical dependency professional" means a person certified as a chemical dependency professional by the department of health under chapter 18.205 RCW.

(7) "Commitment" means the determination by a court that a person should be detained for a period of either evaluation or treatment, or both, in an inpatient or a less restrictive setting.

(8) "Conditional release" means a revocable modification of a commitment that may be revoked upon violation of any of its terms.

(9) "Custody" means involuntary detention under either chapter 71.05 or 70.96A RCW or this chapter, uninterrupted by any period of unconditional release from commitment from a facility providing involuntary care and treatment.

(10) "Department" means the department of social and health services.

(11) "Designated chemical dependency specialist" or "specialist" means a person designated by the county alcoholism and other drug addiction program coordinator designated under RCW 70.96A.310 to perform the commitment duties described in RCW 70.96A.140 and this chapter, and qualified to do so by meeting standards adopted by the department.

(12) "Designated crisis responder" means a person designated by the county or regional support network to perform the duties specified in this chapter.

(13) "Designated mental health professional" means a mental health professional designated by the county or other authority authorized in rule to perform the duties specified in this chapter.

(14) "Detention" or "detain" means the lawful confinement of a person under this chapter, or chapter 70.96A or 71.05 RCW.

(15) "Developmental disabilities professional" means a person who has specialized training and three years of experience in directly treating or working with individuals with developmental disabilities and is a psychiatrist, psychologist, or social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary.

(16) "Developmental disability" means that condition defined in RCW 71A.10.020.

(17) "Discharge" means the termination of facility authority. The commitment may remain in place, be terminated, or be amended by court order.

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(18) "Evaluation and treatment facility" means any facility that can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and timely and appropriate inpatient care to persons suffering from a mental disorder, and that is certified as such by the department. A physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility. A facility that is part of, or operated by, the department or any federal agency does not require certification. No correctional institution or facility, or jail, may be an evaluation and treatment facility within the meaning of this chapter.

(19) "Facility" means either an evaluation and treatment facility or a secure detoxification facility.

(20) "Gravely disabled" means a condition in which a person, as a result of a mental disorder, or as a result of the use of alcohol or other psychoactive chemicals:

(a) Is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety; or

(b) Manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety.

(21) "History of one or more violent acts" refers to the period of time ten years before the filing of a petition under this chapter, or chapter 70.96A or 71.05 RCW, excluding any time spent, but not any violent acts committed, in a mental health facility or a long-term alcoholism or drug treatment facility, or in confinement as a result of a criminal conviction.

(22) "Imminent" means the state or condition of being likely to occur at any moment or near at hand, rather than distant or remote.

(23) "Intoxicated person" means a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or other psychoactive chemicals.

(24) "Judicial commitment" means a commitment by a court under this chapter.

(25) "Licensed physician" means a person licensed to practice medicine or osteopathic medicine and surgery in the state of Washington.

(26) "Likelihood of serious harm" means:

(a) A substantial risk that:

(i) Physical harm will be inflicted by a person upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on oneself;

(ii) Physical harm will be inflicted by a person upon another, as evidenced by behavior that has caused such harm or that places another person or persons in reasonable fear of sustaining such harm; or

(iii) Physical harm will be inflicted by a person upon the property of others, as evidenced by behavior that has caused substantial loss or damage to the property of others; or

(b) The person has threatened the physical safety of another and has a history of one or more violent acts.

(27) "Mental disorder" means any organic, mental, or emotional impairment that has substantial adverse effects on a person's cognitive or volitional functions.

(28) "Mental health professional" means a psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules adopted by the secretary under the authority of chapter 71.05 RCW.

(29) "Peace officer" means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment.

(30) "Person in charge" means a physician or chemical dependency counselor as defined in rule by the department, who is empowered by a certified treatment program

with authority to make assessment, admission, continuing care, and discharge decisions on behalf of the certified program.

(31) "Private agency" means any person, partnership, corporation, or association that is not a public agency, whether or not financed in whole or in part by public funds, that constitutes an evaluation and treatment facility or private institution, or hospital, or approved treatment program, that is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill and/or chemically dependent.

(32) "Professional person" means a mental health professional or chemical dependency professional and shall also mean a physician, registered nurse, and such others as may be defined by rules adopted by the secretary pursuant to the provisions of this chapter.

(33) "Psychiatrist" means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology.

(34) "Psychologist" means a person who has been licensed as a psychologist under chapter 18.83 RCW.

(35) "Public agency" means any evaluation and treatment facility or institution, or hospital, or approved treatment program that is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill and/or chemically dependent, if the agency is operated directly by federal, state, county, or municipal government, or a combination of such governments.

(36) "Registration records" means all the records of the department, regional support networks, treatment facilities, and other persons providing services to the department, county departments, or facilities which identify persons who are receiving or who at any time have received services for mental illness.

(37) "Release" means legal termination of the commitment under chapter 70.96A or 71.05 RCW or this chapter.

(38) "Secretary" means the secretary of the department or the secretary's designee.

(39) "Secure detoxification facility" means a facility operated by either a public or private agency or by the program of an agency that serves the purpose of providing evaluation and assessment, and acute and/or subacute detoxification services for intoxicated persons and includes security measures sufficient to protect the patients, staff, and community.

(40) "Social worker" means a person with a master's or further advanced degree from an accredited school of social work or a degree deemed equivalent under rules adopted by the secretary.

(41) "Treatment records" means registration records and all other records concerning persons who are receiving or who at any time have received services for mental illness, which are maintained by the department, by regional support networks and their staffs, and by treatment facilities. Treatment records do not include notes or records maintained for personal use by a person providing treatment services for the department, regional support networks, or a treatment facility if the notes or records are not available to others.

(42) "Violent act" means behavior that resulted in homicide, attempted suicide, nonfatal injuries, or substantial damage to property.

Sec. 4. RCW 70.96B.020 and 2005 c 504 s 203 are each amended to read as follows:

(1) The secretary, after consulting with the Washington state association of counties, shall select and contract with regional support networks or counties to provide two integrated crisis response and involuntary treatment pilot programs for adults and shall allocate resources for both integrated services and secure detoxification services in the pilot areas. In selecting the two

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regional support networks or counties, the secretary shall endeavor to site one in an urban and one in a rural regional support network or county; and to site them in counties other than those selected pursuant to RCW 70.96A.800, to the extent necessary to facilitate evaluation of pilot project results. Within funds provided for this specific purpose, the secretary may contract with additional regional support networks or counties to provide integrated crisis response and involuntary treatment pilot programs to adults.

(2) The regional support networks or counties shall implement the pilot programs by providing integrated crisis response and involuntary treatment to persons with a chemical dependency, a mental disorder, or both, consistent with this chapter. The pilot programs shall:

(a) Combine the crisis responder functions of a designated mental health professional under chapter 71.05 RCW and a designated chemical dependency specialist under chapter 70.96A RCW by establishing a new designated crisis responder who is authorized to conduct investigations and detain persons up to seventy-two hours to the proper facility;

(b) Provide training to the crisis responders as required by the department;

(c) Provide sufficient staff and resources to ensure availability of an adequate number of crisis responders twenty-four hours a day, seven days a week;

(d) Provide the administrative and court-related staff, resources, and processes necessary to facilitate the legal requirements of the initial detention and the commitment hearings for persons with a chemical dependency;

(e) Participate in the evaluation and report to assess the outcomes of the pilot programs including providing data and information as requested;

(f) Provide the other services necessary to the implementation of the pilot programs, consistent with this chapter as determined by the secretary in contract; and

(g) Collaborate with the department of corrections where persons detained or committed are also subject to supervision by the department of corrections.

(3) The pilot programs established by this section shall begin providing services by March 1, 2006.

**Sec. 5.** RCW 70.96B.050 and 2007 c 120 s 1 are each amended to read as follows:

(1) When a designated crisis responder receives information alleging that a person, as a result of a mental disorder, chemical dependency disorder, or both, presents a likelihood of serious harm or is gravely disabled, the designated crisis responder may, after investigation and evaluation of the specific facts alleged and of the reliability and credibility of any person providing information to initiate detention, if satisfied that the allegations are true and that the person will not voluntarily seek appropriate treatment, file a petition for initial detention. Before filing the petition, the designated crisis responder must personally interview the person, unless the person refuses an interview, and determine whether the person will voluntarily receive appropriate evaluation and treatment at either an evaluation and treatment facility, a detoxification facility, or other certified chemical dependency provider.

(2)(a) An order to detain to an evaluation and treatment facility, a detoxification facility, or other certified chemical dependency provider for not more than a seventy-two hour evaluation and treatment period may be issued by a judge upon request of a designated crisis responder: (i) Whenever it appears to the satisfaction of a judge of the superior court, district court, or other court permitted by court rule, that there is probable cause to support the petition, and (ii) that the person has refused or failed to accept appropriate evaluation and treatment voluntarily.

(b) The petition for initial detention, signed under penalty of perjury or sworn telephonic testimony, may be considered by the court in determining whether there are sufficient grounds for issuing the order.

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(c) The order shall designate retained counsel or, if counsel is appointed from a list provided by the court, the name, business address, and telephone number of the attorney appointed to represent the person.

(3) The designated crisis responder shall then serve or cause to be served on such person, his or her guardian, and conservator, if any, a copy of the order to appear, together with a notice of rights and a petition for initial detention. After service on the person, the designated crisis responder shall file the return of service in court and provide copies of all papers in the court file to the evaluation and treatment facility or secure detoxification facility and the designated attorney. The designated crisis responder shall notify the court and the prosecuting attorney that a probable cause hearing will be held within seventy-two hours of the date and time of outpatient evaluation or admission to the evaluation and treatment facility, secure detoxification facility, or other certified chemical dependency provider. If requested by the detained person or his or her attorney, the hearing may be postponed for a period not to exceed forty-eight hours. The court may be continued subject to the petitioner's showing of good cause for a period not to exceed twenty-four hours. The person may be accompanied by one or more of his or her relatives, friends, an attorney, a personal physician, or other professional or religious advisor to the place of evaluation. An attorney accompanying the person to the place of evaluation shall be permitted to be present during the admission evaluation. Any other person accompanying the person may be present during the admission evaluation. The facility may exclude the person if his or her presence would present a safety risk, delay the proceedings, or otherwise interfere with the evaluation.

(4) The designated crisis responder may notify a peace officer to take the person or cause the person to be taken into custody and placed in an evaluation and treatment facility, a secure detoxification facility, or other certified chemical dependency provider. At the time the person is taken into custody there shall commence to be served on the person, his or her guardian, and conservator, if any, a copy of the original order together with a notice of detention, a notice of rights, and a petition for initial detention.

**Sec. 6.** RCW 70.96B.100 and 2005 c 504 s 211 are each amended to read as follows:

~~(If a person is detained for additional treatment beyond fourteen days under RCW 70.96B.090, the professional staff of the agency or facility may petition for additional treatment under RCW 70.96A.140.)~~ (1) A person detained for fourteen days of involuntary chemical dependency treatment under RCW 70.96B.090 shall be released from involuntary treatment at the expiration of the period of commitment unless the professional staff of the agency or facility files a petition for additional period of involuntary treatment under RCW 70.96A.140, or files a petition for sixty days less restrictive treatment under this section.

(2) A petition for less restrictive treatment must be filed at least three days before expiration of the fourteen-day period of intensive treatment, and comport with the rules contained in RCW 70.96B.090(2). The petition shall state facts that support the finding that the person, as a result of a chemical dependency, presents a likelihood of serious harm or is gravely disabled, and that continued treatment pursuant to a less restrictive order is in the best interest of the person or others. At the time of filing such a petition, the clerk shall set a time for the person to come before the court on the next judicial day after the day of filing unless such appearance is waived by the person's attorney.

(3) At the time set for appearance the detained person must be brought before the court, unless such appearance has been waived and the court shall advise him or her of his or her right to be represented by an attorney. If the detained person is not represented by an attorney, or is indigent or is unwilling to retain an attorney, the court shall immediately appoint an attorney to represent him or her. The court shall, if requested,

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appoint a reasonably available licensed physician, psychologist, or psychiatrist, designated by the detained person to examine and testify on behalf of the detained person.

(4) The court shall conduct a hearing on the petition for sixty days less restrictive treatment on or before the last day of the confinement period. The burden of proof shall be by clear, cogent, and convincing evidence and shall be upon the petitioner. The person shall be present at such proceeding, which shall in all respects accord with the constitutional guarantees of due process of law and the rules of evidence pursuant to RCW 71.05.360 (8) and (9). Involuntary treatment shall continue while a petition for less restrictive treatment is pending under this section.

(5) The court may impose a sixty-day less restrictive order if the evidence shows that the person, as a result of a chemical dependency, presents a likelihood of serious harm or is gravely disabled, and that continued treatment pursuant to a less restrictive order is in the best interest of the person or others. The less restrictive order may impose treatment conditions and other conditions which are in the best interest of the patient and others. A copy of the less restrictive order shall be given to the patient, the designated crisis responder, and any program designated to provide less restrictive treatment. A program designated to provide less restrictive treatment and willing to supervise the conditions of the less restrictive order may modify the conditions for continued release when the modification is in the best interests of the patient, but must notify the designated crisis responder and the court of such modification.

(6) If an outpatient treatment program approved by the court and willing to supervise the conditions of the less restrictive order or the designated crisis responder determines that the respondent is failing to adhere to the terms of the less restrictive order, or that substantial deterioration in the patient's functioning has occurred, then the designated crisis responder shall notify the court of original commitment and request a hearing to be held no less than two and no more than seven days after the date of the request to determine whether or not the person should be returned to more restrictive care. The designated crisis responder may cause the person to be immediately taken into custody of the secure detox pending the hearing if the alleged noncompliance causes an imminent risk to the safety of the person. The designated crisis responder shall file a petition with the court stating the facts substantiating the need for the hearing along with the treatment recommendations. The patient shall have the same rights with respect to notice, hearing, and counsel as for the original involuntary treatment proceedings. The issues to be determined at the hearing are whether the conditionally released patient did or did not adhere to the terms and conditions of his or her release to less restrictive care or that substantial deterioration of the patient's functioning has occurred and whether the condition of release should be modified or the person should be returned to a more restrictive setting. The hearing may be waived by the patient and his or her counsel and his or her guardian or conservator, if any, but may not be waived unless all such persons agree to the waiver. If court finds in favor of the petitioner, or the person waives a hearing, the court may order the person to be committed to secure detox for fourteen days of involuntary chemical dependency treatment, or may order the patient to be returned to less restrictive treatment on the same or modified conditions.

NEW SECTION. Sec. 7. A new section is added to chapter 70.96B RCW to read as follows:

(1) A person committed for fourteen days of involuntary chemical dependency treatment under this chapter has a right to refuse antipsychotic medication unless it is determined that the failure to medicate may result in a likelihood of serious harm or substantial deterioration and there is no less intrusive course of treatment than medication in the best interest of that person.

(2) The department shall adopt rules to carry out the purposes of this chapter. These rules shall include:

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(a) An attempt to obtain the informed consent of the person prior to administration of antipsychotic medication;

(b) For short-term treatment up to fourteen days, the right to refuse antipsychotic medications unless there is an additional concurring medical opinion approving medication;

(c) Administration of antipsychotic medication in an emergency and review of this decision within twenty-four hours. An emergency exists if the person presents an imminent likelihood of serious harm, and medically acceptable alternatives to administration of antipsychotic medications are not available or are unlikely to be successful; and in the opinion of the physician, the person's condition constitutes an emergency requiring the treatment be instituted prior to obtaining a second medical opinion;

(d) Documentation in the medical record of the physician's attempt to obtain informed consent and the reasons why antipsychotic medication is being administered over the person's objection or lack of consent.

(3) A person committed pursuant to this chapter may refuse psychiatric medication twenty-four hours before a court hearing as provided in RCW 71.05.210.

**Sec. 8.** RCW 70.96B.900 and 2005 c 504 s 219 are each amended to read as follows:

Sections 202 through 216 ((of this act), chapter 504, Laws of 2005 expire ((July 1, 2008)) June 30, 2009.

**NEW SECTION. Sec. 9.** Sections 3 through 7 of this act expire June 30, 2009.

**Sec. 10.** 2007 c 120 s 4 (uncodified) is amended to read as follows:

Sections 1 and 2 ((of this act), chapter 120, Laws of 2007 expire ((July 1, 2008)) June 30, 2009."

Senator Hargrove spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Hargrove, Brown, Regala, Stevens and Carrell to Substitute Senate Bill No. 6665.

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

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "programs;" strike the remainder of the title and insert "amending RCW 70.96A.800, 70.96B.800, 70.96B.010, 70.96B.020, 70.96B.050, 70.96B.100, and 70.96B.900; amending 2007 c 120 s 4 (uncodified); adding a new section to chapter 70.96B RCW; and providing expiration dates."

#### MOTION

On motion of Senator Hargrove, the rules were suspended, Engrossed Substitute Senate Bill No. 6665 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hargrove and Stevens spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6665.

#### MOTION

On motion of Senator Regala, Senators Brown, Prentice, Pridemore and Weinstein were excused.

#### ROLL CALL

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The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6665 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Benton, Berkey, Brandland, 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, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 45

Excused: Senators Brown, Prentice, Pridemore and Weinstein - 4

ENGROSSED SUBSTITUTE SENATE BILL NO. 6665, 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. 6790, by Senators Hargrove, Stevens, Regala, Shin, Kline and Kohl-Welles

Creating a pilot program for the postsecondary education of inmates.

## MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 6790 was substituted for Senate Bill No. 6790 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 6790 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove 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. 6790.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6790 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benton, Berkey, Brandland, 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, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 46

Excused: Senators Brown, Prentice and Pridemore - 3

SUBSTITUTE SENATE BILL NO. 6790, 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

On motion of Senator Regala, Senator Rockefeller was excused.

## SECOND READING

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SENATE BILL NO. 6583, by Senators Brandland and Hargrove

Changing provisions relating to eligibility for medical assistance.

## MOTIONS

On motion of Senator Brandland, Substitute Senate Bill No. 6583 was substituted for Senate Bill No. 6583 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brandland, the rules were suspended, Substitute Senate Bill No. 6583 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brandland, Hargrove and Keiser spoke in favor of passage of the bill.

## MOTION

On motion of Senator Regala, Senators Fairley and Kohl-Welles were excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6583.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6583 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, 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, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 44

Excused: Senators Brown, Fairley, Kohl-Welles, Prentice and Pridemore - 5

SUBSTITUTE SENATE BILL NO. 6583, 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. 6791, by Senators Hargrove, Stevens and Marr

Clarifying permitted uses of moneys currently collected under the county legislative authority sales and use tax for chemical dependency or mental health treatment programs and services or therapeutic courts.

## MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 6791 was substituted for Senate Bill No. 6791 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 6791 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove spoke in favor of passage of the bill.



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The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6791.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6791 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yeas: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 45

Excused: Senators Brown, Kohl-Welles, Prentice and Pridemore - 4

SUBSTITUTE SENATE BILL NO. 6791, 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. 6792, by Senators Hargrove and Stevens

Concerning dependency matters.

MOTION

On motion of Senator Hargrove, Substitute Senate Bill No. 6792 was substituted for Senate Bill No. 6792 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hargrove moved that the following striking amendment by Senators Hargrove, Regala and Stevens be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.34.215 and 2007 c 413 s 1 are each amended to read as follows:

(1) A child may petition the juvenile court to reinstate the previously terminated parental rights of his or her parent under the following circumstances:

(a) The child was previously found to be a dependent child under this chapter;

(b) The child's parent's rights were terminated in a proceeding under this chapter;

(c) The child has not achieved his or her permanency plan within three years of a final order of termination ~~(, or if the final order was appealed, within three years of exhaustion of any right to appeal the order terminating parental rights);~~ and

(d) ~~(Absent good cause,)~~ The child must be at least twelve years old at the time the petition is filed. Upon the child's motion for good cause shown, or on its own motion, the court may hear a petition filed by a child younger than twelve years old.

(2) A child seeking to petition under this section shall be provided counsel at no cost to the child.

(3) The petition must be signed by the child in the absence of a showing of good cause as to why the child could not do so.

(4) If, after a threshold hearing to consider the parent's apparent fitness and interest in reinstatement of parental rights, ~~(it appears)~~ the court finds by a preponderance of the evidence

that the best interests of the child may be served by reinstatement of parental rights, the juvenile court shall order that a hearing on the merits of the petition be held.

(5) The court shall give prior notice for any proceeding under this section, or cause prior notice to be given, to the department, the child's attorney, and the child. The court shall also order the department to give prior notice of any hearing to the child's former parent whose parental rights are the subject of the petition, any parent whose rights have not been terminated, the child's current foster parent, relative caregiver, guardian or custodian, and the child's tribe, if applicable.

(6) The juvenile court shall conditionally grant the petition if it finds by clear and convincing evidence that the child has not achieved his or her permanency plan and is not likely to imminently achieve his or her permanency plan and that reinstatement of parental rights is in the child's best interest. In determining whether reinstatement is in the child's best interest the court shall consider, but is not limited to, the following:

(a) Whether the parent whose rights are to be reinstated is a fit parent and has remedied his or her deficits as provided in the record of the prior termination proceedings and prior termination order;

(b) The age and maturity of the child, and the ability of the child to express his or her preference;

(c) Whether the reinstatement of parental rights will present a risk to the child's health, welfare, or safety; and

(d) Other material changes in circumstances, if any, that may have occurred which warrant the granting of the petition.

(7) In determining whether the child has or has not achieved his or her permanency plan or whether the child is likely to achieve his or her permanency plan, the department shall provide the court, and the court shall review, information related to any efforts to achieve the permanency plan including efforts to achieve adoption or a permanent guardianship.

(8)(a) If the court conditionally grants the petition under subsection (6) of this section, the case will be continued for six months and a temporary order of reinstatement entered. During this period, the child shall be placed in the custody of the parent. The department shall develop a permanency plan for the child reflecting the plan to be reunification and shall provide transition services to the family as appropriate.

(b) If the child must be removed from the parent due to abuse or neglect allegations prior to the expiration of the conditional six-month period, the court shall dismiss the petition for reinstatement of parental rights if the court finds the allegations have been proven by a preponderance of the evidence.

(c) If the child has been successfully placed with the parent for six months, the court order reinstating parental rights remains in effect and the court shall dismiss the dependency.

(9) After the child has been placed with the parent for six months, the court shall hold a hearing. If the placement with the parent has been successful, the court shall enter a final order of reinstatement of parental rights, which shall restore all rights, powers, privileges, immunities, duties, and obligations of the parent as to the child, including those relating to custody, control, and support of the child. The court shall dismiss the dependency and direct the clerk's office to provide a certified copy of the final order of reinstatement of parental rights to the parent at no cost.

(10) The granting of the petition under this section does not vacate or otherwise affect the validity of the original termination order.

~~((+0))~~ (11) Any parent whose rights are reinstated under this section shall not be liable for any child support owed to the department pursuant to RCW 13.34.160 or Title 26 RCW for the time period from the date of termination of parental rights to the date parental rights are reinstated.

~~((+1))~~ (12) A proceeding to reinstate parental rights is a separate action from the termination of parental rights proceeding and does not vacate the original termination of

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parental rights. An order granted under this section reinstates the parental rights to the child. This reinstatement is a recognition that the situation of the parent and child have changed since the time of the termination of parental rights and reunification is now appropriate.

~~((12))~~ (13) This section is retroactive and applies to any child who is under the jurisdiction of the juvenile court at the time of the hearing regardless of the date parental rights were terminated.

(14) The state, the department, and its employees are not liable for civil damages resulting from any act or omission in the provision of services under this section, unless the act or omission constitutes gross negligence. This section does not create any duty and shall not be construed to create a duty where none exists. This section does not create a cause of action against the state, the department, or its employees concerning the original termination.

**Sec. 2.** RCW 13.34.065 and 2007 c 413 s 5 are each amended to read as follows:

(1)(a) When a child is taken into custody, the court shall hold a shelter care hearing within seventy-two hours, excluding Saturdays, Sundays, and holidays. The primary purpose of the shelter care hearing is to determine whether the child can be immediately and safely returned home while the adjudication of the dependency is pending.

(b) Any parent, guardian, or legal custodian who for good cause is unable to attend the shelter care hearing may request that a subsequent shelter care hearing be scheduled. The request shall be made to the clerk of the court where the petition is filed prior to the initial shelter care hearing. Upon the request of the parent, the court shall schedule the hearing within seventy-two hours of the request, excluding Saturdays, Sundays, and holidays. The clerk shall notify all other parties of the hearing by any reasonable means.

(2)(a) The department of social and health services shall submit a recommendation to the court as to the further need for shelter care in all cases in which it is the petitioner. In all other cases, the recommendation shall be submitted by the juvenile court probation counselor.

(b) All parties have the right to present testimony to the court regarding the need or lack of need for shelter care.

(c) Hearsay evidence before the court regarding the need or lack of need for shelter care must be supported by sworn testimony, affidavit, or declaration of the person offering such evidence.

(3)(a) At the commencement of the hearing, the court shall notify the parent, guardian, or custodian of the following:

(i) The parent, guardian, or custodian has the right to a shelter care hearing;

(ii) The nature of the shelter care hearing, the rights of the parents, and the proceedings that will follow; and

(iii) If the parent, guardian, or custodian is not represented by counsel, the right to be represented. If the parent, guardian, or custodian is indigent, the court shall appoint counsel as provided in RCW 13.34.090; and

(b) If a parent, guardian, or legal custodian desires to waive the shelter care hearing, the court shall determine, on the record and with the parties present, whether such waiver is knowing and voluntary. A parent may not waive his or her right to the shelter care hearing unless he or she appears in court and the court determines that the waiver is knowing and voluntary. Regardless of whether the court accepts the parental waiver of the shelter care hearing, the court must provide notice to the parents of their rights required under (a) of this subsection and make the finding required under subsection (4) of this section.

(4) At the shelter care hearing the court shall examine the need for shelter care and inquire into the status of the case. The paramount consideration for the court shall be the health, welfare, and safety of the child. At a minimum, the court shall inquire into the following:

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(a) Whether the notice required under RCW 13.34.062 was given to all known parents, guardians, or legal custodians of the child. The court shall make an express finding as to whether the notice required under RCW 13.34.062 was given to the parent, guardian, or legal custodian. If actual notice was not given to the parent, guardian, or legal custodian and the whereabouts of such person is known or can be ascertained, the court shall order the supervising agency or the department of social and health services to make reasonable efforts to advise the parent, guardian, or legal custodian of the status of the case, including the date and time of any subsequent hearings, and their rights under RCW 13.34.090;

(b) Whether the child can be safely returned home while the adjudication of the dependency is pending;

(c) What efforts have been made to place the child with a relative;

(d) What services were provided to the family to prevent or eliminate the need for removal of the child from the child's home;

(e) Is the placement proposed by the agency the least disruptive and most family-like setting that meets the needs of the child;

(f) Whether it is in the best interest of the child to remain enrolled in the school, developmental program, or child care the child was in prior to placement and what efforts have been made to maintain the child in the school, program, or child care if it would be in the best interest of the child to remain in the same school, program, or child care;

(g) Appointment of a guardian ad litem or attorney;

(h) Whether the child is or may be an Indian child as defined in 25 U.S.C. Sec. 1903, whether the provisions of the Indian child welfare act apply, and whether there is compliance with the Indian child welfare act, including notice to the child's tribe;

(i) Whether, as provided in RCW 26.44.063, restraining orders, or orders expelling an allegedly abusive ~~((parent))~~ household member from the home of a nonabusive parent, guardian, or legal custodian, will allow the child to safely remain in the home;

(j) Whether any orders for examinations, evaluations, or immediate services are needed. ~~((However;))~~ The court may not order a parent to undergo examinations, evaluation, or services at the shelter care hearing unless the parent agrees to the examination, evaluation, or service;

(k) The terms and conditions for parental, sibling, and family visitation.

(5)(a) The court shall release a child alleged to be dependent to the care, custody, and control of the child's parent, guardian, or legal custodian unless the court finds there is reasonable cause to believe that:

(i) After consideration of the specific services that have been provided, reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home; and

(ii)(A) The child has no parent, guardian, or legal custodian to provide supervision and care for such child; or

(B) The release of such child would present a serious threat of substantial harm to such child, notwithstanding an order entered pursuant to RCW 26.44.063; or

(C) The parent, guardian, or custodian to whom the child could be released has been charged with violating RCW 9A.40.060 or 9A.40.070.

(b) If the court does not release the child to his or her parent, guardian, or legal custodian, and the child was initially placed with a relative pursuant to RCW 13.34.060(1), the court shall order continued placement with a relative, unless there is reasonable cause to believe the health, safety, or welfare of the child would be jeopardized or that the efforts to reunite the parent and child will be hindered. The relative must be willing and available to:

(i) Care for the child and be able to meet any special needs of the child;

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(ii) Facilitate the child's visitation with siblings, if such visitation is part of the supervising agency's plan or is ordered by the court; and

(iii) Cooperate with the department in providing necessary background checks and home studies.

(c) If the child was not initially placed with a relative, and the court does not release the child to his or her parent, guardian, or legal custodian, the supervising agency shall make reasonable efforts to locate a relative pursuant to RCW 13.34.060(1).

(d) If a relative is not available, the court shall order continued shelter care or order placement with another suitable person, and the court shall set forth its reasons for the order. If the court orders placement of the child with a person not related to the child and not licensed to provide foster care, the placement is subject to all terms and conditions of this section that apply to relative placements.

(e) Any placement with a relative, or other person approved by the court pursuant to this section, shall be contingent upon cooperation with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts, sibling contacts, and any other conditions imposed by the court. Noncompliance with the case plan or court order is grounds for removal of the child from the home of the relative or other person, subject to review by the court.

(f) Uncertainty by a parent, guardian, legal custodian, relative, or other suitable person that the alleged abuser has in fact abused the child shall not, alone, be the basis upon which a child is removed from the care of a parent, guardian, or legal custodian under (a) of this subsection, nor shall it be a basis, alone, to preclude placement with a relative under (b) of this subsection or with another suitable person under (d) of this subsection.

(6)(a) A shelter care order issued pursuant to this section shall include the requirement for a case conference as provided in RCW 13.34.067. However, if the parent is not present at the shelter care hearing, or does not agree to the case conference, the court shall not include the requirement for the case conference in the shelter care order.

(b) If the court orders a case conference, the shelter care order shall include notice to all parties and establish the date, time, and location of the case conference which shall be no later than thirty days before the fact-finding hearing.

(c) The court may order another conference, case staffing, or hearing as an alternative to the case conference required under RCW 13.34.067 so long as the conference, case staffing, or hearing ordered by the court meets all requirements under RCW 13.34.067, including the requirement of a written agreement specifying the services to be provided to the parent.

(7)(a) A shelter care order issued pursuant to this section may be amended at any time with notice and hearing thereon. The shelter care decision of placement shall be modified only upon a showing of change in circumstances. No child may be placed in shelter care for longer than thirty days without an order, signed by the judge, authorizing continued shelter care.

(b)(i) An order releasing the child on any conditions specified in this section may at any time be amended, with notice and hearing thereon, so as to return the child to shelter care for failure of the parties to conform to the conditions originally imposed.

(ii) The court shall consider whether nonconformance with any conditions resulted from circumstances beyond the control of the parent, guardian, or legal custodian and give weight to that fact before ordering return of the child to shelter care.

(8)(a) If a child is returned home from shelter care a second time in the case, or if the supervisor of the caseworker deems it necessary, the multidisciplinary team may be reconvened.

(b) If a child is returned home from shelter care a second time in the case a law enforcement officer must be present and file a report to the department.

**Sec. 3.** RCW 13.34.136 and 2007 c 413 s 7 are each amended to read as follows:

(1) Whenever a child is ordered removed from the home, a permanency plan shall be developed no later than sixty days from the time the supervising agency assumes responsibility for providing services, including placing the child, or at the time of a hearing under RCW 13.34.130, whichever occurs first. The permanency planning process continues until a permanency planning goal is achieved or dependency is dismissed. The planning process shall include reasonable efforts to return the child to the parent's home.

(2) The agency supervising the dependency shall submit a written permanency plan to all parties and the court not less than fourteen days prior to the scheduled hearing. Responsive reports of parties not in agreement with the supervising agency's proposed permanency plan must be provided to the supervising agency, all other parties, and the court at least seven days prior to the hearing.

The permanency plan shall include:

(a) A permanency plan of care that shall identify one of the following outcomes as a primary goal and may identify additional outcomes as alternative goals: Return of the child to the home of the child's parent, guardian, or legal custodian; adoption; guardianship; permanent legal custody; long-term relative or foster care, until the child is age eighteen, with a written agreement between the parties and the care provider; successful completion of a responsible living skills program; or independent living, if appropriate and if the child is age sixteen or older. The department shall not discharge a child to an independent living situation before the child is eighteen years of age unless the child becomes emancipated pursuant to chapter 13.64 RCW;

(b) Unless the court has ordered, pursuant to RCW 13.34.130(~~(4)~~) (5), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, what steps the agency will take to promote existing appropriate sibling relationships and/or facilitate placement together or contact in accordance with the best interests of each child, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

(i) The agency plan shall specify what services the parents will be offered to enable them to resume custody, what requirements the parents must meet to resume custody, and a time limit for each service plan and parental requirement.

(ii) Visitation is the right of the family, including the child and the parent, in cases in which visitation is in the best interest of the child. Early, consistent, and frequent visitation is crucial for maintaining parent-child relationships and making it possible for parents and children to safely reunify. The agency shall encourage the maximum parent and child and sibling contact possible, when it is in the best interest of the child, including regular visitation and participation by the parents in the care of the child while the child is in placement. Visitation shall not be limited as a sanction for a parent's failure to comply with court orders or services where the health, safety, or welfare of the child is not at risk as a result of the visitation. Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare. The court and the agency should rely upon community resources, relatives, foster parents, and other appropriate persons to provide transportation and supervision for visitation to the extent that such resources are available, and appropriate, and the child's safety would not be compromised.

(iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

(iv) The plan shall state whether both in-state and, where appropriate, out-of-state placement options have been considered by the department.

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(v) Unless it is not in the best interests of the child, whenever practical, the plan should ensure the child remains enrolled in the school the child was attending at the time the child entered foster care.

(vi) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department has existing contracts to purchase. It shall report to the court if it is unable to provide such services; and

(c) If the court has ordered, pursuant to RCW 13.34.130~~((4))~~ (5), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The agency shall not be required to develop a plan of services for the parents or provide services to the parents if the court orders a termination petition be filed. However, reasonable efforts to ensure visitation and contact between siblings shall be made unless there is reasonable cause to believe the best interests of the child or siblings would be jeopardized.

(3) Permanency planning goals should be achieved at the earliest possible date, preferably before the child has been in out-of-home care for fifteen months. In cases where parental rights have been terminated, the child is legally free for adoption, and adoption has been identified as the primary permanency planning goal, it shall be a goal to complete the adoption within six months following entry of the termination order.

(4) If the court determines that the continuation of reasonable efforts to prevent or eliminate the need to remove the child from his or her home or to safely return the child home should not be part of the permanency plan of care for the child, reasonable efforts shall be made to place the child in a timely manner and to complete whatever steps are necessary to finalize the permanent placement of the child.

(5) The identified outcomes and goals of the permanency plan may change over time based upon the circumstances of the particular case.

(6) The court shall consider the child's relationships with the child's siblings in accordance with RCW 13.34.130(3).

(7) For purposes related to permanency planning:

(a) "Guardianship" means a dependency guardianship or a legal guardianship pursuant to chapter 11.88 RCW or equivalent laws of another state or a federally recognized Indian tribe.

(b) "Permanent custody order" means a custody order entered pursuant to chapter 26.10 RCW.

(c) "Permanent legal custody" means legal custody pursuant to chapter 26.10 RCW or equivalent laws of another state or a federally recognized Indian tribe.

**Sec. 4.** RCW 26.44.063 and 2000 c 119 s 12 are each amended to read as follows:

(1) It is the intent of the legislature to minimize trauma to a child involved in an allegation of sexual or physical abuse. The legislature declares that removing the child from the home or the care of a parent, guardian, or legal custodian often has the effect of further traumatizing the child. It is, therefore, the legislature's intent that the alleged ~~((offender))~~ abuser, rather than the child, shall be removed or restrained from the ~~((home))~~ child's residence and that this should be done at the earliest possible point of intervention in accordance with RCW 10.31.100, ~~((13.34.130))~~ chapter 13.34 RCW, this section, and RCW 26.44.130.

(2) In any judicial proceeding in which it is alleged that a child has been subjected to sexual or physical abuse, if the court finds reasonable grounds to believe that an incident of sexual or physical abuse has occurred, the court may, on its own motion, or the motion of the guardian ad litem or other parties, issue a

temporary restraining order or preliminary injunction restraining or enjoining the person accused of committing the abuse from:

(a) Molesting or disturbing the peace of the alleged victim;

(b) Entering the family home of the alleged victim except as specifically authorized by the court;

(c) Having any contact with the alleged victim, except as specifically authorized by the court;

(d) Knowingly coming within, or knowingly remaining within, a specified distance of a specified location.

(3) If the caretaker is willing, and does comply with the restraining order entered pursuant to this section, uncertainty that the alleged abuser has in fact abused the alleged victim shall not, alone, be a basis to remove the alleged victim from the caretaker, nor shall it be considered neglect.

(4) In issuing a temporary restraining order or preliminary injunction, the court may impose any additional restrictions that the court in its discretion determines are necessary to protect the child from further abuse or emotional trauma pending final resolution of the abuse allegations.

~~((4))~~ (5) The court shall issue a temporary restraining order prohibiting a person from entering the family home if the court finds that the order would eliminate the need for an out-of-home placement to protect the child's right to nurturance, health, and safety and is sufficient to protect the child from further sexual or physical abuse or coercion.

~~((5))~~ (6) The court may issue a temporary restraining order without requiring notice to the party to be restrained or other parties only if it finds on the basis of the moving affidavit or other evidence that irreparable injury could result if an order is not issued until the time for responding has elapsed.

~~((6))~~ (7) A temporary restraining order or preliminary injunction:

(a) Does not prejudice the rights of a party or any child which are to be adjudicated at subsequent hearings in the proceeding; and

(b) May be revoked or modified.

~~((7))~~ (8) The person having physical custody of the child shall have an affirmative duty to assist in the enforcement of the restraining order including but not limited to a duty to notify the court as soon as practicable of any violation of the order, a duty to request the assistance of law enforcement officers to enforce the order, and a duty to notify the department of social and health services of any violation of the order as soon as practicable if the department is a party to the action. Failure by the custodial party to discharge these affirmative duties shall be subject to contempt proceedings.

~~((8))~~ (9) Willful violation of a court order entered under this section is a misdemeanor. A written order shall contain the court's directive and shall bear the legend: "Violation of this order with actual notice of its terms is a criminal offense under chapter 26.44 RCW, is also subject to contempt proceedings, and will subject a violator to arrest."

~~((9))~~ (10) If a restraining order issued under this section is modified or terminated, the clerk of the court shall notify the law enforcement agency specified in the order on or before the next judicial day. Upon receipt of notice that an order has been terminated, the law enforcement agency shall remove the order from any computer-based criminal intelligence system.

**Sec. 5.** RCW 74.13.031 and 2007 c 413 s 10 are each amended to read as follows:

The department shall have the duty to provide child welfare services and shall:

(1) Develop, administer, supervise, and monitor a coordinated and comprehensive plan that establishes, aids, and strengthens services for the protection and care of runaway, dependent, or neglected children.

(2) Within available resources, recruit an adequate number of prospective adoptive and foster homes, both regular and specialized, i.e. homes for children of ethnic minority, including Indian homes for Indian children, sibling groups, handicapped and emotionally disturbed, teens, pregnant and parenting teens,

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and annually report to the governor and the legislature concerning the department's success in: (a) Meeting the need for adoptive and foster home placements; (b) reducing the foster parent turnover rate; (c) completing home studies for legally free children; and (d) implementing and operating the passport program required by RCW 74.13.285. The report shall include a section entitled "Foster Home Turn-Over, Causes and Recommendations."

(3) Investigate complaints of any recent act or failure to act on the part of a parent or caretaker that results in death, serious physical or emotional harm, or sexual abuse or exploitation, or that presents an imminent risk of serious harm, and on the basis of the findings of such investigation, offer child welfare services in relation to the problem to such parents, legal custodians, or persons serving in loco parentis, and/or bring the situation to the attention of an appropriate court, or another community agency(~~(- PROVIDED, That)~~). An investigation is not required of nonaccidental injuries which are clearly not the result of a lack of care or supervision by the child's parents, legal custodians, or persons serving in loco parentis. If the investigation reveals that a crime against a child may have been committed, the department shall notify the appropriate law enforcement agency.

(4) Offer, on a voluntary basis, family reconciliation services to families who are in conflict.

(5)(a) Monitor out-of-home placements(~~(- on a timely and routine basis;))~~ and conduct face-to-face meetings with children in out-of-home care and their caregivers on a monthly basis to assure the safety, well-being, and quality of care being provided is within the scope of the intent of the legislature as defined in RCW 74.13.010 and 74.15.010(~~(- and annually submit a report measuring the extent to which the department achieved the specified goals to the governor and the legislature))~~).

(b) Within existing funds for this purpose, when a child's case is being managed under a contract between the department and a private agency that has been accredited by a national child welfare accrediting entity, the private agency shall conduct the monthly face-to-face meetings with the child and the child's caregiver. The agency shall provide the department with a written report of the meeting within fifteen days of the meeting. In these cases, the department need only have a face-to-face meeting with the child and the child's caretaker on a quarterly basis.

(6) Have authority to accept custody of children from parents and to accept custody of children from juvenile courts, where authorized to do so under law, to provide child welfare services including placement for adoption, to provide for the routine and necessary medical, dental, and mental health care, or necessary emergency care of the children, and to provide for the physical care of such children and make payment of maintenance costs if needed. Except where required by Public Law 95-608 (25 U.S.C. Sec. 1915), no private adoption agency which receives children for adoption from the department shall discriminate on the basis of race, creed, or color when considering applications in their placement for adoption.

(7) Have authority to provide temporary shelter to children who have run away from home and who are admitted to crisis residential centers.

(8) Have authority to purchase care for children; and shall follow in general the policy of using properly approved private agency services for the actual care and supervision of such children insofar as they are available, paying for care of such children as are accepted by the department as eligible for support at reasonable rates established by the department.

(9) Establish a children's services advisory committee which shall assist the secretary in the development of a partnership plan for utilizing resources of the public and private sectors, and advise on all matters pertaining to child welfare, licensing of child care agencies, adoption, and services related thereto. At least one member shall represent the adoption community.

(10)(a) Have authority to provide continued foster care or group care as needed to participate in or complete a high school or vocational school program.

(b)(i) Beginning in 2006, the department has the authority to allow up to fifty youth reaching age eighteen to continue in foster care or group care as needed to participate in or complete a posthigh school academic or vocational program, and to receive necessary support and transition services.

(ii) In 2007 and 2008, the department has the authority to allow up to fifty additional youth per year reaching age eighteen to remain in foster care or group care as provided in (b)(i) of this subsection.

(iii) A youth who remains eligible for such placement and services pursuant to department rules may continue in foster care or group care until the youth reaches his or her twenty-first birthday. Eligibility requirements shall include active enrollment in a posthigh school academic or vocational program and maintenance of a 2.0 grade point average.

(11) Refer cases to the division of child support whenever state or federal funds are expended for the care and maintenance of a child, including a child with a developmental disability who is placed as a result of an action under chapter 13.34 RCW, unless the department finds that there is good cause not to pursue collection of child support against the parent or parents of the child. Cases involving individuals age eighteen through twenty shall not be referred to the division of child support unless required by federal law.

(12) Have authority within funds appropriated for foster care services to purchase care for Indian children who are in the custody of a federally recognized Indian tribe or tribally licensed child-placing agency pursuant to parental consent, tribal court order, or state juvenile court order; and the purchase of such care shall be subject to the same eligibility standards and rates of support applicable to other children for whom the department purchases care.

Notwithstanding any other provision of RCW 13.32A.170 through 13.32A.200 and 74.13.032 through 74.13.036, or of this section all services to be provided by the department of social and health services under subsections (4), (6), and (7) of this section, subject to the limitations of these subsections, may be provided by any program offering such services funded pursuant to Titles II and III of the federal juvenile justice and delinquency prevention act of 1974.

(13) Within amounts appropriated for this specific purpose, provide preventive services to families with children that prevent or shorten the duration of an out-of-home placement.

(14) Have authority to provide independent living services to youths, including individuals who have attained eighteen years of age, and have not attained twenty-one years of age who are or have been in foster care.

(15) Consult at least quarterly with foster parents, including members of the foster parent association of Washington state, for the purpose of receiving information and comment regarding how the department is performing the duties and meeting the obligations specified in this section and RCW 74.13.250 and 74.13.320 regarding the recruitment of foster homes, reducing foster parent turnover rates, providing effective training for foster parents, and administering a coordinated and comprehensive plan that strengthens services for the protection of children. Consultation shall occur at the regional and statewide levels.

**NEW SECTION. Sec. 6.** A new section is added to chapter 74.15 RCW to read as follows:

To be eligible for placement in a HOPE center, a minor must be either a street youth, as that term is defined in this chapter, or a youth who, without placement in a HOPE center, will continue to participate in increasingly risky behavior. Youth may also self-refer to a HOPE center. Payment for a HOPE center bed is not contingent upon prior approval by the department.

**Sec. 7.** RCW 74.15.240 and 1999 c 267 s 14 are each amended to read as follows:

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To be eligible for placement in a responsible living skills program, the minor must be dependent under chapter 13.34 RCW and must have lived in a HOPE center or in a secure crisis residential center. However, if the minor's caseworker determines that placement in a responsible living skills program would be the most appropriate placement given the minor's current circumstances, prior residence in a HOPE center or secure crisis residential center before placement in a responsible living program is not required. Responsible living skills centers are intended as a placement alternative for dependent youth that the department chooses for the youth because no other services or alternative placements have been successful. Responsible living skills centers are not for dependent youth whose permanency plan includes return to home or family reunification."

Senator Hargrove spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Hargrove, Regala and Stevens to Substitute Senate Bill No. 6792.

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

## MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending RCW 13.34.215, 13.34.065, 13.34.136, 26.44.063, 74.13.031, and 74.15.240; and adding a new section to chapter 74.15 RCW."

## MOTION

On motion of Senator Hargrove, the rules were suspended, Engrossed Substitute Senate Bill No. 6792 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hargrove and Stevens spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6792.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6792 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; 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, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 47

Absent: Senator Rockefeller - 1

Excused: Senator Kohl-Welles - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 6792, 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

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On motion of Senator Morton, Senator McCaslin was excused.

## SECOND READING

SENATE BILL NO. 6404, by Senators Hargrove and Pridemore

Modifying the process for designating regional support networks.

## MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 6404 was substituted for Senate Bill No. 6404 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 6404 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove spoke in favor of passage of the bill.

## MOTION

On motion of Senator Regala, Senator Rockefeller was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6404.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6404 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Delvin, Eide, Fairley, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kauffman, Keiser, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 42

Voting nay: Senators Carrell, Franklin, Kastama, Kilmer, Rasmussen and Regala - 6

Excused: Senator Rockefeller - 1

SUBSTITUTE SENATE BILL NO. 6404, 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. 6398, by Senators Stevens and Hargrove

Regarding fines collected in truancy court actions.

The measure was read the second time.

## MOTION

On motion of Senator Stevens, the rules were suspended, Senate Bill No. 6398 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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Senator Stevens spoke in favor of passage of the bill.

SENATE BILL NO. 6548, by Senator Carrell

The President declared the question before the Senate to be the final passage of Senate Bill No. 6398.

Prohibiting patients at the special commitment center or less restrictive alternatives from having computer access. Revised for 1st Substitute: Controlling computer access by residents at the special commitment center and persons released to less restrictive alternatives.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6398 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

MOTIONS

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

On motion of Senator Carrell, Substitute Senate Bill No. 6548 was substituted for Senate Bill No. 6548 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Carrell, the rules were suspended, Substitute Senate Bill No. 6548 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Excused: Senator Rockefeller - 1

Senator Carrell spoke in favor of passage of the bill.

SENATE BILL NO. 6398, 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.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6548.

ROLL CALL

SECOND READING

SENATE BILL NO. 6675, by Senators McAuliffe, Shin, Pflug, Berkey, Fairley and Tom

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6548 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Allowing public technical colleges to offer associate transfer degrees.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

MOTIONS

On motion of Senator Shin, Substitute Senate Bill No. 6675 was substituted for Senate Bill No. 6675 and the substitute bill was placed on the second reading and read the second time.

Voting nay: Senator Weinstein - 1

On motion of Senator Shin, the rules were suspended, Substitute Senate Bill No. 6675 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

SUBSTITUTE SENATE BILL NO. 6548, 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.

Senators McAuliffe and Shin spoke in favor of passage of the bill.

SECOND READING

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6675.

SENATE BILL NO. 6488, by Senators Regala, Hargrove, Brandland, Stevens, Rasmussen, Delvin, Benton and Kilmer

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6675 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Providing for broader collection of biological samples for the DNA identification of convicted sex offenders and other persons.

MOTION

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

On motion of Senator Regala, Substitute Senate Bill No. 6488 was substituted for Senate Bill No. 6488 and the substitute bill was placed on the second reading and read the second time.

MOTION

SUBSTITUTE SENATE BILL NO. 6675, 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.

Senator Regala moved that the following striking amendment by Senators Hargrove, Regala and Stevens be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 43.43.753 and 2002 c 289 s 1 are each amended to read as follows:

The legislature finds that recent developments in molecular biology and genetics have important applications for forensic science. It has been scientifically established that there is a

SECOND READING

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unique pattern to the chemical structure of the deoxyribonucleic acid (DNA) contained in each cell of the human body. The process for identifying this pattern is called "DNA identification."

The legislature further finds that DNA databases are important tools in criminal investigations, in the exclusion of individuals who are the subject of investigations or prosecutions, and in detecting recidivist acts. It is the policy of this state to assist federal, state, and local criminal justice and law enforcement agencies in both the identification and detection of individuals in criminal investigations and the identification and location of missing and unidentified persons. Therefore, it is in the best interest of the state to establish a DNA database and DNA data bank containing DNA samples submitted by persons convicted of felony offenses and other crimes as specified in RCW 43.43.754. DNA samples necessary for the identification of missing persons and unidentified human remains shall also be included in the DNA database.

The legislature further finds that the DNA identification system used by the federal bureau of investigation and the Washington state patrol has no ability to predict genetic disease or predisposal to illness. Nonetheless, the legislature intends that biological samples collected under RCW 43.43.754, and DNA identification data obtained from the samples, be used only for purposes related to criminal investigation, identification of human remains or missing persons, or improving the operation of the system authorized under RCW 43.43.752 through 43.43.758.

Sec. 2. RCW 43.43.754 and 2002 c 289 s 2 are each amended to read as follows:

(1) A biological sample must be collected for purposes of DNA identification analysis from:

(a) Every adult or juvenile individual convicted of a felony (~~stalking under RCW 9A.46.110, harassment under RCW 9A.46.020, communicating with a minor for immoral purposes under RCW 9.68A.090, or adjudicated guilty of an equivalent juvenile offense must have a biological sample collected for purposes of DNA identification analysis in the following manner~~), or any of the following crimes (or equivalent juvenile offenses):

Assault in the fourth degree with sexual motivation (RCW 9A.36.041, 9.94A.835)

Communication with a minor for immoral purposes (RCW 9.68A.090)

Custodial sexual misconduct in the second degree (RCW 9A.44.170)

Failure to register (RCW 9A.44.130)

Harassment (RCW 9A.46.020)

Patronizing a prostitute (RCW 9A.88.110)

Prostitution (RCW 9A.88.030)

Sexual misconduct with a minor in the second degree (RCW 9A.44.096)

Stalking (RCW 9A.46.110)

Violation of a sexual assault protection order granted under chapter 7.90 RCW; and

(b) Every adult or juvenile individual who is required to register under RCW 9A.44.130.

(2) If the Washington state patrol crime laboratory already has a DNA sample from an individual for a qualifying offense, a subsequent submission is not required to be submitted.

(3) Biological samples shall be collected in the following manner:

(a) For persons convicted of ((such offenses)) any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do serve a term of confinement in a city or county jail facility, the city or county shall be responsible for obtaining the biological samples ((either as part of the intake process into the city or county jail or detention facility for those persons convicted on or after July 1, 2002, or within a reasonable time after July 1, 2002, for those

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persons incarcerated before July 1, 2002, who have not yet had a biological sample collected, beginning with those persons who will be released the soonest).

(b) The local police department or sheriff's office shall be responsible for obtaining the biological samples for:

(i) Persons convicted of ((such offenses)) any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense who do not serve a term of confinement in a department of corrections facility, and do not serve a term of confinement in a city or county jail facility ((the local police department or sheriff's office is responsible for obtaining the biological samples after sentencing on or after July 1, 2002)); and

(ii) Persons who are required to register under RCW 9A.44.030.

(c) For persons convicted of ((such offenses)) any offense listed in subsection (1)(a) of this section or adjudicated guilty of an equivalent juvenile offense, who are serving or who are to serve a term of confinement in a department of corrections facility or a department of social and health services facility, the facility holding the person shall be responsible for obtaining the biological samples ((either as part of the intake process into such facility for those persons convicted on or after July 1, 2002, or within a reasonable time after July 1, 2002;)). For those persons incarcerated before ((July 1, 2002)) the effective date of this section, who have not yet had a biological sample collected, ((beginning with)) priority shall be given to those persons who will be released the soonest.

((2)) (4) Any biological sample taken pursuant to RCW 43.43.752 through 43.43.758 may be retained by the forensic laboratory services bureau, and shall be used solely for the purpose of providing DNA or other tests for identification analysis and prosecution of a criminal offense or for the identification of human remains or missing persons. Nothing in this section prohibits the submission of results derived from the biological samples to the federal bureau of investigation combined DNA index system.

((3)) (5) The ((director of the)) forensic laboratory services bureau of the Washington state patrol ((shall perform)) is responsible for testing performed on all biological samples that are collected under subsection (1) of this section, to the extent allowed by funding available for this purpose. The director shall give priority to testing on samples collected from those adults or juveniles convicted of a felony or adjudicated guilty of an equivalent juvenile offense that is defined as a sex offense or a violent offense in RCW 9.94A.030. Known duplicate samples may be excluded from testing unless testing is deemed necessary or advisable by the director.

((4)) This section applies to all adults who are convicted of a sex or violent offense after July 1, 1990, and to all adults who were convicted of a sex or violent offense on or prior to July 1, 1990, and who are still incarcerated on or after July 25, 1999. This section applies to all juveniles who are adjudicated guilty of a sex or violent offense after July 1, 1994, and to all juveniles who were adjudicated guilty of a sex or violent offense on or prior to July 1, 1994, and who are still incarcerated on or after July 25, 1999. This section applies to all adults and juveniles who are convicted of a felony other than a sex or violent offense, stalking under RCW 9A.46.110, harassment under RCW 9A.46.020, or communicating with a minor for immoral purposes under RCW 9.68A.090, or adjudicated guilty of an equivalent juvenile offense, on or after July 1, 2002, and to all adults and juveniles who were convicted or adjudicated guilty of such an offense before July 1, 2002, and are still incarcerated on or after July 1, 2002;)) (6) This section applies to all adults and juveniles who:

(a) Are convicted or adjudicated guilty of an offense listed in subsection (1)(a) of this section on or after the effective date of this section and to all adults and juveniles who were convicted or adjudicated guilty of such an offense before the



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effective date of this section, and who are still incarcerated on or after the effective date of this section; or

(b) Are currently required to register under RCW 9A.44.130, whether convicted before, on, or after the effective date of this section.

~~((5))~~ (7) This section creates no rights in a third person. No cause of action may be brought based upon the noncollection or nonanalysis or the delayed collection or analysis of a biological sample authorized to be taken under RCW 43.43.752 through 43.43.758.

~~((6))~~ (8) The detention, arrest, or conviction of a person based upon a database match or database information is not invalidated if it is determined that the sample was obtained or placed in the database by mistake, or if the conviction or juvenile adjudication that resulted in the collection of the biological sample was subsequently vacated or otherwise altered in any future proceeding including but not limited to posttrial or postfact-finding motions, appeals, or collateral attacks.

Sec. 3. RCW 43.43.7541 and 2002 c 289 s 4 are each amended to read as follows:

Every sentence imposed under chapter 9.94A RCW(;) for a ~~((felony))~~ crime specified in RCW 43.43.754 ~~((that is committed on or after July 1, 2002;))~~ must include a fee of one hundred dollars ~~((for collection of a biological sample as required under RCW 43.43.754, unless the court finds that imposing the fee would result in undue hardship on the offender)).~~ The fee is a court-ordered legal financial obligation as defined in RCW 9.94A.030, payable by the offender after payment of all other legal financial obligations included in the sentence has been completed. The clerk of the court shall transmit eighty percent of the fee(s) collected to the state treasurer for deposit in the state DNA database account created under RCW 43.43.753<sub>2</sub>, and shall transmit twenty percent of the fee collected to the agency responsible for collection of a biological sample from the offender as required under RCW 43.43.754.

Sec. 4. RCW 43.43.756 and 1989 c 350 s 5 are each amended to read as follows:

The ~~Washington state patrol ((in consultation with the University of Washington school of medicine))~~ forensic laboratory services bureau may:

(1) Provide DNA analysis services to law enforcement agencies throughout the state ~~((after July 1, 1990));~~

(2) Provide assistance to law enforcement officials and prosecutors in the preparation and utilization of DNA evidence for presentation in court; and

(3) Provide expert testimony in court on DNA evidentiary issues."

Senators Regala and Stevens spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Hargrove, Regala and Stevens to Substitute Senate Bill No. 6488.

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

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "persons;" strike the remainder of the title and insert "and amending RCW 43.43.753, 43.43.754, 43.43.7541, and 43.43.756."

#### MOTION

On motion of Senator Regala, the rules were suspended, Engrossed Substitute Senate Bill No. 6488 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Regala spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6488.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6488 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

ENGROSSED SUBSTITUTE SENATE BILL NO. 6488, 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. 6600, by Senators Stevens, Hargrove, McAuliffe, Carrell, Brandland and Tom

Establishing procedures for civil contempt proceedings in truancy matters. Revised for 1st Substitute: Revising provisions concerning juvenile truancy proceedings.

#### MOTIONS

On motion of Senator Stevens, Substitute Senate Bill No. 6600 was substituted for Senate Bill No. 6600 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stevens, the rules were suspended, Substitute Senate Bill No. 6600 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stevens 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. 6600.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6600 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SUBSTITUTE SENATE BILL NO. 6600, 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

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SENATE BILL NO. 6743, by Senators Rasmussen, McAuliffe, Tom and Shin

Regarding training and guidelines for teachers of students with autism.

#### MOTIONS

On motion of Senator Rasmussen, Substitute Senate Bill No. 6743 was substituted for Senate Bill No. 6743 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rasmussen, the rules were suspended, Substitute Senate Bill No. 6743 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rasmussen 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. 6743.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6743 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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

Absent: Senator Hargrove - 1

SUBSTITUTE SENATE BILL NO. 6743, 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

SUBSTITUTE SENATE BILL NO. 5869, by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kline, Fairley, Franklin and Keiser)

Monitoring personal information collected by state agencies.

The measure was read the second time.

#### MOTION

On motion of Senator Kline, the rules were suspended, Substitute Senate Bill No. 5869 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kline 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. 5869.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5869 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford,

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Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SUBSTITUTE SENATE BILL NO. 5869, 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. 6837, by Senators Brown, Swecker, Marr and McAuliffe

Increasing the membership of the prescription drug assistance foundation.

The measure was read the second time.

#### MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 6837 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Pflug 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. 6837.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6837 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SENATE BILL NO. 6837, 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. 6369, by Senators Eide, McAuliffe, Keiser, Franklin and Rasmussen

Regarding the Washington community learning center program.

The measure was read the second time.

#### MOTION

On motion of Senator Eide, the rules were suspended, Senate Bill No. 6369 was advanced to third reading, the second

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

SECOND READING

Senator Eide 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. 6369.

SENATE BILL NO. 6742, by Senators Rasmussen, McAuliffe, Tom and Kline

Requiring development of programs and guidelines for students with autism.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6369 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SENATE BILL NO. 6369, 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. 6572, by Senators Spanel, Jacobsen, Kohl-Welles and McDermott

Allowing microbreweries to maintain off-premises warehouses for distribution.

MOTIONS

On motion of Senator Spanel, Substitute Senate Bill No. 6572 was substituted for Senate Bill No. 6572 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Spanel, the rules were suspended, Substitute Senate Bill No. 6572 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Spanel 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. 6572.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6572 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 5; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 44

Absent: Senators Hargrove, Kline, Pflug, Pridemore and Zarelli - 5

SUBSTITUTE SENATE BILL NO. 6572, 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.

MOTIONS

On motion of Senator Rasmussen, Substitute Senate Bill No. 6742 was substituted for Senate Bill No. 6742 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rasmussen, the rules were suspended, Substitute Senate Bill No. 6742 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rasmussen, Kauffman and King spoke in favor of passage of the bill.

MOTION

On motion of Senator Regala, Senators Kline and Pridemore were excused.

MOTION

On motion of Senator Brandland, Senator Zarelli was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6742.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6742 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

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, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 45

Absent: Senator Murray - 1

Excused: Senators Kline, Pridemore and Zarelli - 3

SUBSTITUTE SENATE BILL NO. 6742, 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. 5319, by Senators Berkey, Morton and Fairley

Regarding the issuance of checks by joint operating agencies and public utility districts.

The measure was read the second time.

MOTION

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On motion of Senator Berkey, the rules were suspended, Senate Bill No. 5319 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Berkey spoke in favor of passage of the bill.

## MOTION

On motion of Senator Regala, Senators Murray and Rockefeller were excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5319.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5319 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

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, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 44

Excused: Senators Kline, Murray, Pridemore, Rockefeller and Zarelli - 5

SENATE BILL NO. 5319, 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. 6395, by Senators Spanel, Swecker, Jacobsen, Morton, Hargrove, Brandland, Fraser, Shin, Kohl-Welles, Rasmussen, Sheldon and Rockefeller

Protecting orca whales from the impacts from vessels.

## MOTIONS

On motion of Senator Spanel, Substitute Senate Bill No. 6395 was substituted for Senate Bill No. 6395 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Spanel, the rules were suspended, Substitute Senate Bill No. 6395 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Spanel spoke in favor of passage of the bill.

## POINT OF INQUIRY

Senator Pflug: "Would Senator Spanel yield to a question? So I had a really an amazing day a couple of years ago when I was in my little boat off Cattle Pass, southwest tip of San Juan Island, southeast tip of San Juan Island and I was in just a little bay. We had been fishing, got tired of fishing and the boat was in neutral and so I fell asleep on the bow of the boat. I'd been napping for a little while in the sun when I was awakened by the breaching of a whale. So there was now a whole pod of whales right around me feeding so, under this bill, what am I suppose to do? Senator Spanel: "I would say, sit tight." It would seem to

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me like I wouldn't want to get out but would I be liable for having failed to see them coming under water?"

Senator Spanel: "I don't think a person who is using common sense would consider that you were the cause of that. You said you were surrounded by whales. That's very different from you coming from the outside cause if you were coming from the outside you probably could not have gotten in the middle of where they were. You would have also had your boat in neutral I presume too."

Senator Pflug: "Yeah, I was floating there with the tide."

Senator Spanel: "I think you'd be ok."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6395.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6395 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 1; Absent, 0; Excused, 3.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 45

Voting nay: Senator Holmquist - 1

Excused: Senators Pridemore, Rockefeller and Zarelli - 3

SUBSTITUTE SENATE BILL NO. 6395, 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. 6546, by Senators Brandland, Tom and Rasmussen

Changing licensing provisions concerning driving under the influence of intoxicating liquor or drugs.

## MOTION

On motion of Senator Brandland, Second Substitute Senate Bill No. 6546 was substituted for Senate Bill No. 6546 and the second substitute bill was placed on the second reading and read the second time.

## MOTION

Senator Brandland moved that the following amendment by Senators Brandland, Hargrove and Haugen be adopted.

On page 23, line 31, after "convicted of" strike "a" and insert "an alcohol-related"

On page 29, line 21, after "of" strike "a" and insert "an alcohol-related"

Senator Brandland spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Brandland,

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Hargrove and Haugen on page 23, line 31 to Second Substitute Senate Bill No. 6546.

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

MOTION

On motion of Senator Brandland, the rules were suspended, Engrossed Second Substitute Senate Bill No. 6546 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brandland and Tom spoke in favor of passage of the bill.

MOTION

On motion of Senator Delvin, Senator Holmquist was excused.

POINT OF INQUIRY

Senator Jacobsen: "Would the Senator from the 42<sup>nd</sup> District yield to a question? I understand that in Sweden they are looking at requiring this on every car."

Senator Brandland: "That is correct. The symposium that I attended last summer, there's a movement to put them in all commercial vehicles right now and they're looking at having this be nationwide in all passenger vehicles. I don't have the date but I believe it's 2015."

Senator Jacobsen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 6546.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6546 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 45

Excused: Senators Holmquist, Pridemore, Rockefeller and Zarelli - 4

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6546, 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. 6187, by Senators Shin, Rasmussen, Schoesler, Morton, Murray and Kohl-Welles

Creating the food animal veterinarian conditional scholarship program.

The measure was read the second time.

MOTION

On motion of Senator Shin, the rules were suspended, Senate Bill No. 6187 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shin, Rasmussen and Morton 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. 6187.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6187 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Weinstein - 46

Excused: Senators Pridemore, Rockefeller and Zarelli - 3  
SENATE BILL NO. 6187, 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 5:04 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

EVENING SESSION

The Senate was called to order at 7:07 p.m. by President Owen.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Rockefeller moved that Gubernatorial Appointment No. 9338, Dan O'Neal, as a member of the Puget Sound Partnership, be confirmed.

Senator Rockefeller spoke in favor of the motion.

MOTION

On motion of Senator Brandland, Senators Hewitt and Zarelli were excused.

MOTION

On motion of Senator Marr, Senator Kohl-Welles was excused.

APPOINTMENT OF DAN O'NEAL

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The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9338, Dan O'Neal as a member of the Puget Sound Partnership.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9338, Dan O'Neal as a member of the Puget Sound Partnership and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Absent: Senator Kline - 1

Gubernatorial Appointment No. 9338, Dan O'Neal, having received the constitutional majority was declared confirmed as a member of the Puget Sound Partnership.

#### SECOND READING

SENATE BILL NO. 6576, by Senators Swecker, Jacobsen, Pflug, Haugen and Marr

Creating a pilot project to evaluate the use of electronic traffic flagging devices.

The measure was read the second time.

#### MOTION

On motion of Senator Swecker, the rules were suspended, Senate Bill No. 6576 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Swecker 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. 6576.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6576 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 1; Excused, 0.

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, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 48

Absent: Senator Kline - 1

SENATE BILL NO. 6576, 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

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SENATE BILL NO. 6421, by Senators Pridemore, Keiser, McDermott, Hatfield, Kohl-Welles and Pflug

Providing medical coverage for smoking cessation programs.

The measure was read the second time.

#### MOTION

On motion of Senator Pridemore, the rules were suspended, Senate Bill No. 6421 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pridemore and Rockefeller 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. 6421.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6421 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SENATE BILL NO. 6421, 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. 6458, by Senators Keiser, Shin and Kohl-Welles

Improving patient safety through increased regulation of health professionals. Revised for 1st Substitute: Concerning regulation of health professionals.

#### MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 6458 was substituted for Senate Bill No. 6458 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 6458 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

Senator Pflug spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6458.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6458 and the bill passed the Senate

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by the following vote: Yeas, 44; Nays, 5; Absent, 0; Excused, 0.

Voting yeas: Senators Benton, Berkey, Brandland, Brown, Carrell, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Parlette, Prentice, Pridemore, Rasmussen, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 44

Voting nays: Senators Delvin, Holmquist, Oemig, Pflug and Regala - 5

SUBSTITUTE SENATE BILL NO. 6458, 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

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5905, by Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Pflug, Keiser, Tom, Zarelli, Marr and Carrell).

Concerning certificate of capital authorization. Revised for 1st Substitute: Concerning certificate of capital authorization. (REVISED FOR PASSED LEGISLATURE: Concerning certificates of capital authorization.)

The bill was read on Third Reading.

MOTION

On motion of Senator Franklin, the rules were suspended, Engrossed Substitute Senate Bill No. 5905 was returned to second reading for the purpose of amendment.

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5905, by Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Pflug, Keiser, Tom, Zarelli, Marr and Carrell)

Concerning certificate of capital authorization.

The measure was read the second time.

MOTION

Senator Franklin moved that the following striking amendment by Senator Franklin be adopted:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 74.46.803 and 2001 1st sp.s. c 8 s 16 are each amended to read as follows:

(1) The department shall establish rules for issuing a certificate of capital authorization. ~~((Applications for a certificate of capital authorization shall be submitted and approved on a biennial basis.))~~ The rules shall address the following subjects, among others:

(a) The period of time during which applications for certificates of capital authorization will be accepted;

(b) The period of time for which a certificate of capital authorization will be valid; and

(c) The prioritization of applications for certificates of capital authorization, consistent with the principles set out in this section.

(2) The rules for a certificate of capital authorization shall be consistent with the following principles:

~~((1) The certificate of capital authorization shall be approved on a first-come, first-served basis.~~

~~(2) Those projects that do not receive approval in one authorization period shall have priority the following biennium should the project be resubmitted.))~~

(a) A certificate of capital authorization is only required for capital expenditures exceeding the expenditure minimum as defined in RCW 70.38.025.

(b) In processing and approving certificates of capital authorization, priority shall be given to major renovation of existing facilities or construction of replacement facilities. Those existing or replacement facilities with the greatest length of time since their last major renovation or construction, exceeding the expenditure minimum as defined in RCW 70.38.025, shall be given first priority.

~~(c) Certificates of capital authorization for new facilities shall receive last priority and be assigned on a first-come, first-served basis.~~

(d) Within the priorities established by this section, applications for certificates of capital authorization that do not receive approval in one state fiscal year because that year's authorization limit has been reached shall have priority the following year if the applications are resubmitted. For example, a renovation or replacement project not receiving certificate of capital authorization approval for one state fiscal year shall have priority over other renovation or replacement projects in the following year, if the applications are resubmitted; and new facility projects not receiving certificate of capital authorization approval for one state fiscal year shall have priority over other new facility projects in the following fiscal year, if the applications are resubmitted.

(e) Certificate of capital authorization applications must be filed with the department by the end of the previous calendar year to be considered for priority assignment the following state fiscal year beginning July 1. For example, a facility requesting a certificate of capital authorization for state fiscal year July 1, 2009, through June 30, 2010, must file a request for capital authorization no later than December 31, 2008. Within ninety days of receipt of an application, the department shall either reject the application as unacceptable or act upon it.

(3) The department shall have the authority to give first priority for a project that is necessitated by an emergency situation even if the project is not submitted in a timely fashion. ((The department shall establish rules for determining what constitutes an emergency.)) Projects shall be considered on an emergency basis if the construction or renovation must be completed as soon as possible to:

(a) Retain a facility's license or certification;

(b) Protect the health or safety of the facility's residents; or

(c) Avoid closure.

(4) The department shall establish deadlines for progress and the department shall have the authority to withdraw the certificate of capital authorization where the holder of the certificate has not complied with those deadlines in a good faith manner.

Sec. 2. RCW 74.46.807 and 2001 1st sp.s. c 8 s 15 are each amended to read as follows:

The total capital authorization available for any ~~((biennial period))~~ state fiscal year shall be specified in the biennial appropriations act and shall be calculated on an annual basis. ~~((When setting the capital authorization level, the legislature shall consider both the need for, and the cost of, new and replacement beds.))"~~

Senator Franklin spoke in favor of adoption of the striking amendment.

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The President declared the question before the Senate to be the adoption of the striking amendment by Senator Franklin to Engrossed Substitute Senate Bill No. 5905.

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

#### MOTION

On motion of Senator Franklin, the rules were suspended, Second Engrossed Substitute Senate Bill No. 5905 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Franklin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Engrossed Substitute Senate Bill No. 5905.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Engrossed Substitute Senate Bill No. 5905 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SECOND ENGROSSED SUBSTITUTE SENATE BILL NO. 5905, 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. 5465, by Senators Schoesler, Kline, Carrell and Hatfield

Clarifying the process for restoration of the right to possess firearms.

#### MOTIONS

On motion of Senator Schoesler, Substitute Senate Bill No. 5465 was substituted for Senate Bill No. 5465 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Schoesler, the rules were suspended, Substitute Senate Bill No. 5465 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schoesler and Kline 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. 5465.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5465 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove,

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Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SUBSTITUTE SENATE BILL NO. 5465, 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. 6244, by Senator Carrell

Addressing the conversion of existing facilities to house offenders violating community supervision. Revised for 1st Substitute: Addressing the housing of offenders who violate community custody.

#### MOTIONS

On motion of Senator Carrell, Substitute Senate Bill No. 6244 was substituted for Senate Bill No. 6244 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Carrell, the rules were suspended, Substitute Senate Bill No. 6244 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Carrell 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. 6244.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6244 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom, Weinstein and Zarelli - 49

SUBSTITUTE SENATE BILL NO. 6244, 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. 6251, by Senators Regala, Carrell and Kastama

Concerning the conservation of forest lands.

The measure was read the second time.

#### MOTION

On motion of Senator Regala, the rules were suspended, Senate Bill No. 6251 was advanced to third reading, the second



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

Senators Regala and Morton spoke in favor of passage of the bill.

MOTION

On motion of Senator Pridemore, Senator Weinstein was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 6251.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6251 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; 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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 47

Absent: Senator Oemig - 1

Excused: Senator Weinstein - 1

SENATE BILL NO. 6251, 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. 6544, by Senators Stevens, Honeyford, Pflug, Delvin, Holmquist, McCaslin, Swecker and Roach

Increasing the sentencing range for first degree criminal mistreatment.

MOTIONS

On motion of Senator Stevens, Substitute Senate Bill No. 6544 was substituted for Senate Bill No. 6544 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Stevens, the rules were suspended, Substitute Senate Bill No. 6544 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Stevens 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. 6544.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6544 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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon,

Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6544, 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. 5106, by Senators Jacobsen, Kohl-Welles, Murray and Rasmussen

Requiring emergency preparedness planning for service animals and household pets. Revised for 2nd Substitute: Providing for animal emergency operations.

MOTION

On motion of Senator Fairley, Second Substitute Senate Bill No. 5106 was substituted for Senate Bill No. 5106 and the second substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fairley moved that the following striking amendment by Senator Fairley be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 38.52 RCW to read as follows:

(1) The Washington state military department's emergency management division, in cooperation with county and local governments, shall prepare, as part of the state comprehensive emergency management plan, animal emergency planning guidance for local jurisdictions that provides for the evacuation, transportation, and temporary sheltering of pets and service animals as defined in RCW 70.84.021 during a major disaster or an emergency.

(2) The division, in developing the guidance, shall consider:

(a) Allowing owners of service animals to be evacuated, transported, and sheltered with or near their service animals;

(b) Establishing a sufficient number of evacuation shelters equipped to temporarily shelter pets and service animals in close proximity to a human sheltering facility;

(c) Allowing owners and their pets to be evacuated together, whenever possible, provided that human life is not endangered;

(d) Transporting pets or service animals, in cages or carriers that safely and securely confine the animals, in an impending major disaster or emergency provided that such transportation does not endanger human life;

(e) Recommending that animal shelters, humane societies, veterinary offices, boarding kennels, breeders, grooming facilities, animal testing facilities, and any other entity that normally houses pets or service animals create evacuation plans for the animals housed at their facilities;

(f) Recommending guidance for holding periods for pets or service animals that are sheltered during a major disaster or an emergency; and

(g) Encouraging local jurisdictions to create an educational campaign for owners of pets or service animals that will encourage owners to plan for and incorporate their animals in the owners' personal plans in the event of a major disaster or an emergency.

NEW SECTION. Sec. 2. The code reviser shall alphabetize and renumber the definitions in RCW 38.52.010."

Senator Fairley spoke in favor of adoption of the striking amendment.

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The President declared the question before the Senate to be the adoption of the striking amendment by Senator Fairley to Second Substitute Senate Bill No. 5106.

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

## MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "operations;" strike the remainder of the title and insert "adding a new section to chapter 38.52 RCW; and creating a new section."

## MOTION

On motion of Senator Fairley, the rules were suspended, Engrossed Second Substitute Senate Bill No. 5106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen spoke in favor of passage of the bill.

## POINT OF INQUIRY

Senator Honeyford: "Would the Senator from the 43<sup>rd</sup> District yield to a question? Thank you Senator, we in the past, have used geese in the mint fields and also some people have used geese for security purposes. Are those counted as service animals?"

Senator Jacobsen: "There's a federal definition of service animals and I don't think they count. Now I can see a seeing-eye dog to take you into a bar, you'd do fine."

The President declared the question before the Senate to be the final passage of Engrossed Second Substitute Senate Bill No. 5106.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 5106 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hobbs, Holmquist, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 46

Voting nay: Senators Hewitt and Honeyford - 2

Excused: Senator Weinstein - 1

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5106, 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. 6453, by Senators Tom, McAuliffe, Rasmussen, Oemig, Kline and Shin

Clarifying the timeline for release of education records to the department of social and health services.

## MOTIONS

On motion of Senator Tom, Substitute Senate Bill No. 6453 was substituted for Senate Bill No. 6453 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. 6453 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Tom and King 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. 6453.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6453 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; 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, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 47

Voting nay: Senator Morton - 1

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6453, 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. 6734, by Senators Franklin, Keiser and Kohl-Welles

Establishing a process to identify best practices related to patient safety. Revised for 1st Substitute: Establishing evidence-based nurse staffing in hospitals.

## MOTIONS

On motion of Senator Franklin, Substitute Senate Bill No. 6734 was substituted for Senate Bill No. 6734 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Franklin, the rules were suspended, Substitute Senate Bill No. 6734 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Franklin, Pflug and Kohl-Welles 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. 6734.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6734 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, Parlette, Pflug, Prentice, Pridemore,

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Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6734, 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. 5746, by Senators Jacobsen, Kohl-Welles, Murray, Keiser and Poulsen

Regarding the practice of landscape architecture.

MOTION

On motion of Senator Jacobsen, Substitute Senate Bill No. 5746 was substituted for Senate Bill No. 5746 and the substitute bill was placed on the second reading and read the second time.

MOTION

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

On page 7, at the beginning of line 7, strike "or"

On page 7, line 11, after "architect" insert "; or

(d) Have education and experience equivalent to the qualifications in (a), (b), or (c) of this subsection as approved by the board"

On page 12, line 32, after "subordinates," insert "or individuals under his or her direct control."

On page 14, beginning on line 3, strike all of section 17 and insert the following:

**"NEW SECTION. Sec. 17.** All receipts from fees under this chapter must be deposited into the business and professions account in RCW 43.24.150."

On page 14, line 30, after "designs" strike "or the installation of plant material"

On page 14, line 34, after "design" strike "or installation"

On page 14, line 34, after "systems;" strike "and"

On page 14, line 35, after "design" strike "or installation"

On page 14, line 35, after "properties" insert "; and

(10) Preparation of conceptual landscape drawings that are not for use in bidding, permitting, or construction"

On page 15, line 10, after "July 1," strike "2008" and insert "2009"

Senator Jacobsen spoke in favor of adoption of the amendment.

MOTION

Senator Rockefeller moved that the following amendment by Senator Rockefeller to the amendment be adopted.

On page 1, beginning on line 18 of the amendment, after "(10)" strike all material through "construction" on line 19 and insert "Landscape design and installation of nonresidential projects implemented in accordance and compliance with the local regulations of governing jurisdictions"

Senators Rockefeller and Honeyford spoke in favor of adoption of the amendment to the amendment.

Senator Jacobsen spoke against adoption of the amendment to the amendment.

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The President declared the question before the Senate to be the adoption of the amendment by Senator Rockefeller on page 1, line 18 to the amendment to Substitute Senate Bill No. 5746.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Jacobsen on page 7, line 7 as amended to Substitute Senate Bill No. 5746.

The motion by Senator Jacobsen carried and the amendment as amended was adopted by voice vote.

MOTION

On motion of Senator Jacobsen, the rules were suspended, Engrossed Substitute Senate Bill No. 5746 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen spoke in favor of passage of the bill.

Senator Holmquist spoke against passage of the bill.

MOTION

On motion of Senator Regala, Senator Brown was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5746.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5746 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 20; Absent, 0; Excused, 2.

Voting yea: Senators Berkey, Eide, Fairley, Franklin, Fraser, Hatfield, Haugen, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kline, Kohl-Welles, Marr, McAuliffe, McDermott, Murray, Oemig, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Shin and Spanel - 27

Voting nay: Senators Benton, Brandland, Carrell, Delvin, Hargrove, Hewitt, Holmquist, Honeyford, Kilmer, King, McCaslin, Morton, Parlette, Pflug, Schoesler, Sheldon, Stevens, Swecker, Tom and Zarelli - 20

Excused: Senators Brown and Weinstein - 2

ENGROSSED SUBSTITUTE SENATE BILL NO. 5746, 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. 6620, by Senators Pridemore, Oemig, Hatfield, Fraser, Rasmussen and Shin

Regarding biological remediation technologies for on-site sewage disposal systems.

MOTIONS

On motion of Senator Pridemore, Substitute Senate Bill No. 6620 was substituted for Senate Bill No. 6620 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pridemore, the rules were suspended, Substitute Senate Bill No. 6620 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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Senator Pridemore 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. 6620.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6620 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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6620, 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. 6717, by Senators Hatfield, Pridemore, Sheldon, Hobbs, Berkey, Fairley, McDermott and Delvin

Increasing public utility district commissioner salaries.

The measure was read the second time.

## MOTION

On motion of Senator Hatfield, the rules were suspended, Senate Bill No. 6717 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hatfield 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. 6717.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6717 and the bill passed the Senate by the following vote: Yeas, 39; Nays, 9; Absent, 0; Excused, 1.

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

Voting nay: Senators Benton, Carrell, Delvin, Honeyford, King, McCaslin, Roach, Schoesler and Swecker - 9

Excused: Senator Weinstein - 1

SENATE BILL NO. 6717, 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. 6439, by Senators Spanel and Berkey

Concerning radiologist assistants.

## MOTIONS

On motion of Senator Spanel, Substitute Senate Bill No. 6439 was substituted for Senate Bill No. 6439 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Spanel, the rules were suspended, Substitute Senate Bill No. 6439 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Spanel 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. 6439.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6439 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 6; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brandland, 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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Swecker, Tom and Zarelli - 42

Voting nay: Senators Benton, Carrell, Holmquist, Honeyford, Roach and Stevens - 6

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6439, 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

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

SUBSTITUTE SENATE BILL NO. 5517, by Senate Committee on Ways & Means (originally sponsored by Senators Berkey, Kauffman, Haugen, Eide, Kastama, Schoesler, Shin, Hatfield, Keiser, Rasmussen, Kline and Regala).

Increasing the personal needs allowance for persons receiving state-financed care.

The bill was read on Third Reading.

## MOTION

On motion of Senator Prentice, the rules were suspended, Substitute Senate Bill No. 5517 was returned to second reading for the purpose of amendment.

## SECOND READING

SUBSTITUTE SENATE BILL NO. 5517, by Senate Committee on Ways & Means (originally sponsored by Senators Berkey, Kauffman, Haugen, Eide, Kastama, Schoesler, Shin, Hatfield, Keiser, Rasmussen, Kline and Regala)

Increasing the personal needs allowance for persons receiving state-financed care.

The measure was read the second time.

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## MOTION

Senator Prentice moved that the following amendment by Senator Berkey be adopted.

On page 2, line 6, after "July 1," strike "2007" and insert "2008"

On page 2, beginning on line 14, strike all of section 3

Senator Prentice spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Berkey on page 2, line 6 to Substitute Senate Bill No. 5517.

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

## MOTION

There being no objection, the following title amendment was adopted:

On page 1, beginning on line 3 of the title, after "RCW;" strike the remainder of the title and insert "and creating a new section."

## MOTION

On motion of Senator Prentice, the rules were suspended, Engrossed Substitute Senate Bill No. 5517 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Prentice spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5517.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5517 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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

Excused: Senator Weinstein - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5517, 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

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

## SECOND READING

SENATE BILL NO. 6486, by Senators McAuliffe, Hobbs and Rasmussen

Regarding the career and technical education curricula

advisory committee.

The measure was read the second time.

## MOTION

On motion of Senator McAuliffe, the rules were suspended, Senate Bill No. 6486 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McAuliffe 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. 6486.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6486 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 47

Absent: Senator Fraser - 1

Excused: Senator Weinstein - 1

SENATE BILL NO. 6486, 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. 6437, by Senators Carrell, Hargrove and Kline

Modifying provisions relating to bail bond and bail bond recovery agents.

## MOTION

On motion of Senator Carrell, Substitute Senate Bill No. 6437 was substituted for Senate Bill No. 6437 and the substitute bill was placed on the second reading and read the second time.

## MOTION

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

On page 2, line 17, after "appropriate," strike "may" and insert "shall"

On page 7, line 12, after "appropriate," strike "may" and insert "shall"

Senator Carrell spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Carrell on page 2, line 17 to Substitute Senate Bill No. 6437.

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

## WITHDRAWAL OF AMENDMENT

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On motion of Senator Carrell, the amendment by Senator Carrell on page 2, line 30 to Substitute Senate Bill No. 6437 was withdrawn.

## MOTION

Senator Kline moved that the following amendment by Senators Kline and Carrell be adopted.

On page 2, line 30 of the bill, strike all of section 3.

On page 9, after line 31, insert the following:

**"NEW SECTION. Sec. 9.** The department of licensing is directed to convene a work group to evaluate the availability of the requisite surety bonds on the current market and the issue of requiring bail bond agents and bail recovery agents to provide proof of financial responsibility in order to obtain a license from the department. Members shall include representatives of the following: The bail bond industry and associations, local law enforcement, prosecuting attorneys, and criminal defense attorneys. The work group shall evaluate and make recommendations regarding whether, in order to be licensed in this state, bail bond agents and bail recovery agents should be required to provide proof of liability insurance, a surety bond, or other similar types of financial responsibility protecting persons who may suffer legal damages as a result of the operations of bail bond agents and bail recovery agents. The department of licensing shall report back to the legislature on its findings and recommendations of the work group on or before January 1, 2009."

Renumber the sections consecutively and correct any internal references accordingly.

Senator Kline spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Kline and Carrell on page 2, line 30 to Substitute Senate Bill No. 6437.

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

## MOTION

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

On page 4, line 5, after "A" strike "bail bond agent or"

On page 4, line 10, after "A" strike "bail bond agent or" and insert "((bail bond agent or))"

Senator Carrell spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Carrell on page 4, line 5 to Substitute Senate Bill No. 6437.

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

## MOTION

There being no objection, the following title amendment was adopted:

On page 1, beginning on line 1 of the title, after "Relating to" strike the remainder of the title and insert "bail bond agents and bail bond recovery agents; amending RCW 18.185.030, 18.185.060, 18.185.090, 18.185.110, 18.185.250, 18.185.260, 18.185.280, and 18.185.300; and creating a new section."

## MOTION

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On motion of Senator Carrell, the rules were suspended, Engrossed Substitute Senate Bill No. 6437 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carrell and Kline spoke in favor of passage of the bill.

## MOTION

On motion of Senator Regala, Senator Fairley was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 6437.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 6437 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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

Excused: Senator Weinstein - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 6437, 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. 6322, by Senators Kohl-Welles, Fairley and Kline

Revising the definition of a weapon.

## MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 6322 was substituted for Senate Bill No. 6322 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kohl-Welles, the rules were suspended, Substitute Senate Bill No. 6322 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

## POINT OF INQUIRY

Senator Roach: "Would the Senator from the 36<sup>th</sup> District yield to a question?"

Senator Kohl-Welles: "No."

Senators Kohl-Welles and Roach 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. 6322.

## ROLL CALL

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The Secretary called the roll on the final passage of Substitute Senate Bill No. 6322 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hargrove, Hatfield, Haugen, Hewitt, Hobbs, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 45

Voting nay: Senators Holmquist, Honeyford and Morton - 3

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6322, 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. 6464, by Senator Fairley

Addressing judicial district population estimates.

The measure was read the second time.

#### MOTION

On motion of Senator Fairley, the rules were suspended, Senate Bill No. 6464 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fairley 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. 6464.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 6464 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, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

Excused: Senator Weinstein - 1

SENATE BILL NO. 6464, 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. 6470, by Senators Kauffman, Schoesler, Marr, Prentice, Tom, Rasmussen, Kline, Kohl-Welles, Kilmer and Roach

Training medical students, nurses, and medical technicians and assistants to work with patients with developmental disabilities.

#### MOTIONS

On motion of Senator Kauffman, Substitute Senate Bill No. 6470 was substituted for Senate Bill No. 6470 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kauffman, the rules were suspended, Substitute Senate Bill No. 6470 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kauffman 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. 6470.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6470 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Fairley, Franklin, Fraser, Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 47

Absent: Senator Hargrove - 1

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6470, 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. 6184, by Senators Benton, Eide, Weinstein, McCaslin, Hargrove, Regala, Hatfield, Carrell, Tom, Franklin, Zarelli, Kline, Haugen, Keiser, Fairley, Hobbs, Marr, Kastama, Berkey, Delvin, Brandland, Spanel, Murray, Prentice, Holmquist, Hewitt, Rasmussen, Jacobsen, Sheldon, Oemig, Morton, Pflug, Roach, Pridemore, McAuliffe, Rockefeller, Parlette, Kauffman, Shin, Kohl-Welles, Stevens, Kilmer, Swecker, Honeyford, Schoesler, King and McDermott

Addressing most serious offenses.

#### MOTIONS

On motion of Senator Benton, Substitute Senate Bill No. 6184 was substituted for Senate Bill No. 6184 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Benton, the rules were suspended, Substitute Senate Bill No. 6184 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Benton and Kline 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. 6184.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6184 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,

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Hatfield, Haugen, Hewitt, Hobbs, Holmquist, Honeyford, Jacobsen, Kastama, Kauffman, Keiser, Kilmer, King, Kline, Kohl-Welles, Marr, McAuliffe, McCaslin, McDermott, Morton, Murray, Oemig, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Tom and Zarelli - 48

Excused: Senator Weinstein - 1

SUBSTITUTE SENATE BILL NO. 6184, 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 9:50 p.m., on motion of Senator Eide, the Senate adjourned until 9:30 a.m. Saturday, February 16, 2008.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

1103-S4  
Introduction & 1st Reading ..... 2

1129  
Introduction & 1st Reading ..... 2

1273-S2  
Introduction & 1st Reading ..... 2

1383  
Introduction & 1st Reading ..... 2

1421-S  
Introduction & 1st Reading ..... 2

1534-S  
Messages ..... 1

1561-S  
Messages ..... 18

1806-S4  
Introduction & 1st Reading ..... 2

1865-S  
Introduction & 1st Reading ..... 2

2016-S  
Introduction & 1st Reading ..... 2

2210  
Messages ..... 1

2216-S2  
Introduction & 1st Reading ..... 3

2337-S  
Introduction & 1st Reading ..... 3

2427-S  
Introduction & 1st Reading ..... 3

2460  
Introduction & 1st Reading ..... 3

2469  
Introduction & 1st Reading ..... 3

2471-S  
Messages ..... 1

2472-S  
Introduction & 1st Reading ..... 3

2474-S  
Introduction & 1st Reading ..... 3

2475-S  
Introduction & 1st Reading ..... 3

2480-S  
Messages ..... 18



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2482-S	Introduction & 1st Reading	3	2654-S	Introduction & 1st Reading	5
2483	Introduction & 1st Reading	3	2655	Introduction & 1st Reading	5
2487-S	Introduction & 1st Reading	3	2661-S	Introduction & 1st Reading	6
2492	Introduction & 1st Reading	3	2670-S	Introduction & 1st Reading	6
2494-S	Introduction & 1st Reading	3	2674-S2	Introduction & 1st Reading	6
2496-S	Introduction & 1st Reading	4	2676-S	Messages	1
2497	Introduction & 1st Reading	4	2678	Messages	1
2501-S	Messages	1	2679-S	Introduction & 1st Reading	6
2510	Introduction & 1st Reading	4	2700	Messages	1
2516	Introduction & 1st Reading	4	2718-S	Messages	1
2518	Introduction & 1st Reading	4	2722-S2	Introduction & 1st Reading	6
2522-S	Introduction & 1st Reading	4	2727-S	Messages	1
2523-S2	Introduction & 1st Reading	4	2730	Introduction & 1st Reading	6
2541-S	Introduction & 1st Reading	4	2740	Introduction & 1st Reading	6
2544	Introduction & 1st Reading	4	2758-S	Messages	1
2549-S2	Messages	18	2762	Introduction & 1st Reading	6
2551-S	Introduction & 1st Reading	4	2775-S	Introduction & 1st Reading	6
2558	Introduction & 1st Reading	4	2778-S	Messages	1
2560-S	Messages	1	2780	Messages	1
2565	Introduction & 1st Reading	4	2783-S2	Introduction & 1st Reading	6
2567-S	Introduction & 1st Reading	4	2788-S	Messages	1
2571	Introduction & 1st Reading	5	2798-S2	Introduction & 1st Reading	6
2582-S	Introduction & 1st Reading	5	2805-S2	Introduction & 1st Reading	6
2595-S	Messages	1	2808-S2	Introduction & 1st Reading	7
2598-S2	Introduction & 1st Reading	5	2810-S	Introduction & 1st Reading	7
2607	Introduction & 1st Reading	5	2811-S	Introduction & 1st Reading	7
2608	Introduction & 1st Reading	5	2826-S2	Introduction & 1st Reading	7
2613	Messages	18	2848-S	Introduction & 1st Reading	7
2629	Introduction & 1st Reading	5	2859-S	Messages	1
2631-S2	Messages	1	2869-S2	Introduction & 1st Reading	7
2637	Introduction & 1st Reading	5	2870-S2	Introduction & 1st Reading	7
2641	Introduction & 1st Reading	5	2871-S	Introduction & 1st Reading	7
2652	Introduction & 1st Reading	5			

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2881-S		Third Reading Final Passage	13
Introduction & 1st Reading	7	5465	
2885-S		Second Reading	40
Messages	1	5465-S	
2899-S		Second Reading	40
Messages	1	Third Reading Final Passage	40
2909		5517-S	
Introduction & 1st Reading	7	Other Action	44
2920		Second Reading	44, 45
Introduction & 1st Reading	7	Third Reading	44
2925-S		Third Reading Final Passage	45
Messages	1	5746	
2986-S		Second Reading	43
Introduction & 1st Reading	8	5746-S	
3029-S		Second Reading	43
Introduction & 1st Reading	8	Third Reading Final Passage	43
3088		5831	
Messages	1	Second Reading	12
3115-S2		5831-S	
Messages	1	Other Action	12
3120-S		Second Reading	12
Messages	1	Third Reading Final Passage	13
3121-S2		5869-S	
Messages	1	Second Reading	34
3122-S		Third Reading Final Passage	34
Messages	1	5905-S	
3126-S		Other Action	39, 40
Messages	1	Second Reading	39
3143		Third Reading	39
Messages	1	Third Reading Final Passage	40
3168-S2		6184	
Introduction & 1st Reading	8	Second Reading	47
3200		6184-S	
Introduction & 1st Reading	8	Second Reading	47
3204-S		Third Reading Final Passage	48
Introduction & 1st Reading	8	6187	
3210		Second Reading	37
Messages	1	Third Reading Final Passage	37
3212-S		6222	
Introduction & 1st Reading	8	Second Reading	11
3220		6222-S2	
Introduction & 1st Reading	8	Second Reading	11
3255-S		Third Reading Final Passage	12
Messages	1	6244	
3297-S		Second Reading	40
Introduction & 1st Reading	8	6244-S	
3306-S2		Second Reading	40
Introduction & 1st Reading	8	Third Reading Final Passage	40
3362		6251	
Messages	1	Second Reading	40
4031		Third Reading Final Passage	41
Messages	1	6275	
4408-S		Second Reading	13
Introduction & 1st Reading	8	Third Reading Final Passage	13
5106		6322	
Second Reading	41	Second Reading	46
5106-S2		6322-S	
Other Action	42	Second Reading	46
Second Reading	41	Third Reading Final Passage	47
Third Reading Final Passage	42	6369	
5319		Second Reading	34
Second Reading	35	Third Reading Final Passage	35
Third Reading Final Passage	36	6395	
5456-S		Second Reading	36
Third Reading	13	6395-S	

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6398  
 Second Reading ..... 36  
 Third Reading Final Passage ..... 36

6404  
 Second Reading ..... 30  
 Third Reading Final Passage ..... 31

6404-S  
 Second Reading ..... 30  
 Third Reading Final Passage ..... 30

6421  
 Second Reading ..... 38  
 Third Reading Final Passage ..... 38

6437  
 Second Reading ..... 45

6437-S  
 Other Action ..... 46  
 Second Reading ..... 45, 46  
 Third Reading Final Passage ..... 46

6439  
 Second Reading ..... 44

6439-S  
 Second Reading ..... 44  
 Third Reading Final Passage ..... 44

6453  
 Second Reading ..... 42

6453-S  
 Second Reading ..... 42  
 Third Reading Final Passage ..... 42

6458  
 Second Reading ..... 38

6458-S  
 Second Reading ..... 38  
 Third Reading Final Passage ..... 39

6464  
 Second Reading ..... 47  
 Third Reading Final Passage ..... 47

6470  
 Second Reading ..... 47

6470-S  
 Second Reading ..... 47  
 Third Reading Final Passage ..... 47

6479  
 Second Reading ..... 11

6479-S2  
 Second Reading ..... 11  
 Third Reading Final Passage ..... 11

6483  
 Second Reading ..... 13

6483-S2  
 Second Reading ..... 13  
 Third Reading Final Passage ..... 14

6486  
 Second Reading ..... 45  
 Third Reading Final Passage ..... 45

6488  
 Second Reading ..... 31

6488-S  
 Other Action ..... 33  
 Second Reading ..... 31  
 Third Reading Final Passage ..... 33

6532  
 Second Reading ..... 14

6532-S  
 Other Action ..... 14

6544  
 Second Reading ..... 14  
 Third Reading Final Passage ..... 15

6544-S  
 Second Reading ..... 41  
 Third Reading Final Passage ..... 41

6546  
 Second Reading ..... 36

6546-S2  
 Second Reading ..... 36  
 Third Reading Final Passage ..... 37

6548  
 Second Reading ..... 31

6548-S  
 Second Reading ..... 31  
 Third Reading Final Passage ..... 31

6572  
 Second Reading ..... 35

6572-S  
 Second Reading ..... 35  
 Third Reading Final Passage ..... 35

6576  
 Second Reading ..... 38  
 Third Reading Final Passage ..... 38

6583  
 Second Reading ..... 24

6583-S  
 Second Reading ..... 24  
 Third Reading Final Passage ..... 24

6596  
 Second Reading ..... 19

6596-S  
 Second Reading ..... 19  
 Third Reading Final Passage ..... 19

6600  
 Second Reading ..... 33

6600-S  
 Second Reading ..... 33  
 Third Reading Final Passage ..... 33

6606  
 Second Reading ..... 10

6606-S  
 Second Reading ..... 10  
 Third Reading Final Passage ..... 10

6620  
 Second Reading ..... 43

6620-S  
 Second Reading ..... 43  
 Third Reading Final Passage ..... 44

6644  
 Second Reading ..... 15

6644-S  
 Other Action ..... 17  
 Second Reading ..... 15  
 Third Reading Final Passage ..... 17

6665  
 Second Reading ..... 19

6665-S  
 Other Action ..... 23  
 Second Reading ..... 19  
 Third Reading Final Passage ..... 24

6675  
 Second Reading ..... 31

6675-S

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Second Reading	31	Introduced	9
Third Reading Final Passage	31	9301 Billy Frank, Jr	
6717		Confirmed	18
Second Reading	44	9303 Isaura Gallegos	
Third Reading Final Passage	44	Confirmed	9
6734		9324 Martha Kongsgaard	
Second Reading	42	Confirmed	18
6734-S		9338 Dan O'Neal	
Second Reading	42	Confirmed	37
Third Reading Final Passage	43	9341 Bertha Ortega	
6742		Confirmed	9
Second Reading	35	9347 William D. Ruckelshaus	
6742-S		Confirmed	18
Second Reading	35	MESSAGE FROM GOVERNOR	
Third Reading Final Passage	35	Gubernatorial Appointments	1
6743		PRESIDENT OF THE SENATE	
Second Reading	34	Intro. Special Guest, Alex Jonlin	8
6743-S		Intro. Special Guest, Dr. Jon Almquist	9
Second Reading	34	WASHINGTON STATE SENATE	
Third Reading Final Passage	34	Personal Privilege, Senator Jacobsen	8
6765		Point of Inquiry, Senator Honeyford	42
Second Reading	10	Point of Inquiry, Senator Jacobsen	37
6765-S		Point of Inquiry, Senator Pflug	36
Second Reading	10	Point of Inquiry, Senator Roach	46
Third Reading Final Passage	10		
6790			
Second Reading	24		
6790-S			
Second Reading	24		
Third Reading Final Passage	24		
6791			
Second Reading	24		
6791-S			
Second Reading	24		
Third Reading Final Passage	25		
6792			
Second Reading	25		
6792-S			
Other Action	30		
Second Reading	25		
Third Reading Final Passage	30		
6804			
Second Reading	19		
6804-S			
Second Reading	19		
Third Reading Final Passage	19		
6807			
Second Reading	11		
6807-S			
Second Reading	11		
Third Reading Final Passage	11		
6837			
Second Reading	34		
Third Reading Final Passage	34		
6885			
Second Reading	14		
Third Reading Final Passage	14		
6947			
Introduction & 1st Reading	2		
6948			
Introduction & 1st Reading	2		
6949			
Introduction & 1st Reading	2		
8696			
Adopted	9		