

EIGHTIETH DAY, MARCH 28, 2007

2007 REGULAR SESSION

EIGHTIETH DAY

MORNING SESSION

Senate Chamber, Olympia, Wednesday, March 28, 2007

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

The Sergeant at Arms Color Guard consisting of Pages Julianna Lee and Kathleen Nguyen, presented the Colors. Reverend Don Castro of Seattle Buddhist Temple 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 eighth order of business.

MOTION

Senator Kastama moved adoption of the following resolution:

SENATE RESOLUTION
8671

By Senators Kastama, Shin, Kauffman, Kilmer and Fairley

WHEREAS, The state of Washington is widely regarded as the most trade intensive state in the nation, with one out of every three or four jobs dependent on international trade; and

WHEREAS, The volume of Washington's trade continues to increase greatly, with exports of \$38 billion in 2005 and exports valued at \$45 billion estimated in 2006; and

WHEREAS, The state of Washington trades with nations all over the world and new markets continue to emerge constantly; and

WHEREAS, The benefit from Washington's interactions with the rest of the world is much more than economic, but also provides great cultural and educational enrichment to our citizens; and

WHEREAS, The residents of the state of Washington's primary formal connection to other nations and economies is through the foreign official representatives serving in the state; and

WHEREAS, The foreign official representatives work tirelessly to act as a conduit between the state of Washington and the region they represent: Educating and assisting Washington constituents and promoting the two regions to each other; and

WHEREAS, The foreign consuls in the state of Washington, who are accredited by the United States Department of State, are members of the Consular Corps, as defined under the Vienna Convention on Consular Relations of 1963, and is currently composed of 36 head of post members; and

WHEREAS, The Consular Association of Washington was formed in 1997 as a voluntary membership organization for members of the Consular Corps of Washington, foreign trade organizations, and others; and

WHEREAS, The membership of the Consular Association is currently the 36-member countries of the Consular Corps plus the Taipei Economic and Cultural Office, in addition to emeritus and ex officio members; and

WHEREAS, The Consular Association facilitates its membership to meet to discuss questions of mutual interest, develop and maintain friendships, fosters contact with regional

United States authorities at the federal, state, and city levels, with other local organizations, and with the community at large; and

WHEREAS, The foreign official representatives in the state of Washington build strong connections between the communities of Washington state and the communities in their regions by developing educational, medical, and cultural exchange programs, increased tourism, and trade and goodwill missions; and

WHEREAS, The foreign official representatives provide great benefit to the citizens and businesses of the state of Washington with their unflagging efforts to strengthen the bonds between our regions;

NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize and honor the economic, cultural, and other contributions of the foreign official representatives in the state of Washington and the unique and beneficial nature of the functions they serve; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the members of the Consular Association of Washington state.

Senators Kastama, Delvin, Shin, Franklin, Rasmussen and Roach spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8671.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced members of the Consular Association of Washington who were seated in the gallery.

MOTION

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

REPORTS OF STANDING COMMITTEES

March 23, 2007

SHB 1041 Prime Sponsor, Committee on Judiciary: Modifying plurality voting for directors. Reported by Committee on Judiciary

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

Passed to Committee on Rules for second reading.

March 26, 2007

ESHB 1052 Prime Sponsor, Committee on State Government & Tribal Affairs: Modifying the legislative youth advisory council. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Ways & Means.

March 27, 2007

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HB 1231 Prime Sponsor, Kirby: Modifying provisions concerning pawnbrokers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Rules for second reading.

March 27, 2007

HB 1235 Prime Sponsor, Kirby: Providing confidentiality to certain insurance commissioner examinations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Rules for second reading.

March 27, 2007

HB 1236 Prime Sponsor, Roach: Establishing certain capital and surplus requirements necessary to transact insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Rules for second reading.

March 27, 2007

HB 1270 Prime Sponsor, Kirby: Modifying provisions of the consumer loan act with respect to loan restrictions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Rules for second reading.

March 26, 2007

EHB 1283 Prime Sponsor, Roach: Authorizing high school diplomas to be issued to persons who left high school before graduation to serve in the United States armed forces. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Rules for second reading.

March 26, 2007

HB 1285 Prime Sponsor, Anderson: Recodifying the basic education program. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Rules for second reading.

March 26, 2007

SHB 1407 Prime Sponsor, Committee on Commerce & Labor: Funding the administration of Title 50 RCW, unemployment compensation. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Franklin, Holmquist, Murray and Prentice

Passed to Committee on Ways & Means.

March 26, 2007

E2SHB 1432 Prime Sponsor, Committee on Appropriations: Granting service credit to educational staff associates for nonschool employment. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Ways & Means.

March 27, 2007

ESHB 1464 Prime Sponsor, Committee on Select Committee on Environmental Health: Reducing the environmental impact of cleaning state facilities. Reported by Committee on Water, Energy & Telecommunications

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

MINORITY recommendation: Without recommendation. Signed by Senators Holmquist, Honeyford and Regala

Passed to Committee on Rules for second reading.

March 27, 2007

ESHB 1512 Prime Sponsor, Committee on Finance: Increasing the amount the treasurer may use for the linked deposit program. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield and Prentice

Passed to Committee on Ways & Means.

March 26, 2007

HB 1517 Prime Sponsor, Schual-Berke: Enhancing public school world language instruction. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

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Passed to Committee on Ways & Means.

Passed to Committee on Rules for second reading.

March 23, 2007
HB 1520 Prime Sponsor, Williams: Concerning polygraph examinations of sexual assault victims. Reported by Committee on Judiciary

March 26, 2007
HB 2026 Prime Sponsor, Santos: Regarding recruiter access to student records. Reported by Committee on Early Learning & K-12 Education

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

MAJORITY recommendation: Do pass as amended. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 27, 2007
SHB 1848 Prime Sponsor, Committee on Health Care & Wellness: Requiring identification from health services applicants. Revised for 1st Substitute: Requiring the department of social and health services and the health care authority to enter into data-sharing agreements with Oregon and Idaho agencies. Reported by Committee on Health & Long-Term Care

March 26, 2007
ESHB 2073 Prime Sponsor, Committee on Commerce & Labor: Establishing a pilot program for vocational rehabilitation services. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles, Marr and Parlette

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Franklin, Holmquist, Murray and Prentice

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 27, 2007
SHB 1953 Prime Sponsor, Committee on Insurance, Financial Services & Consumer Protection: Requiring premium reductions for older insureds completing an accident prevention course. Reported by Committee on Financial Institutions & Insurance

March 26, 2007
HB 2137 Prime Sponsor, Wallace: Allowing school employees' children with disabilities to enroll in special services programs in the district where the employee is assigned. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield, Parlette and Schoesler

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 26, 2007
HB 2009 Prime Sponsor, Haigh: Modifying trench excavations on public works projects provisions. Reported by Committee on Labor, Commerce, Research & Development

March 26, 2007
HB 2154 Prime Sponsor, Fromhold: Regarding election dates for educational service district board members. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Franklin, Holmquist, Murray and Prentice

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hobbs, Holmquist, Kauffman, Oemig and Rasmussen

Passed to Committee on Rules for second reading.

Passed to Committee on Rules for second reading.

March 26, 2007
SHB 2010 Prime Sponsor, Committee on State Government & Tribal Affairs: Providing responsible bidder criteria and related requirements for public works contracts. Reported by Committee on Labor, Commerce, Research & Development

March 27, 2007
SHB 2209 Prime Sponsor, Committee on Health Care & Wellness: Allowing advanced registered nurse practitioners to examine and obtain copies of autopsy reports. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Clements, Franklin, Murray and Prentice

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles, Marr and Parlette

MINORITY recommendation: Do not pass. Signed by Senator Holmquist

Passed to Committee on Rules for second reading.

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HB 2263 Prime Sponsor, Blake: Regarding the phosphorus content in dishwashing detergent. Reported by Committee on Water, Energy & Telecommunications

Passed to Committee on Ways & Means.

MAJORITY recommendation: Do pass. Signed by Senators Poulsen, Chair; Delvin, Fraser, Holmquist, Honeyford, Pridemore and Regala

MOTION

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

MINORITY recommendation: Do not pass. Signed by Senators Rockefeller, Vice Chair and Oemig

MOTION

Passed to Committee on Rules for second reading.

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

March 27, 2007

INTRODUCTION AND FIRST READING

HB 2283 Prime Sponsor, Hunter: Concerning the joint legislative audit and review committee performance reviews of the home care quality authority. Reported by Committee on Health & Long-Term Care

SB 6168 by Senators Berkey, Zarelli, Stevens and Shin

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles, Marr and Parlette

AN ACT Relating to excise tax relief for aerospace product development businesses; amending RCW 82.08.981, 82.12.981, 82.04.4487, 82.32.545, and 82.04.4463; reenacting and amending RCW 82.04.440; adding a new section to chapter 82.04 RCW; providing an effective date; and providing an expiration date.

Passed to Committee on Rules for second reading.

Referred to Committee on Ways & Means.

March 27, 2007

MOTION

SHB 2286 Prime Sponsor, Committee on Insurance, Financial Services & Consumer Protection: Regulating interstate branching. Reported by Committee on Financial Institutions & Insurance

On motion of Senator Eide, the measure listed on the Introduction and First Reading report was referred to the committee as designated.

MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield, Parlette and Schoesler

MOTION

Passed to Committee on Rules for second reading.

At 10:25 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

March 26, 2007

The Senate was called to order at 11:44 a.m. by President Owen.

SHB 2304 Prime Sponsor, Committee on Appropriations: Providing for the issuance of a certificate of need for certain cardiac care services. Reported by Committee on Health & Long-Term Care

MOTION

MAJORITY recommendation: Do pass as amended. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles and Parlette

At 11:45 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 a.m. Thursday, March 29, 2007.

MINORITY recommendation: Do not pass. Signed by Senator Marr

BRAD OWEN, President of the Senate

Passed to Committee on Ways & Means.

THOMAS HOEMANN, Secretary of the Senate

March 26, 2007

SHB 2361 Prime Sponsor, Committee on Commerce & Labor: Regarding collective bargaining for certain employees of institutions of higher education and related boards. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Franklin, Murray and Prentice

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

1041-S
Committee Report 1

1052-S
Committee Report 1

1231
Committee Report 2

1235
Committee Report 2

1236
Committee Report 2

1270
Committee Report 2

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Committee Report 2

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Committee Report 2

1407-S
Committee Report 2

1432-S2
Committee Report 2

1464-S
Committee Report 2

1512-S
Committee Report 2

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Committee Report 2

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Committee Report 3

1848-S
Committee Report 3

1953-S
Committee Report 3

2009
Committee Report 3

2010-S
Committee Report 3

2026
Committee Report 3

2073-S
Committee Report 3

2137
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2154
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2209-S
Committee Report 3

2263
Committee Report 4

2283
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2286-S
Committee Report 4

2304-S
Committee Report 4

2361-S
Committee Report 4

6168
Introduction & 1st Reading 4

8671
Adopted 1
Introduced 1

PRESIDENT OF THE SENATE
Intro. Special Guest, Consular Assoc. of WA 1