

EIGHTH DAY**NOON SESSION**

Senate Chamber, Olympia, January 17, 2005

The Senate was called to order at 12:00 noon by President Owen. No roll call was taken.

MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

MOTION

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

MESSAGE FROM THE HOUSE

January 14, 2005

MR. PRESIDENT:

The House has adopted:
SENATE CONCURRENT RESOLUTION NO. 8400
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

SIGNED BY THE PRESIDENT

The President has signed:
SENATE CONCURRENT RESOLUTION NO. 8400,

MOTION

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

INTRODUCTION AND FIRST READING

SB 5151 by Senators Franklin, Oke, Regala, Benton, Rasmussen, Roach, Eide, Haugen, Berkey, Kline and Fairley

AN ACT Relating to disposition of surplus property by a metropolitan park district; amending RCW 35.61.132 and 35.61.132; providing an effective date; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SB 5152 by Senators Zarelli, Pridemore and Stevens

AN ACT Relating to comprehensive plan amendments; and amending RCW 36.70A.130.

Referred to Committee on Government Operations & Elections.

SB 5153 by Senators Pridemore and Kline

AN ACT Relating to the implementation of a local surcharge on consumer fireworks to support enforcement of consumer fireworks regulations by counties, cities, and towns; and creating new sections.

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

SB 5154 by Senators Pridemore and Zarelli

AN ACT Relating to the leasehold excise tax exemption for certain historical property; and amending RCW 35.21.755.

Referred to Committee on Government Operations & Elections.

SB 5155 by Senators Morton, Mulliken, Roach, Hewitt, Swecker, Parlette, Carrell, Schoesler, Delvin, Benson, Honeyford and Deccio

AN ACT Relating to noxious weeds; and amending RCW 17.10.145.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5156 by Senators Morton, Swecker, Oke, Deccio, Stevens, Honeyford, Mulliken and Hewitt

AN ACT Relating to governmental consensus processes; adding a new section to chapter 42.17 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5157 by Senators Regala, Carrell, Kline, Roach, Zarelli, Kastama, Oke, Franklin, Brandland, McCaslin and Shin

AN ACT Relating to local law enforcement automatic fingerprint identification systems; amending RCW 43.43.570; and creating a new section.

Referred to Committee on Judiciary.

SB 5158 by Senators Keiser, Brandland, Kastama, Parlette and Benson

AN ACT Relating to making certain provisions in the uniform health care information act consistent with the health insurance portability and accountability act privacy regulation, by addressing the period of validity of an authorization, accounting for disclosures, reporting of criminal activities, sharing quality improvement information, and modifying provisions on payment for health care, health care operations, and related definitions; and amending RCW 70.02.010, 70.02.020, 70.02.030, and 70.02.050.

Referred to Committee on Health & Long-Term Care.

SB 5159 by Senator Keiser

AN ACT Relating to fees for performing independent reviews of health care disputes; and amending RCW 43.70.235.

Referred to Committee on Health & Long-Term Care.

SB 5160 by Senators Eide, Swecker, Berkey and Regala

AN ACT Relating to the use of a wireless communications device while operating a motor vehicle; adding a new section

to chapter 46.61 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5161 by Senators Eide and Swecker

AN ACT Relating to accident reports; and amending RCW 46.52.030 and 46.52.060.

Referred to Committee on Transportation.

SB 5162 by Senators Zarelli, Benton, Sheldon and Oke

AN ACT Relating to a small trailer license fee; adding a new section to chapter 46.16 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5163 by Senators Haugen, Jacobsen, Spanel and Kline

AN ACT Relating to eliminating the handling loss deduction for the motor vehicle fuel tax; repealing RCW 82.36.029; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

SB 5164 by Senators Haugen, Oke, Jacobsen, Swecker, Poulsen, Spanel and Shin

AN ACT Relating to impact fees imposed by the department of transportation; reenacting and amending RCW 43.79A.040; and adding a new section to chapter 47.04 RCW.

Referred to Committee on Transportation.

SB 5165 by Senators Kline, Brandland, Roach, Stevens, Regala, Shin, Keiser, McCaslin and Thibaudeau

AN ACT Relating to expansion of the DNA identification system; amending RCW 43.43.735, 43.43.754, 43.43.7532, and 46.63.110; adding a new section to chapter 43.43 RCW; adding a new section to chapter 9.94A RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SB 5166 by Senators Hargrove, Stevens, Kline, Hewitt, Regala, Zarelli, Brandland, Roach, Carrell, McCaslin and Shin

AN ACT Relating to studying electronic monitoring as an alternative to incarceration; creating new sections; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 5167 by Senator Hargrove

AN ACT Relating to firearm noise suppressors; and amending RCW 9.41.250.

Referred to Committee on Judiciary.

SB 5168 by Senators Hargrove and Shin

AN ACT Relating to volunteer ambulance personnel; and amending RCW 35A.11.110.

Referred to Committee on Government Operations & Elections.

SB 5169 by Senators Hargrove and Shin

AN ACT Relating to the carry over of funds for biotoxin testing and monitoring; amending RCW 77.32.555; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5170 by Senators Carrell, Rasmussen, Rockefeller and Shin

AN ACT Relating to conduct of law enforcement officers; adding a new section to chapter 43.43 RCW; and adding a new chapter to Title 10 RCW.

Referred to Committee on Judiciary.

SB 5171 by Senators Carrell, Rockefeller, Rasmussen, Shin, Schoesler, Delvin and McAuliffe

AN ACT Relating to enhancing school safety through information sharing between schools and juvenile justice and care agencies; and amending RCW 13.50.050.

Referred to Committee on Human Services & Corrections.

SB 5172 by Senators Johnson, Kline, Esser and Weinstein

AN ACT Relating to the revised uniform arbitration act; amending RCW 3.46.150, 3.50.800, 3.50.805, 15.49.071, 35.20.010, 35.22.425, 35.23.555, 35.27.515, 35.30.100, 35A.11.200, 46.96.150, 49.66.090, 59.18.320, 59.18.330, 59.20.260, 59.20.270, and 70.87.205; adding a new chapter to Title 7 RCW; repealing RCW 7.04.010, 7.04.020, 7.04.030, 7.04.040, 7.04.050, 7.04.060, 7.04.070, 7.04.080, 7.04.090, 7.04.100, 7.04.110, 7.04.120, 7.04.130, 7.04.140, 7.04.150, 7.04.160, 7.04.170, 7.04.175, 7.04.180, 7.04.190, 7.04.200, 7.04.210, and 7.04.220; and providing an effective date.

Referred to Committee on Judiciary.

SB 5173 by Senators Johnson, Weinstein, Esser and Kline

AN ACT Relating to the uniform mediation act; amending RCW 7.75.050, 26.09.015, 35.63.260, and 48.43.055; reenacting and amending RCW 42.17.310; adding a new chapter to Title 7 RCW; repealing RCW 5.60.070 and 5.60.072; and providing an effective date.

Referred to Committee on Judiciary.

SB 5174 by Senators Shin, Schmidt, Kohl-Welles, Rasmussen, Kline, Keiser, Roach, Doumit, Regala, Berkey, Pflug, McAuliffe, Franklin and Eide

AN ACT Relating to providing a source of funding for customized work force training; amending RCW 43.163.020; adding a new section to chapter 82.32 RCW; and adding a new chapter to Title 28C RCW.

Referred to Committee on International Trade & Economic Development.

SB 5175 by Senators Shin, Schmidt, Kohl-Welles, Rasmussen, Rockefeller, Eide, Kline, Roach, Berkey, Doumit and McAuliffe

AN ACT Relating to excise tax incentives for international

companies investing in Washington; adding a new section to chapter 43.330 RCW; and creating a new section.

Referred to Committee on International Trade & Economic Development.

SB 5176 by Senators Shin, Doumit, Rasmussen, Eide, Roach and Berkey

AN ACT Relating to department of community, trade, and economic development programs; amending RCW 43.21J.010, 43.63A.230, 43.168.020, 43.168.040, 43.168.050, 43.168.060, 43.168.070, 43.168.090, 43.168.100, 43.168.130, 43.168.150, 43.330.050, 43.330.060, 43.330.090, 43.330.092, 47.36.330, and 43.31.522; creating a new section; repealing RCW 43.31.057, 43.31.145, 43.31.390, 43.31.403, 43.31.406, 43.31.409, 43.31.411, 43.31.414, 43.31.417, 43.31.526, 43.31.800, 43.31.805, 43.31.810, 43.31.820, 43.31.830, 43.31.832, 43.31.833, 43.31.834, 43.31.840, 43.31.850, 43.63A.240, 43.63A.245, 43.63A.247, 43.63A.249, 43.63A.265, 43.63A.270, 43.63A.715, 43.160.115, 43.160.180, 43.165.010, 43.168.031, 43.170.010, 43.170.020, 43.170.030, 43.170.040, 43.170.060, 43.170.070, 43.172.005, 43.172.010, 43.172.011, 43.172.020, 43.172.030, 43.172.040, 43.172.050, 43.172.060, 43.172.070, 43.172.080, 43.172.090, 43.172.100, 43.172.110, 43.172.120, 43.172.900, 43.172.901, 43.172.902, 43.172.903, 43.330.180, 43.21A.670, 43.23.240, 43.30.470, 43.70.450, 77.12.750, 79A.05.350, and 90.71.090; providing an effective date; and declaring an emergency.

Referred to Committee on International Trade & Economic Development.

SB 5177 by Senators Swecker, Jacobsen, Haugen and Oke

AN ACT Relating to transportation benefit districts; amending RCW 36.73.020, 36.73.040, 36.73.050, 36.73.060, 36.73.070, 36.73.080, 36.73.100, 36.73.110, 36.73.120, 36.73.130, 36.73.140, 36.73.150, 82.14.060, 35.21.225, 47.56.075, and 82.80.030; reenacting and amending RCW 82.14.050; adding new sections to chapter 36.73 RCW; adding a new section to chapter 82.14 RCW; adding new sections to chapter 82.80 RCW; adding a new section to chapter 47.56 RCW; and providing an effective date.

Referred to Committee on Transportation.

SB 5178 by Senators Kastama, Keiser, Benson and Brandland

AN ACT Relating to licensing specialty hospitals; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committee on Health & Long-Term Care.

SB 5179 by Senators Morton, Jacobsen, Sheldon and Stevens

AN ACT Relating to forest health; amending 2004 c 218 s 4 (uncodified); and providing an expiration date.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5180 by Senators Kastama, Roach, Sheldon and Shin

AN ACT Relating to the Washington economic development finance authority; amending RCW 43.163.210; and reenacting and amending RCW 43.163.130.

Referred to Committee on Government Operations & Elections.

SB 5181 by Senators Rasmussen, Esser, Kastama and Benson

AN ACT Relating to ownership of vehicle parts used in reconstruction; and amending RCW 46.12.030.

Referred to Committee on Transportation.

SB 5182 by Senators Franklin and Sheldon

AN ACT Relating to single burial use of multiple internment space; and adding a new section to chapter 68.05 RCW.

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

SB 5183 by Senators Franklin, Thibaudeau, Rockefeller, Kastama, Fraser, Keiser, Regala, Weinstein, Hargrove, Doumit, Shin, Brandland, Kline, Kohl-Welles, Poulsen, Jacobsen and McAuliffe

AN ACT Relating to tax relief to promote affordable housing; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; and adding a new section to chapter 82.45 RCW.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5184 by Senators Franklin, Carrell, Brandland, Regala and Rasmussen

AN ACT Relating to law enforcement services at residential habilitation centers and state hospitals; adding a new section to chapter 35.21 RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5185 by Senators Franklin and Kline

AN ACT Relating to the legal presumption from certification of medical records; and amending RCW 70.02.070.

Referred to Committee on Health & Long-Term Care.

SB 5186 by Senators Franklin, Kohl-Welles, Keiser, Rockefeller, Doumit, Kline, Regala, McAuliffe, Poulsen, Fraser and Jacobsen

AN ACT Relating to increasing the physical activity of Washington citizens; amending RCW 70.38.015, 36.70A.070, 36.81.121, 43.17.250, 28A.300.040, and 28A.320.015; reenacting and amending RCW 35.77.010 and 79A.05.030; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5187 by Senators Franklin, Thibaudeau, Rockefeller, Keiser, Kline and Jacobsen

AN ACT Relating to guardianship bond requirements; and amending RCW 11.88.105.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5188 by Senators Franklin, Thibaudeau, Kohl-Welles, Keiser, Kline, Rasmussen, Fairley, Jacobsen and McAuliffe

AN ACT Relating to the children's environmental health and protection advisory council; creating new sections; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 5189 by Senators Franklin, Thibaudeau, Keiser, Regala, Doumit, Rockefeller, Brown, Kline, Fairley, Rasmussen, McAuliffe, Fraser, Prentice, Jacobsen, Poulsen and Kohl-Welles

AN ACT Relating to lead-based paint activities; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SB 5190 by Senators Fraser, Schoesler, Rasmussen and Swecker

AN ACT Relating to adulteration of commercial feed; amending RCW 15.53.902 and 15.53.904; and prescribing penalties.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5191 by Senators Weinstein, Esser, McAuliffe, Swecker, Eide, Poulsen, Brown, Kastama, Schmidt, Spanel, Berkey, Rockefeller, Rasmussen, Jacobsen, Kline and Kohl-Welles

AN ACT Relating to an education finance study; creating a new section; providing an expiration date; and declaring an emergency.

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

SB 5192 by Senators Delvin, Fraser and Regala

AN ACT Relating to city and county disability boards; amending RCW 41.26.110; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5193 by Senators Pflug, Regala, Parlette and Fraser

AN ACT Relating to the membership of the executive committee of the select committee on pension policy; and amending RCW 41.04.276.

Referred to Committee on Ways & Means.

SB 5194 by Senators Franklin, Benton and Keiser

AN ACT Relating to the United States longshore and harbor workers' compensation account in the Washington insurance guaranty association; amending RCW 48.32.010, 48.32.020, 48.32.030, 48.32.040, 48.32.050, 48.32.060, and 48.32.100; and declaring an emergency.

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

SB 5195 by Senators Fairley, Benton, Keiser, Benson and Berkey

AN ACT Relating to adopting the interstate insurance product regulation compact; and adding a new chapter to Title 48 RCW.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5196 by Senators Fairley, Benton, Keiser, Benson, Franklin and Berkey

AN ACT Relating to insurable interests and employer-owned life insurance; amending RCW 48.18.010, 48.18.030, and 48.18.060; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5197 by Senators Fairley, Benton, Keiser, Franklin and Berkey

AN ACT Relating to the administrative supervision of financially distressed insurers; amending RCW 48.31.020 and 48.31.115; and adding new sections to chapter 48.31 RCW.

Referred to Committee on Financial Institutions, Housing & Consumer Protection.

SB 5198 by Senators Keiser, Brandland and Berkey

AN ACT Relating to the implementation of changes to medicare supplement insurance requirements as mandated by the medicare modernization act of 2003 and other federal requirements; amending RCW 48.66.020, 48.66.045, 48.66.055, and 48.66.130; adding a new section to chapter 48.66 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SJM 8001 by Senators Fraser, McCaslin, Kohl-Welles, Franklin, Brown and Kline

Urging adoption of a treaty fighting discrimination against women.

Referred to Committee on Judiciary.

SJR 8203 by Senators Franklin, Kline and Kohl-Welles

Amending the Constitution to provide for a revenue stabilization fund.

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 with the exception of Senate Bill No. 5155 which was referred to the Committee on Natural Resources, Ocean & Recreation and Senate Bill No. 5174 which was referred to the Committee on International Trade & Economic Development.

MOTION

At 12:05 p.m. on motion of Senator Eide, the Senate adjourned until 11:45 a.m., Tuesday, January 18, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

Draft