

THIRTY-SEVENTH DAY

NOON SESSION

Senate Chamber, Olympia, February 15, 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

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

REPORTS OF STANDING COMMITTEES

SB 5081 Prime Sponsor, Roach: Authorizing monitoring of a child's telephone conversations by a parent or guardian. Reported by Committee on Human Services & Corrections February 14, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5081 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Rules for second reading.

SB 5211 Prime Sponsor, Keiser: Prohibiting pyramid promotional schemes. Reported by Committee on Labor, Commerce, Research & Development February 14, 2005

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Hewitt, Honeyford, Keiser and Parlette

Passed to Committee on Ways & Means.

SB 5236 Prime Sponsor, Kohl-Welles: Providing additional funding to the prevailing wage program of the department of labor and industries by discontinuing the transfer of moneys from the public works administration account to the general fund-state account. Reported by Committee on Labor, Commerce, Research & Development February 14, 2005

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Hewitt, Honeyford, Keiser and Parlette

Passed to Committee on Ways & Means.

SB 5237 Prime Sponsor, Keiser: Requiring mandatory electronic data reporting under Title 51 RCW for workers' compensation self-insurers. Reported by Committee on Labor, Commerce, Research & Development February 14, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5237 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Hewitt, Honeyford, Keiser and Parlette

Passed to Committee on Rules for second reading.

SB 5256 Prime Sponsor, Hargrove: Revising provisions relating to the use of risk assessments in the supervision of offenders who committed misdemeanors and gross misdemeanors. Reported by Committee on Human Services & Corrections February 14, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5256 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe, Stevens and Thibaudeau

Passed to Committee on Rules for second reading.

SB 5257 Prime Sponsor, Hargrove: Revising provisions relating to mental health treatment for minors. Reported by Committee on Human Services & Corrections February 14, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5257 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Rules for second reading.

February 14, 2005

SB 5274 Prime Sponsor, Keiser: Establishing a trainee real estate appraiser classification. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: Do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Hewitt, Honeyford, Keiser and Parlette

Passed to Committee on Rules for second reading.

February 14, 2005

SB 5282 Prime Sponsor, Kline: Clarifying earned release provisions that apply to city and county jails. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5282 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, McAuliffe, Stevens and Thibaudeau

MINORITY recommendation: Do not pass. Signed by Senator Carrell

Passed to Committee on Rules for second reading.

February 14, 2005

SB 5309 Prime Sponsor, Kohl-Welles: Revising the definition of "abuse of a supervisory position." Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5309 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Rules for second reading.

February 14, 2005

SB 5320 Prime Sponsor, Hargrove: Authorizing the certification of corrections officers. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5320 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe, Stevens and Thibaudeau

Passed to Committee on Ways & Means.

February 14, 2005

SB 5429 Prime Sponsor, Carrell: Requiring written justification when a risk assessment is reduced. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5429 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe, Stevens and Thibaudeau

Passed to Committee on Ways & Means.

February 14, 2005

SB 5582 Prime Sponsor, Regala: Clarifying how demographic factors are used with regard to sexually violent predators. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe, Stevens and Thibaudeau

Passed to Committee on Rules for second reading.

February 14, 2005

SB 5631 Prime Sponsor, Regala: Changing provisions relating to inmate work programs. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5631 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe, Stevens and Thibaudeau

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5320 and Senate Bill No. 5429 which were referred to the Committee on Ways & Means.

MOTION

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

MESSAGES FROM THE STATE OFFICES

February 11, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Department of Social & Health Services submitted its report entitled "Washington State Kinship Oversight Committee Report." This report is mandated under Chapter 284, Laws of 2003, RCW 74.13.620.

If you have any questions about the report, please call Deborah Reed at 902-7953.

Sincerely,
Dennis Braddock, Secretary

The Department of Social & Health Services submitted its report entitled "Washington State Kinship Oversight Committee Report" is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

February 11, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Washington State Auditor's Office Accountability Audit Report of Clover Park Technical College.

If you have any questions about the report, please call Washington State Auditor's Office.

Sincerely,
Brian Sonntag, State Auditor

The Washington State Auditor's Office Accountability Audit Report of Clover Park Technical College is on file in the Office of the Secretary of the Senate.

MOTION

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

MESSAGE FROM THE HOUSE

February 14, 2005

MR. PRESIDENT:

The House has passed the following bill {s}:

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1242,
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 5922 by Senators Stevens, Hargrove, Roach, Schmidt, Zarelli, Carrell and Finkbeiner

AN ACT Relating to investigations of child abuse or neglect; amending RCW 26.44.030, 26.44.100, 26.44.110, 26.44.115, 26.44.120, and 13.34.062; adding a new section to chapter 43.20A RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5923 by Senator Kastama

AN ACT Relating to timelines for required comprehensive plan and development regulation updates; and amending RCW 36.70A.130.

Referred to Committee on Government Operations & Elections.

SB 5924 by Senators Thibaudeau, Fairley, Keiser, Doumit, Jacobsen and Rasmussen

AN ACT Relating to centralized technology assessment pilot project; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5925 by Senators Rasmussen, Finkbeiner, Sheldon, Kastama, Shin, Hewitt, Delvin and Mulliken

AN ACT Relating to the small business incubator program; and amending RCW 43.176.030.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5926 by Senators McAuliffe, Schmidt, Pridemore, Kohl-Welles, Rockefeller, Shin and Schoesler

AN ACT Relating to the advanced college tuition payment program; amending RCW 28B.95.020, 28B.95.030, 28B.95.090, 28B.95.110, and 6.15.010; and adding a new section to chapter 28B.95 RCW.

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

SB 5927 by Senators Kastama, Schmidt, Benson and Rockefeller

AN ACT Relating to the date of the primary election; amending RCW 29A.04.311, 29A.04.321, 29A.04.330, 29A.24.040, 29A.24.050, 29A.24.171, 29A.24.181, 29A.24.191, 29A.24.211, 29A.40.070, 29A.52.011, 29A.56.030, 29A.60.190, 29A.64.070, 27.12.355, 27.12.370, 35.06.070, 35.13.1821, 35.61.360, 35A.14.299, 36.93.030, 42.12.040, 42.17.080, 42.17.710, 52.02.080, 52.04.056, 52.04.071, 53.04.110, 54.08.010, 54.08.070, 57.04.050, and 70.44.235; repealing RCW 29A.04.158; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5928 by Senators Haugen, Stevens and Kline

AN ACT Relating to the advisory committee of the office of public defense; and amending RCW 2.70.030.

Referred to Committee on Judiciary.

SB 5929 by Senator Rockefeller

AN ACT Relating to cancellation of intermediate drivers' licenses upon a second conviction or traffic infraction; and amending RCW 46.20.267 and 46.20.055.

Referred to Committee on Transportation.

SB 5930 by Senators Kastama and Mulliken

AN ACT Relating to establishing compliance tiers for review and revision requirements mandated by RCW 36.70A.130; amending RCW 36.70A.130; providing an effective date; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SB 5931 by Senator Fraser

AN ACT Relating to protecting human health and the environment; amending RCW 52.12.150; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Water, Energy & Environment.

SB 5932 by Senators Esser and Schmidt

AN ACT Relating to housing allowances for public school teachers; amending RCW 28A.400.200, 84.52.0531, 84.52.0531, 41.32.010, 41.40.010, 41.40.010, and 41.35.010; adding a new section to chapter 28A.400 RCW; adding a new section to chapter 28A.500 RCW; adding a new section to chapter 84.52 RCW; creating a new section; providing effective dates; and providing expiration dates.

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

SB 5933 by Senators Schmidt, Schoesler, Finkbeiner, Stevens and Oke

AN ACT Relating to improving opportunities to develop outdoor recreational ballfields on agricultural land; amending RCW 79A.25.800, 79A.25.820, 36.70A.060, 36.70A.177, and 90.58.100; adding a new section to chapter 36.70A RCW; adding a new section to chapter 90.58 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SB 5934 by Senators Parlette and Jacobsen

AN ACT Relating to the relief of the Wenatchi Indians by providing for their ceremonial and subsistence fishing in designated areas; adding a new section to chapter 77.12 RCW; and creating a new section.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5935 by Senators Kohl-Welles, Schmidt, Parlette, Brown and Jacobsen

AN ACT Relating to a graduate job placement pilot program; adding a new section to chapter 50.12 RCW; and providing an expiration date.

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

SB 5936 by Senators Kastama, Rockefeller and Esser

AN ACT Relating to the preservation of claim rights of a contractor, subcontractor, or supplier on construction contracts; amending RCW 4.24.370 and 4.24.380; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Government Operations & Elections.

SB 5937 by Senators Mulliken, Jacobsen, Hewitt and Schoesler

AN ACT Relating to the designation of water quality use-based standards for federal reclamation projects; and amending RCW 90.48.540.

Referred to Committee on Water, Energy & Environment.

SB 5938 by Senators Rasmussen, Schmidt, McAuliffe, Berkey, Jacobsen, Kohl-Welles, Regala and Shin

AN ACT Relating to equitable opportunity for all; creating new sections; and providing an expiration date.

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

SB 5939 by Senators Fairley, Delvin, Kohl-Welles, Rockefeller, Oke, Rasmussen and Shin

AN ACT Relating to providing police reports to victims of identity theft; and amending RCW 19.182.160.

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

SB 5940 by Senators Thibaudeau, Fraser and Kohl-Welles

AN ACT Relating to conservation of the state art collection; and amending RCW 28A.335.210, 28B.10.025, 28B.10.027, 43.17.200, 43.17.210, and 43.19.455.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1048 by Representatives Linville, Jarrett, McIntire, Ericksen, Rodne and Clibborn

AN ACT Relating to the submittal of local government tax estimates to counties; and amending RCW 84.52.020.

Referred to Committee on Government Operations & Elections.

ESHB 1062 by Representatives Morris, Hudgins and Chase

AN ACT Relating to energy efficiency; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Water, Energy & Environment.

HB 1081 by Representatives McDonald, O'Brien, Morrell and Pearson

AN ACT Relating to requiring prehire screening for law enforcement applicants; amending RCW 43.101.080, 43.101.095, 43.101.105, and 43.43.020; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Judiciary.

SHB 1113 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Wallace, Jarrett, Fromhold, Armstrong, Moeller, Lovick, Morrell, Kilmer, Dickerson, Appleton, Wood, Ormsby, Sells and Chase)

AN ACT Relating to traffic control signal preemption devices; amending RCW 46.37.190 and 46.63.020; reenacting and amending RCW 9.94A.515; adding a new section to chapter 46.04 RCW; adding new sections to chapter 46.61 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1130 by Representatives Nixon, Haigh, Kenney and Shabro

AN ACT Relating to inspection of political candidates' contributions and expenditures; and amending RCW 42.17.080.

Referred to Committee on Government Operations & Elections.

HB 1138 by Representatives Ericksen and Holmquist

AN ACT Relating to the imposition of fees related to the use of automated teller machines; and adding a new chapter to Title 19 RCW.

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

EHB 1146 by Representatives Roach, Kirby and Simpson

AN ACT Relating to funding group life insurance; and amending RCW 48.24.020 and 48.24.030.

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

ESHB 1242 by Representatives Linville, Jarrett, Miloscia, Tom, Haigh, Sommers, Pettigrew, Pearson, Clibborn, Kristiansen, O'Brien, Orcutt, Quall, Morris, Lantz, Wallace, Kagi, Grant, Morrell, Chase, Springer, Lovick, Kessler, Dunshee, Appleton, P. Sullivan, Kilmer, Hunter, Upthegrove, Williams, Roberts, Dickerson, Sells, Eickmeyer, Nixon, Kenney and Ormsby

AN ACT Relating to focusing the state budgeting process on outcomes and priorities; amending RCW 43.88.090 and 43.88.030; adding a new section to chapter 43.88 RCW; and creating a new section.

Referred to Committee on Ways & Means.

HB 1515 by Representatives Murray, Hankins, Walsh, Jarrett, McDermott, Grant, Linville, Upthegrove, Quall, Moeller, Tom, Appleton, Schual-Berke, Darneille, Clibborn, Hunter, Flannigan, Simpson, Williams, Hunt, Hudgins, B. Sullivan, Haigh, Chase, Wood, Cody, Sommers, Kenney, Dickerson, McIntire, Hasegawa, Santos and Ormsby

AN ACT Relating to the jurisdiction of the Washington human rights commission; amending RCW 49.60.010, 49.60.020, 49.60.030, 49.60.040, 49.60.120, 49.60.130, 49.60.175, 49.60.176, 49.60.178, 49.60.180, 49.60.190, 49.60.200, 49.60.215, 49.60.223, 49.60.224, 49.60.225, and 48.30.300; and reenacting and amending RCW 49.60.222.

Held on First Reading.

HB 1625 by Representatives Clibborn, Condotta, Lantz, Armstrong, Morrell, Hinkle, Buri, Bailey, Grant, Pettigrew, Linville, Priest, Moeller, Simpson, Williams, Tom, Ericks, P. Sullivan, Darneille, Kilmer, Kagi, Hunter, O'Brien, Jarrett and Morris

AN ACT Relating to employer disclosure of employee information; and adding a new section to chapter 4.24 RCW.

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

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. 5936 which was referred to the Committee on Government Operations & Elections and House Bill No. 1515 which was held at the desk.

MOTION

At 12:04 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Wednesday, February 16, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

Original