

FIFTY-FOURTH DAY**MORNING SESSION**

Senate Chamber, Olympia, Friday, March 4, 2005

The Senate was called to order at 9:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present except Senator Oke.

The Sergeant at Arms Color Guard consisting of Pages Anna Griffith and Anthony Hogan, presented the Colors. Pastor Robert Luhn of the Othello Nazarene 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

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

REPORTS OF STANDING COMMITTEES

March 2, 2005

SB 5056 Prime Sponsor, Haugen: Creating the department of archaeology and historic preservation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5056 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Kohl-Welles, Parlette, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 2, 2005

SB 5060 Prime Sponsor, Haugen: Regulating automated traffic safety cameras. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5060 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Kastama, Oke, Spanel, Swecker and Weinstein

MINORITY recommendation: MMR Signed by Senators Benson, Esser and Mulliken

Passed to Committee on Rules for second reading.

March 2, 2005

SB 5262 Prime Sponsor, Haugen: Providing administrative review before the suspension of driving privileges. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5262 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

March 2, 2005

SB 5414 Prime Sponsor, Haugen: Continuing funding of airport maintenance. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5414 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

MINORITY recommendation: Without recommendation. Signed by Senators Benson and Esser

Passed to Committee on Rules for second reading.

March 2, 2005

SB 5420 Prime Sponsor, Regala: Modifying restrictions on children riding motorcycles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5420 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Kastama, Oke, Spanel, Swecker and Weinstein

MINORITY recommendation: MMR Signed by Senators Benson, Esser and Mulliken

Passed to Committee on Rules for second reading.

March 2, 2005

SB 5497 Prime Sponsor, Delvin: Allowing terminally ill members to remove themselves from their retirement plan. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5497 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 2, 2005

SB 5729 Prime Sponsor, Rockefeller: Considering prepurchase of multiple ferry fares. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5729 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

March 2, 2005

SB 6003 Prime Sponsor, Jacobsen: Modifying the commute trip reduction tax credit. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Kastama, Oke, Spanel, Swecker and Weinstein

MINORITY recommendation: Do not pass. Signed by Senators Benson, Esser and Mulliken

Passed to Committee on Rules for second reading.

March 2, 2005

SB 6012 Prime Sponsor, Spanel: Making transportation services an authorized purpose for parking and business improvement areas. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Esser, Kastama, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

MOTION

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

MOTION

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

MESSAGES FROM THE STATE OFFICES

March 1, 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 Children's Administration Performance Report 2004. This report is mandated under RCW 43.20A.870 and RCW 74.13.031.

If you have any questions about the report, please call 360-902-7953.

Sincerely,

Dennis Braddock, Secretary

The Children's Administration Performance Report 2004 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.

MESSAGES FROM THE HOUSE

March 3, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:
SECOND SUBSTITUTE HOUSE BILL NO. 1050,
SUBSTITUTE HOUSE BILL NO. 1058,
HOUSE BILL NO. 1085,
SUBSTITUTE HOUSE BILL NO. 1197,
SUBSTITUTE HOUSE BILL NO. 1528,
SUBSTITUTE HOUSE BILL NO. 1847,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MR. PRESIDENT:

The Speaker has signed:

SUBSTITUTE HOUSE BILL NO. 1014,
SUBSTITUTE HOUSE BILL NO. 1154,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

SIGNED BY THE PRESIDENT

SUBSTITUTE HOUSE BILL NO. 1014,
SUBSTITUTE HOUSE BILL NO. 1154

March 3, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1607,
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

March 3, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:
SUBSTITUTE HOUSE BILL NO. 1100,
HOUSE BILL NO. 1110,
HOUSE BILL NO. 1128,
SUBSTITUTE HOUSE BILL NO. 1137,
HOUSE BILL NO. 1140,
HOUSE BILL NO. 1145,
SUBSTITUTE HOUSE BILL NO. 1147,
HOUSE BILL NO. 1170,
HOUSE BILL NO. 1180,
HOUSE BILL NO. 1184,
HOUSE BILL NO. 1232,
HOUSE BILL NO. 1237,
HOUSE BILL NO. 1238,
SUBSTITUTE HOUSE BILL NO. 1257,
HOUSE BILL NO. 1270,
HOUSE BILL NO. 1297,
HOUSE BILL NO. 1356,
HOUSE BILL NO. 1396,
SUBSTITUTE HOUSE BILL NO. 1398,
HOUSE BILL NO. 1405,
HOUSE BILL NO. 1479,
HOUSE BILL NO. 1555,
HOUSE JOINT RESOLUTION NO. 4201,
and the same are 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 6077 by Senators Rasmussen, Schoesler, Mulliken and Parlette

AN ACT Relating to providing a sales tax exemption for trail grooming on state-owned land; and adding a new section to chapter 82.08 RCW.

Referred to Committee on Ways & Means.

SB 6078 by Senators Regala and Kohl-Welles

AN ACT Relating to state expenditure limitations; amending RCW 43.135.03901, 43.135.080, 82.32.470, 43.135.010,

43.135.025, and 43.135.035; reenacting and amending RCW 43.135.035; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6079 by Senators Schmidt, Zarelli, Hewitt and Mulliken

AN ACT Relating to the role of the pension funding council; amending RCW 41.04.281, 41.45.030, 41.45.035, 41.45.060, 41.45.100, and 41.45.120; reenacting and amending RCW 41.45.060; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

2SHB 1050 by House Committee on Appropriations (originally sponsored by Representatives Kenney, Hinkle, Kagi, Dunn, Quall, Clements, Morrell, McIntire, Schual-Berke, Haigh, Simpson, Linville, Santos and Chase)

AN ACT Relating to the creation of a foster care endowed scholarship program; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 28B RCW.

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

SHB 1058 by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, Hinkle, Moeller, Kenney and Darneille)

AN ACT Relating to mental health treatment for minors; and amending RCW 71.34.042, 71.34.052, 71.34.054, 71.34.025, 71.34.162, and 71.34.270.

Referred to Committee on Human Services & Corrections.

HB 1085 by Representatives Linville, Kristiansen and Pettigrew

AN ACT Relating to milk and milk products; amending RCW 15.36.051, 15.36.231, and 15.36.241; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Rural Economic Development.

SHB 1197 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Roach and Kirby)

AN ACT Relating to insurance; amending RCW 48.02.180, 48.05.340, 48.11.100, 48.11.140, 48.14.010, 48.14.0201, 48.17.150, 48.18.100, 48.18.103, 48.18.430, 48.21.047, 48.23.010, 48.24.030, 48.29.010, 48.29.020, 48.29.120, 48.29.130, 48.29.170, 48.30.300, 48.30A.045, 48.30A.060, 48.30A.065, 48.31.100, 48.38.030, 48.44.240, 48.66.020, 48.66.045, 48.66.055, 48.66.130, 48.92.120, 48.98.015, 48.110.030, and 48.110.040; adding a new section to chapter 48.66 RCW; and repealing RCW 48.05.360, 48.29.030, 48.29.060, 48.29.070, 48.29.090, 48.29.100, 48.29.110, and 48.34.910.

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

SHB 1528 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Kirby, Priest, Simpson, Newhouse, Cody, Serben and Schual-Berke)

AN ACT Relating to escrow accounts required of self-funded multiple employer welfare arrangements; amending RCW 48.14.0201 and 48.41.060; and declaring an emergency.

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

SHB 1847 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, McDermott, Jarrett, Miloscia, Nixon, Green, Wallace and Hunt)

AN ACT Relating to the statute law committee; amending RCW 1.08.001, 1.08.003, 1.08.005, 1.08.007, and 1.08.011; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

MOTION

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

MOTION

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

SECOND READING

SENATE BILL NO. 5348, by Senators Pridemore, Kastama, Fraser and Kline

Authorizing certain PUDs to operate an electrical appliance repair service.

MOTION

On motion of Senator Poulsen, Substitute Senate Bill No. 5348 was substituted for Senate Bill No. 5348 and the substitute bill was placed on the second reading and read the second time.

MOTION

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

On page 2, after line 9, insert the following:

“**NEW SECTION. Sec. 3.** A new section is added to chapter 54.16 RCW to read as follows:

When a public utility district provides electrical appliance repair services under section 2 of this act, the public utility district shall:

(1) Charge customers the true and fair cost for the services;

(2) Keep records documenting the revenues and expenditures for the performance of the services.”

Senator Pridemore spoke in favor of adoption of the amendment.

Senator Morton spoke on adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Pridemore on page 2, line 9 to Substitute Senate Bill No. 5348.

MOTION

On motion of Senator Hewitt, Senators Oke and Benton were excused.

The motion by Senator Pridemore carried and the 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 "adding" strike "a new section" and insert "new sections"

PARLIAMENTARY INQUIRY

Senator Zarelli: "I presented a second amendment on this measure, Mr. President and it's not on the desk yet. I ask that we hold off on rolling this to third reading until we receive that amendment on our desk."

MOTION

On motion of Senator Mulliken, Senator Pflug was excused.

MOTION

Senator Zarelli moved that the following amendment by Senator Zarelli be adopted:

On page 2, line 9, after "territory." insert "However, the public utility district may only repair electrical appliances that are: (1) Used for heating purposes; (2) more than ten years old; and (3) located within or coming from households at or below eighty percent of the median income as most recently determined by the federal department of housing and urban development for the county in which the household is located."

Senator Zarelli spoke in favor of adoption of the amendment.
Senator Pridemore spoke against adoption of the amendment.

Senator Esser demanded a roll call.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

Senator Benton 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 Zarelli on page 2, line 9, to Substitute Senate Bill No. 5348.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Zarelli and the amendment was not adopted by the following vote: Yeas, 23; Nays, 25; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Brandland, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Parlette, Pflug, Roach, Schmidt, Schoesler, Sheldon, Stevens, Swecker and Zarelli - 23

Voting nay: Senators Berkey, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Shin, Spanel, Thibaudeau and Weinstein - 25

Excused: Senator Oke - 1

MOTION

On motion of Senator Poulsen, the rules were suspended, Engrossed Substitute Senate Bill No. 5348 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Pridemore, Franklin and Poulsen spoke in favor of passage of the bill.

Senators Morton, Honeyford and Pflug, spoke against passage of the bill.

POINT OF INQUIRY

Senator Benton: "Will the Senator from the 34th rise to a question? Thank you. Senator, can you tell me, does this bill tightly restrict this authority to one PUD district or is it broad authority for all PUD district? I guess that's really what we want to know and that makes a big difference I think. You talk about it not being available for you in King County and that's significant. That's why I asked the question. If the bill really restricts the, you don't know, or you don't want to tell us, one of the two."

Senator Poulsen: "Yes, the bill does restrict this to a program that has to have been in existence for ten years. There is only one program that this bill applies to, it's in Clark County."

Senators Mulliken and Zarelli 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. 5348.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5348 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 22; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brandland, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Shin, Spanel, Thibaudeau and Weinstein - 26

Voting nay: Senators Benson, Benton, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Parlette, Pflug, Roach, Schmidt, Schoesler, Sheldon, Stevens, Swecker and Zarelli - 22

Excused: Senator Oke - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5348, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

PERSONAL PRIVILEGE

Senator McCaslin: "I want to congratulate the Senator from the 34th district for using a line that I used back in the early 80's when Senator Jerry Hughes was sitting back there in the corner where Senator Jacobsen sits. After I made a short speech he rose and asked me a lengthy question. I mean a lengthy question. Jerry Hughes was very bright, he was a school teacher. I'm sure that Senator Brown knows him and when he finished up he said, 'Would Senator McCaslin yield to a question?' and I said, 'Mr. President, I yield'. He asked the question and I said 'I said I'd yield, I didn't say I'd answer it.' But I want to compliment the Senator from the 34th for using my line. The only thing is he came up later and explained the question or answered the question to Senator Benton. I didn't do that. I actually didn't know the answer."

SECOND READING

SENATE BILL NO. 5564, by Senators Schmidt, Kastama, Weinstein, Roach, Shin, Rockefeller, Oke and Kohl-Welles

Requiring the secretary of state to prepare a manual of election laws and rules.

The measure was read the second time.

MOTION

On motion of Senator Kastama, the rules were suspended, Senate Bill No. 5564 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kastama spoke in favor of passage of the bill.

Senator McCaslin spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5564.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5564 and the bill passed the Senate by the following vote: Yeas, 38; Nays, 10; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Berkey, Brown, Carrell, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau and Weinstein - 38

Voting nay: Senators Benton, Brandland, Deccio, Delvin, Hewitt, Honeyford, McCaslin, Morton, Stevens and Zarelli - 10

Excused: Senator Oke - 1

SENATE BILL NO. 5564, 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. 5395, by Senators Kastama, Haugen, Roach, Rockefeller, Schmidt, Kohl-Welles, Spanel, Pridemore, Kline, McAuliffe and Franklin

Requiring voting devices to produce paper records.

MOTION

On motion of Senator Kastama, Substitute Senate Bill No. 5395 was substituted for Senate Bill No. 5395 and the substitute bill was placed on the second reading and read the second time.

MOTION

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

On page 1, line 9, after the word "all" strike "poll-site based"

On page 1, line 13, after the word "be" insert "human readable without an interface and"

On page 3, line 8, after the words "in the case of" strike "a poll-site based" and insert "an"

Senators Spanel, Kastama and Roach 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 Spanel and others on page 1, line 9 to Substitute Senate Bill No. 5395.

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

MOTION

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

On page 1, on line 1 of the title, after "requiring", delete the words "poll-site based".

MOTION

On motion of Senator Kastama, the rules were suspended, Engrossed Substitute Senate Bill No. 5395 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kastama and Roach 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. 5395.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5395 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Oke - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5395, 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. 5744, by Senators Haugen, Berkey, Fairley, Sheldon, McAuliffe, Schmidt, Mulliken and Doumit

Authorizing county-wide mail ballot elections.

The measure was read the second time.

MOTION

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

On page 1, after line 3, insert the following:

"NEW SECTION. Sec. 1. The uniform application of election laws, rules, and procedures is of the paramount importance to the citizens of this state. It is the intent of the legislature to make all voting precincts in each county have the same population, as nearly as is practical. This act therefore applies to all counties, including without limitation counties operating under a home rule charter.

Sec. 2. RCW 29A.16.040 and 2004 c 266 s 10 are each amended to read as follows:

The county legislative authority of each county in the state (~~hereafter formed~~) shall (~~at their first session~~) divide their respective counties into election precincts and establish the boundaries of the precincts. Within each county, all precincts must have the same number of active registered voters, as nearly as is practical. The county auditor shall thereupon designate the voting place for each such precinct or whether the precinct is a vote by mail precinct.

(1) Precinct boundaries may be altered at any time as long as sufficient time exists prior to a given election for the necessary procedural steps to be honored. Except as permitted under subsection ~~((5))~~ (3) of this section, no precinct boundaries may be changed during the period starting on the thirtieth day prior to the first day for candidates to file for the primary election and ending with the day of the general election.

(2) The county legislative authority may establish by ordinance a limitation on the maximum number of active registered voters in each precinct within its jurisdiction. ~~(The limitation may be different for precincts based upon the method of~~

voting used for such precincts and the number may be less than the number established by law, but in no case may the number exceed that authorized by law.

~~—(3) Precincts in which voting machines or electronic voting devices are used may contain as many as nine hundred active registered voters. The number of poll-site ballot counting devices at each polling place is at the discretion of the auditor. The number of devices must be adequate to meet the expected voter turnout.~~

~~—(4) On petition of twenty-five or more voters resident more than ten miles from any polling site, the county legislative authority shall establish a separate voting precinct therefor.~~

~~—(5)) (3) The county auditor shall temporarily adjust precinct boundaries when a city or town annexes unincorporated territory to the city or town, or whenever unincorporated territory is incorporated as a city or town. The adjustment must be made as soon as possible after the approval of the annexation or incorporation. The temporary adjustment must be limited to the minimum changes necessary to accommodate the addition of the territory to the city or town, or to establish the eligible voters within the boundaries of the new city or town, and remains in effect only until precinct boundary modifications reflecting the annexation or incorporation are adopted by the county legislative authority.~~

~~((6)) (4) In determining the number of active registered voters for the purposes of this section, persons who are ongoing absentee voters under RCW 29A.40.040 shall not be counted. Nothing in this subsection may be construed as altering the vote tallying requirements of RCW 29A.60.230.~~

Sec. 3. RCW 29A.16.050 and 2003 c 111 s 405 are each amended to read as follows:

(1) Every voting precinct must be wholly within a single congressional district, a single legislative district, a single district of a county legislative authority, and, if applicable, a single city.

(2) Every voting precinct shall be composed, as nearly as practicable, of contiguous and compact areas.

(3) Except as provided in this subsection, changes to the boundaries of any precinct shall follow visible, physical features delineated on the most current maps provided by the United States census bureau. A change need not follow such visible, physical features if (a) it is necessitated by an annexation or incorporation and the proposed precinct boundary is identical to an exterior boundary of the annexed or incorporated area which does not follow a visible, physical feature; ~~((or))~~ (b) doing so would substantially impair election administration in the involved area; or (c) doing so would result in an unequal number of active registered voters among the various precincts of that county.

(4) After a change to precinct boundaries is adopted by the county legislative authority, if the change does not follow visible physical features, the county auditor shall send to the secretary of state an electronic or paper copy of the description, a map or maps of the changes, and a statement of the applicable exception under subsection (3) of this section. For boundary changes made pursuant to subsection (3)(b) of this section, the auditor shall include a statement of the reasons why following visible, physical features would have substantially impaired election administration.

(5) Every voting precinct within each county shall be designated by number for the purpose of preparation of maps and the tabulation of population for apportionment purposes. These precincts may be identified with names or other numbers for other election purposes.

(6) After a change to precinct boundaries in a city or town, the county auditor shall send one copy of the map or maps delineating the new precinct boundaries within that city or town to the city or town clerk.

(7) Precinct maps are public records and shall be available for inspection by the public during normal office hours in the offices where they are kept. Copies shall be made available to the public for a fee necessary to cover the cost of reproduction.

Sec. 4. RCW 29A.16.060 and 2003 c 111 s 406 are each amended to read as follows:

~~((At any special election or primary, the county auditor may combine, unite, or divide precincts and may combine or unite election boards for the purpose of holding such election.))~~ At any general election, the county auditor may combine or unite election boards for the purpose of holding such election, but shall report all election returns by individual precinct."

In line 1 of the title, after "Relating to" strike the remainder of the title and insert "election procedures; amending RCW 29A.16.040, 29A.16.050, 29A.16.060, and 29A.48.010; and creating a new section."

Senators Mulliken and Roach spoke in favor of adoption of the amendment.

Senators Kastama, Sheldon and Schmidt spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Mulliken on page 1, after line 3 to Senate Bill No. 5744.

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

MOTION

On motion of Senator Kastama, the rules were suspended, Senate Bill No. 5744 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen, Prentice, Schmidt, Spanel and Morton spoke in favor of passage of the bill.

Senators Hargrove, Deccio, Johnson, Schoesler, Roach and Pflug spoke against passage of the bill.

Senator Haugen again 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. 5744.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5744 and the bill passed the Senate by the following vote: Yeas, 32; Nays, 16; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brandland, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Schmidt, Sheldon, Shin, Spanel, Swecker, Thibaudeau and Weinstein - 32

Voting nay: Senators Benson, Benton, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hargrove, Hewitt, Honeyford, Johnson, Pflug, Roach, Schoesler, Stevens and Zarelli - 16

Excused: Senator Oke - 1

SENATE BILL NO. 5744, 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, Senators Fairley and Hargrove were excused.

SECOND READING

SENATE BILL NO. 5106, by Senators Swecker, Jacobsen, Kastama and Oke

Clarifying authority over hazardous materials inspections.

The measure was read the second time.

MOTION

On motion of Senator Swecker, the rules were suspended, Senate Bill No. 5106 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Swecker and 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. 5106.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5106 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 2; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Finkbeiner, Franklin, Fraser, Haugen, Hewitt, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 44

Voting nay: Senators Honeyford and Mulliken - 2

Excused: Senators Fairley, Hargrove and Oke - 3

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

Declaring that international companies investing in Washington are eligible for tax incentives.

The measure was read the second time.

MOTION

On motion of Senator Shin, the rules were suspended, Senate Bill No. 5175 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shin 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. 5175.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5175 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Fairley and Oke - 2

SENATE BILL NO. 5175, 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. 5171, by Senators Carrell, Rockefeller, Rasmussen, Shin, Schoesler, Delvin and McAuliffe

Enhancing school safety through information sharing between schools and juvenile justice and care agencies.

MOTIONS

On motion of Senator Carrell, Substitute Senate Bill No. 5171 was substituted for Senate Bill No. 5171 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Carrell moved that the following amendments by Senator Carrell be taken together, considered as one:

On page 1, line 9, strike "vice-principals" and insert "their designees"

On page 2, line 1, strike "vice-principal" and insert "the principal's designee"

On page 2, line 19, strike "forty-eight" and insert "seventy-two"

On page 2, line 22, strike "vice-principal" and insert "the principal's designee"

On page 2, line 29, strike "vice-principal" and insert "the principal's designee"

On page 2, line 34, strike "vice-principal" and insert "the principal's designee"

On page 3, line 3, strike "vice-principal" and insert "the principal's designee"

WITHDRAWAL OF AMENDMENT

On motion of Senator Carrell the amendment to Substitute Senate Bill No. 5171 was withdrawn.

MOTION

Senator McAuliffe moved that the following striking amendment by Senators McAuliffe and Carrell be adopted.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The purpose of this act is to ensure the health, safety, and general welfare of Washington's school children, teachers, and school staff. The purpose of this act is to give guidance to principals and their designees regarding their duty to report incidents to law enforcement officials when it is reasonable to suspect that a significant crime has occurred. It is the intent of the legislature to ensure that agents of law enforcement, who are trained investigators, are alerted and called upon to determine whether or not there is probable cause to believe a crime has been committed in serious cases. This act is also intended to reduce potential tort liability that could arise from unreported criminal activity.

NEW SECTION. Sec. 2. A new section is added to chapter 28A.320 RCW to read as follows:

(1)(a) When a principal or the principal's designee of a school has reasonable cause to believe that a person has committed, on school grounds or at an event sponsored by the school, a drug offense or a crime against a person that causes severe injury, that school administrator shall report such incident, or cause a report to be made, to the proper law enforcement agency. The report may be made by telephone, in person, or on paper.

(b) For purposes of this subsection:

(i) "Severe injury" means: Any single act that causes physical trauma of sufficient severity that, if left untreated, could cause death; any sex offense; any single act that causes significant bleeding that, if left untreated, could cause death or serious physical impairment or loss of function; or more than one act, each of which causes significant bleeding that, if left untreated, could cause death or serious physical impairment or loss of function, bone fracture, or unconsciousness; and

(ii) "Crime against a person" has the meaning set out in RCW 9.94A.411.

(c) The report must be made at the first opportunity, but in no

case longer than seventy-two hours after there is reasonable cause to believe that a drug offense or severe injury has occurred. The report must include the identity of the accused, if known.

(2) A principal or the principal's designee who violates this act in flagrant disregard or clear abandonment of generally recognized professional standards or who endangers the educational welfare or personal safety of students, teachers, or other colleagues within the educational setting may be subject to orders by the superintendent of public instruction, up to and including reprimand, suspension, or revocation of certification.

(3)(a) A principal or the principal's designee who willfully hinders, delays, or obstructs any law enforcement officer in the discharge of his or her official powers or duties by knowingly failing to report an offense that must be reported pursuant to this section may be guilty of obstructing a law enforcement officer under RCW 9A.76.020.

(b) A principal or the principal's designee who, with intent to prevent, hinder, or delay the apprehension or prosecution of another person who he or she knows has committed a crime or juvenile offense, knowingly fails to report an offense that must be reported pursuant to this section may be guilty of rendering criminal assistance under RCW 9A.76.070, 9A.76.080, and 9A.76.090.

(4) A principal or the principal's designee who, in good faith and without gross negligence, cooperates in an investigation arising as a result of a report made pursuant to this section shall not be subject to civil liability arising out of his or her cooperation. This subsection does not apply to a person who committed the acts reported pursuant to this section."

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

The President declared the question before the Senate to be the adoption of the striking amendment by Senators McAuliffe and Carrell to Substitute Senate Bill No. 5171.

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

MOTION

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

On page 1, beginning on line 2 of the title, after "agencies;" strike the remainder of the title and insert "adding a new section to chapter 28A.320 RCW; creating a new section; and prescribing penalties."

MOTION

On motion of Senator Carrell, the rules were suspended, Engrossed Substitute Senate Bill No. 5171 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Carrell 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. 5171.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5171 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Voting nay: Senator Kohl-Welles - 1

Excused: Senator Oke - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5171, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

PERSONAL PRIVILEGE

Senator Esser: "I rise for a point of person privilege. Well thank you very much Mr. President. I am so happy this moment has arrived. I have been tingling with anticipation waiting for the maiden floor speech by our new colleague from the 28th district. Actually I couldn't fall asleep last night because I kept wondering what compensation that we would be provided. Something hopefully symbolic of Pierce County and the 28th legislative district. In my mind I kept imagining items like, oh perhaps an empty blister pack or ten of Sudafed capsules which I understand is a very popular product in Pierce County, or a concealed weapons permit for every member on the floor today. Perhaps a coupon good for a weekend at a secure community transitional facility. The possibilities were limitless. All joking aside, Senator Carrell brings a long and distinguished resume to the Senate. He's a retired science teacher from our public schools. He served for a decade in the State House of Representatives and most recently he kept very busy as the chair of Governorial Appointees search committee for former Senator Shirley Winsley. Each of our districts is defined by the job and career opportunities that are available back home and the 28th district is no exception. Just knowing that the local economic development strategy in the 28th centers around the Washington State Hospital, the McNeill Island penitentiary and the special commitment center of McNeill Island tell you a little bit about how special the 28th district is. All joking aside, congratulations to Senator Carrell, it's great to have you here. You'll find that the Senate is a wonderful institution and given your district it sounds like you have plenty of experience with institutions. Welcome."

PERSONAL PRIVILEGE

Senator Carrell: "Well, I know it's all part of the hazing process that newbees have to go through here. As I was contemplating gifts for you, I did think about gifts from perhaps some of the institutions of my district but I thought perhaps it would be a little difficult to transport them down here and deliver them. As I considered it, the other part of my district is very clearly the influence of the military. I have many nights as I drove home last year watch the Striker Brigade as they practice to go to Mosul, Iraq. The military influence is very heavy. We probably have more retired generals, colonels and majors than any other place perhaps in the world in Lakewood and parts of my district. The one thing that really defines our district is the presence of the military in so many different ways. The Washington National Guard, McChord Air Force Base, Fort Lewis, so the one gift that I thought that would be the most meaningful of all would be something that represents that military presence. I am very fortunate in that, about eight years ago, I door belled a man and his wife, he was fresh out of the army and was beginning a business in a small, little, two-bedroom house not far from where I live. Well, he came up with ideas so unique that today that business eight years later is about a 10,000 square foot building just off of I-5 at Ponders Corner. It employees fifty people, it's a multi-million dollar business and one of the items that he had made and, by the way, these products that he designs and manufactures and sells are used by our troops around the world particularly in Afghanistan and Iraq and also by police services around the United States. They're truly unique and he provided for every member of the Striker Brigade this very pouch that you have before you. When I talk to him about it he happened to have fifty-two of them left over. From that then, came the idea to have these embroidered as you see them today honoring the Striker Brigade which is soon to come back and by the way, tomorrow the 81st is going to be honored by people such as myself at the base and I would certainly urge you, if you'd like to come out and wave flags at exit 122, to honor the troops as they come back to join me and others in doing so. Well, with that thank you ever so much for this unique opportunity and I think you've seen inside your gift a number of items in my district including Intel. There is

a treat buried some place in there too. Thank you Mr. President”.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced associates and the principal of Tactical Tailor, Mr. Logan Coffey, who was seated in the gallery.

SECOND READING

SENATE BILL NO. 5219, by Senators Kastama, Schmidt, Rockefeller and Pridemore

Changing primary dates and associated election procedures.

MOTION

On motion of Senator Kastama, Substitute Senate Bill No. 5219 was substituted for Senate Bill No. 5219 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 Senator Kastama be adopted:

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 29A.04.310 and 2005 c 2 s 8 (Initiative Measure No. 872) are each reenacted and amended to read as follows:

Primaries for general elections to be held in November must be held on(~~(~~

~~(1))~~ the third Tuesday of the preceding (~~September; or~~
~~(2) The seventh Tuesday immediately preceding that general election, whichever occurs first~~) August.

Sec. 2. RCW 29A.04.321 and 2004 c 271 s 106 are each amended to read as follows:

(1) All state, county, city, town, and district general elections for the election of federal, state, legislative, judicial, county, city, town, and district officers, and for the submission to the voters of the state, county, city, town, or district of any measure for their adoption and approval or rejection, shall be held on the first Tuesday after the first Monday of November, in the year in which they may be called. A statewide general election shall be held on the first Tuesday after the first Monday of November of each year. However, the statewide general election held in odd-numbered years shall be limited to (a) city, town, and district general elections as provided for in RCW 29A.04.330, or as otherwise provided by law; (b) the election of federal officers for the remainder of any unexpired terms in the membership of either branch of the Congress of the United States; (c) the election of state and county officers for the remainder of any unexpired terms of offices created by or whose duties are described in Article II, section 15, Article III, sections 16, 17, 19, 20, 21, 22, and 23, and Article IV, sections 3 and 5 of the state Constitution and RCW 2.06.080; (d) the election of county officers in any county governed by a charter containing provisions calling for general county elections at this time; and (e) the approval or rejection of state measures, including proposed constitutional amendments, matters pertaining to any proposed constitutional convention, initiative measures and referendum measures proposed by the electorate, referendum bills, and any other matter provided by the legislature for submission to the electorate.

(2) A county legislative authority may(~~(, if it deems an emergency to exist,))~~ call a special county election by presenting a resolution to the county auditor (~~(at least forty-five days))~~ prior to the proposed election date. Except as provided in subsection (4) of this section, a special election called by the county legislative authority shall be held on one of the following dates as decided by such governing body:

- (a) The first Tuesday after the first Monday in February;
- (b) The second Tuesday in March;
- (c) The fourth Tuesday in April;
- (d) The third Tuesday in May;

(e) The day of the primary as specified by RCW (~~(29A.04.311))~~ 29A.04.310; or

(f) The first Tuesday after the first Monday in November.

(3) A resolution calling for a special election on a date set forth in subsection (2)(a) through (d) of this section must be presented to the county auditor at least fifty-two days prior to the election date. A resolution calling for a special election on a date set forth in subsection (2)(e) or (f) of this section must be presented to the county auditor at least eighty-four days prior to the election date.

(4) In addition to the dates set forth in subsection (2)(a) through (f) of this section, a special election to validate an excess levy or bond issue may be called at any time to meet the needs resulting from fire, flood, earthquake, or other act of God. Such county special election shall be noticed and conducted in the manner provided by law.

~~((+))~~ (5) In a presidential election year, if a presidential preference primary is conducted in February, March, April, or May under chapter 29A.56 RCW, the date on which a special election may be called by the county legislative authority under subsection (2) of this section during the month of that primary is the date of the presidential primary.

~~((5))~~ (6) This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections except for those elections held pursuant to a home-rule charter adopted under Article XI, section 4 of the state Constitution. This section shall not be construed as fixing the time for holding primary elections, or elections for the recall of any elective public officer.

Sec. 3. RCW 29A.04.330 and 2004 c 266 s 6 are each amended to read as follows:

(1) All city, town, and district general elections shall be held throughout the state of Washington on the first Tuesday following the first Monday in November in the odd-numbered years.

This section shall not apply to:

- (a) Elections for the recall of any elective public officer;
- (b) Public utility districts, conservation districts, or district elections at which the ownership of property within those districts is a prerequisite to voting, all of which elections shall be held at the times prescribed in the laws specifically applicable thereto;
- (c) Consolidation proposals as provided for in RCW 28A.315.235 and nonhigh capital fund aid proposals as provided for in chapter 28A.540 RCW.

(2) The county auditor, as ex officio supervisor of elections, upon request in the form of a resolution of the governing body of a city, town, or district, presented to the auditor (~~(at least forty-five days))~~ prior to the proposed election date, may(~~(, if the county auditor deems an emergency to exist,))~~ call a special election in such city, town, or district, and for the purpose of such special election he or she may combine, unite, or divide precincts. Except as provided in subsection (3) of this section, such a special election shall be held on one of the following dates as decided by the governing body:

- (a) The first Tuesday after the first Monday in February;
- (b) The second Tuesday in March;
- (c) The fourth Tuesday in April;
- (d) The third Tuesday in May;
- (e) The day of the primary election as specified by RCW 29A.04.310; or
- (f) The first Tuesday after the first Monday in November.

(3) A resolution calling for a special election on a date set forth in subsection (2)(a) through (d) of this section must be presented to the county auditor at least fifty-two days prior to the election date. A resolution calling for a special election on a date set forth in subsection (2)(e) or (f) of this section must be presented to the county auditor at least eighty-four days prior to the election date.

(4) In a presidential election year, if a presidential preference primary is conducted in February, March, April, or May under chapter 29A.56 RCW, the date on which a special election may be called under subsection (2) of this section during the month of that primary is the date of the presidential primary.

~~((+))~~ (5) In addition to subsection (2)(a) through (f) of this section, a special election to validate an excess levy or bond issue

may be called at any time to meet the needs resulting from fire, flood, earthquake, or other act of God, except that no special election may be held between the first day for candidates to file for public office and the last day to certify the returns of the general election other than as provided in subsection (2)(e) and (f) of this section. Such special election shall be conducted and notice thereof given in the manner provided by law.

~~((5))~~ (6) This section shall supersede the provisions of any and all other statutes, whether general or special in nature, having different dates for such city, town, and district elections, the purpose of this section being to establish mandatory dates for holding elections.

Sec. 4. RCW 29A.24.040 and 2003 c 111 s 604 are each amended to read as follows:

A candidate may file his or her declaration of candidacy for an office by electronic means on a system specifically designed and authorized by a filing officer to accept filings.

(1) Filings that are received electronically must capture all information specified in RCW ~~((29A.24.030))~~ 29A.24.031 (1) through (4).

(2) Electronic filing may begin at 9:00 a.m. the ~~((fourth))~~ third Monday in ~~((July))~~ May and continue through 4:00 p.m. the following Friday.

(3) In case of special filing periods established in this chapter, electronic filings may be accepted beginning at 9:00 a.m. on the first day of the special filing period through 4:00 p.m. the last day of the special filing period.

Sec. 5. RCW 29A.24.050 and 2003 c 111 s 605 are each amended to read as follows:

Except where otherwise provided by this title, declarations of candidacy for the following offices shall be filed during regular business hours with the filing officer no earlier than the ~~((fourth))~~ third Monday in ~~((July))~~ May and no later than the following Friday in the year in which the office is scheduled to be voted upon:

(1) Offices that are scheduled to be voted upon for full terms or both full terms and short terms at, or in conjunction with, a state general election; and

(2) Offices where a vacancy, other than a short term, exists that has not been filled by election and for which an election to fill the vacancy is required in conjunction with the next state general election.

This section supersedes all other statutes that provide for a different filing period for these offices.

Sec. 6. RCW 29A.24.171 and 2004 c 271 s 165 are each amended to read as follows:

Filings for a nonpartisan office shall be reopened for a period of three normal business days, such three-day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and television in the county and by such other means as may now or hereafter be provided by law whenever before the ~~((sixth))~~ eleventh Tuesday prior to a primary:

(1) A void in candidacy occurs;

(2) A vacancy occurs in any nonpartisan office leaving an unexpired term to be filled by an election for which filings have not been held; or

(3) A nominee for judge of the superior court entitled to a certificate of election pursuant to Article 4, section 29, Amendment 41 of the state Constitution, dies or is disqualified.

Candidacies validly filed within said three-day period shall appear on the ballot as if made during the earlier filing period.

Sec. 7. RCW 29A.24.181 and 2004 c 271 s 166 are each amended to read as follows:

Filings for a nonpartisan office (other than judge of the supreme court or superintendent of public instruction) shall be reopened for a period of three normal business days, such three-day period to be fixed by the election officer with whom such declarations of candidacy are filed and notice thereof given by notifying press, radio, and television in the county and by such other means as may now or hereafter be provided by law, when:

(1) A void in candidacy for such nonpartisan office occurs on or after the ~~((sixth))~~ eleventh Tuesday prior to a primary but prior to the ~~((sixth))~~ eleventh Tuesday before an election; or

(2) A nominee for judge of the superior court eligible after a contested primary for a certificate of election by Article 4, section

29, Amendment 41 of the state Constitution, dies or is disqualified within the ten-day period immediately following the last day allotted for a candidate to withdraw; or

(3) A vacancy occurs in any nonpartisan office on or after the ~~((sixth))~~ eleventh Tuesday prior to a primary but prior to the ~~((sixth))~~ eleventh Tuesday before an election leaving an unexpired term to be filled by an election for which filings have not been held.

The candidate receiving a plurality of the votes cast for that office in the general election shall be deemed elected.

Sec. 8. RCW 29A.24.191 and 2004 c 271 s 167 are each amended to read as follows:

A scheduled election shall be lapsed, the office deemed stricken from the ballot, no purported write-in votes counted, and no candidate certified as elected, when:

(1) In an election for judge of the supreme court or superintendent of public instruction, a void in candidacy occurs on or after the ~~((sixth))~~ eleventh Tuesday prior to a primary, public filings and the primary being an indispensable phase of the election process for such offices;

(2) Except as otherwise specified in RCW 29A.24.181, a nominee for judge of the superior court entitled to a certificate of election pursuant to Article 4, section 29, Amendment 41 of the state Constitution dies or is disqualified on or after the ~~((sixth))~~ eleventh Tuesday prior to a primary;

(3) In other elections for nonpartisan office a void in candidacy occurs or a vacancy occurs involving an unexpired term to be filled on or after the ~~((sixth))~~ eleventh Tuesday prior to an election.

Sec. 9. RCW 29A.24.210 and 2005 c 2 s 10 (Initiative Measure No. 872) are each reenacted and amended to read as follows:

Filings for a partisan elective office shall be opened for a period of three normal business days whenever, on or after the first day of the regular filing period and before the ~~((sixth))~~ eleventh Tuesday prior to an election, a vacancy occurs in that office, leaving an unexpired term to be filled by an election for which filings have not been held.

Any special three-day filing period shall be fixed by the election officer with whom declarations of candidacy for that office are filed. The election officer shall give notice of the special three-day filing period by notifying the press, radio, and television in the county or counties involved, and by any other means as may be required by law.

Candidacies validly filed within the special three-day filing period shall appear on the primary or general election ballot as if filed during the regular filing period.

The procedures for filings for partisan offices where a vacancy occurs under this section or a void in candidacy occurs under RCW ~~((29A.24.140))~~ 29A.24.141 must be substantially similar to the procedures for nonpartisan offices under RCW ~~((29A.24.150))~~ 29A.24.151 through ~~((29A.24.170))~~ 29A.24.171.

Sec. 10. RCW 29A.40.070 and 2004 c 266 s 13 are each amended to read as follows:

(1) Except where a recount or litigation under RCW ~~((29A.68.010))~~ 29A.68.011 is pending, the county auditor shall have sufficient absentee ballots available for absentee voters of that county, other than overseas voters and service voters, at least twenty days before any primary, general election, or special election. The county auditor must mail absentee ballots to each voter for whom the county auditor has received a request nineteen days before the primary or election at least eighteen days before the primary or election. For a request for an absentee ballot received after the nineteenth day before the primary or election, the county auditor shall make every effort to mail ballots within one business day, and shall mail the ballots within two business days.

(2) ~~((The county auditor shall make every effort to mail ballots to overseas and service voters earlier than eighteen days before a primary or election))~~ At least thirty days before any primary, general election, or special election, the county auditor shall mail ballots to all overseas and service voters. A request for a ballot made by an overseas or service voter after that day must be processed immediately.

(3) Each county auditor shall certify to the office of the secretary of state the dates the ballots prescribed in subsection (1) of this section were available and mailed.

(4) If absentee ballots will not be available or mailed as prescribed in subsection (1) of this section, the county auditor shall immediately certify to the office of the secretary of state when absentee ballots will be available and mailed. Copies of this certification must be provided to the county canvassing board, the press, jurisdictions with issues on the ballot in the election, and any candidates.

(5) If absentee ballots were not available or mailed as prescribed in subsection (1) of this section, for a reason other than a recount or litigation, the county auditor, in consultation with the certification and training program of the office of the secretary of state, shall submit a report to the office of the secretary of state outlining why the deadline was missed and what corrective actions will be taken in future elections to ensure that absentee ballots are available and mailed as prescribed in subsection (1) of this section.

(6) Failure to have absentee ballots available and mailed as prescribed in subsection (1) of this section does not by itself provide a basis for an election contest or other legal challenge to the results of a primary, general election, or special election.

Sec. 11. RCW 29A.56.030 and 2003 c 111 s 1403 are each amended to read as follows:

The name of any candidate for a major political party nomination for president of the United States shall be printed on the presidential preference primary ballot of a major political party only:

(1) By direction of the secretary of state, who in the secretary's sole discretion has determined that the candidate's candidacy is generally advocated or is recognized in national news media; or

(2) If members of the political party of the candidate have presented a petition for nomination of the candidate that has attached to the petition a sheet or sheets containing the signatures of at least one thousand registered voters who declare themselves in the petition as being affiliated with the same political party as the presidential candidate. The petition shall be filed with the secretary of state not later than ~~((the thirty-ninth day))~~ sixty days before the presidential preference primary. The signature sheets shall also contain the residence address and name or number of the precinct of each registered voter whose signature appears thereon and shall be certified in the manner prescribed in RCW 29A.72.230 and 29A.72.240.

The secretary of state shall place the name of the candidate on the ballot unless the candidate, at least ~~((thirty-five))~~ fifty-two days before the presidential preference primary, executes and files with the secretary of state an affidavit stating without qualification that he or she is not now and will not become a candidate for the office of president of the United States at the forthcoming presidential election. The secretary of state shall certify the names of all candidates who will appear on the presidential preference primary ballot to the respective county auditors on or before the fourth Tuesday in April of each presidential election year.

Sec. 12. RCW 29A.60.190 and 2004 c 266 s 18 are each amended to read as follows:

(1) ~~((On the tenth day after a special election or primary and on the fifteenth day after a))~~ Fifteen days after a primary, special election, or general election, the county canvassing board shall complete the canvass and certify the results. Each absentee ballot that was returned before the closing of the polls ((on the date of the primary or election for which it was issued)), and each absentee ballot ((with)) bearing a postmark on or before the date of the ((primary or)) election ((for which it was issued)) and received on or before the date on which the ((primary or)) election is certified, must be included in the canvass report.

(2) At the request of a caucus of the state legislature, the county auditor shall transmit copies of all unofficial returns of state and legislative primaries or elections prepared by or for the county canvassing board to either the secretary of the senate or the chief clerk of the house of representatives.

Sec. 13. RCW 29A.64.070 and 2003 c 111 s 1607 are each amended to read as follows:

After the original count, canvass, and certification of results, the votes cast in any single precinct may ~~((not))~~ be recounted and the results recertified not more than once for a primary and not more than twice for a special or general election.

Sec. 14. RCW 27.12.355 and 1987 c 138 s 1 are each amended to read as follows:

(1) As provided in this section, a rural county library district, island library district, or intercounty rural library district may withdraw areas from its boundaries, or reannex areas into the library district that previously had been withdrawn from the library district under this section.

(2) The withdrawal of an area shall be authorized upon: (a) Adoption of a resolution by the board of trustees requesting the withdrawal and finding that, in the opinion of the board, inclusion of this area within the library district will result in a reduction of the district's tax levy rate under the provisions of RCW 84.52.010; and (b) adoption of a resolution by the city or town council approving the withdrawal, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the withdrawal, if the area is located outside of a city or town. A withdrawal shall be effective at the end of the day on the thirty-first day of December in the year in which the resolutions are adopted, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution.

The authority of an area to be withdrawn from a library district as provided under this section is in addition, and not subject, to the provisions of RCW 27.12.380.

The withdrawal of an area from the boundaries of a library district shall not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the library district existing at the time of the withdrawal.

(3) An area that has been withdrawn from the boundaries of a library district under this section may be reannexed into the library district upon: (a) Adoption of a resolution by the board of trustees proposing the reannexation; and (b) adoption of a resolution by the city or town council approving the reannexation, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the reannexation, if the area is located outside of a city or town. The reannexation shall be effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution. Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the city or town council, or county legislative authority, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall be submitted to the voters of the area at the next special election date ~~((specified in RCW 29.13.020 that occurs forty-five or more days after the petitions have been validated))~~ according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote shall authorize the reannexation.

Sec. 15. RCW 27.12.370 and 1982 c 123 s 14 are each amended to read as follows:

The county legislative authority or authorities shall by resolution call a special election to be held in such city or town at the next special election date ((provided in RCW 29.13.010 but not less than forty-five days from the date of the declaration of such finding)) according to RCW 29A.04.321, and shall cause notice of such election to be given as provided for in RCW ~~((29.27.080))~~ 29A.52.351.

The election on the annexation of the city or town into the library district shall be conducted by the auditor of the county or counties in which the city or town is located in accordance with the general election laws of the state and the results thereof shall

be canvassed by the canvassing board of the county or counties. No person shall be entitled to vote at such election unless he or she is registered to vote in said city or town for at least thirty days preceding the date of the election. The ballot proposition shall be in substantially the following form:

"Shall the city or town of be annexed to and be a part of library district?

YES
NO

If a majority of the persons voting on the proposition shall vote in favor thereof, the city or town shall thereupon be annexed and shall be a part of such library district.

Sec. 16. RCW 35.02.086 and 1986 c 234 s 11 are each amended to read as follows:

Each candidate for a city or town elective position shall file a declaration of candidacy with the county auditor of the county in which all or the major portion of the city or town is located (~~not more than forty-five nor less than thirty days~~) prior to the primary election at which the initial elected officials are nominated, according to RCW 29A.24.050. The elective positions shall be as provided in law for the type of city or town and form or plan of government specified in the petition to incorporate, and for the population of the city or town as determined by the county legislative authority or boundary review board where applicable. Any candidate may withdraw his or her declaration (~~at any time within five days after the last day allowed for filing declaration of candidacy~~) according to RCW 29A.24.131. All names of candidates to be voted upon shall be printed upon the ballot alphabetically in groups under the designation of the respective titles of offices for which they are candidates. Names of candidates printed upon the ballot need not be rotated.

Sec. 17. RCW 35.06.070 and 1994 c 81 s 8 are each amended to read as follows:

A ballot proposition authorizing an advancement in classification of a town to a second class city shall be submitted to the voters of the town if either: (1) Petitions proposing the advancement are submitted to the town clerk that have been signed by voters of the town equal in number to at least ten percent of the voters of the town voting at the last municipal general election; or (2) the town council adopts a resolution proposing the advancement. The clerk shall immediately forward the petitions to the county auditor who shall review the signatures and certify the sufficiency of the petitions.

A ballot proposition authorizing an advancement shall be submitted to the town voters at the next (~~municipal general~~) special election (~~occurring forty-five or more days after the petitions are submitted~~) date according to RCW 29A.04.330 if the county auditor certifies the petitions as having sufficient valid signatures. The town shall be advanced to a second class city if the ballot proposition is approved by a simple majority vote, effective when the corporation is actually reorganized and the new officers are elected and qualified. The county auditor shall notify the secretary of state if the advancement of a town to a second class city is approved.

Sec. 18. RCW 35.13.1821 and 1998 c 286 s 2 are each amended to read as follows:

The annexation ordinance provided for in RCW 35.13.182 is subject to referendum for forty-five days after its passage. Upon the filing of a timely and sufficient referendum petition with the legislative body, signed by qualified electors in number equal to not less than ten percent of the votes cast in the last general state election in the area to be annexed, the question of annexation shall be submitted to the voters of the area in a general election if one is to be held within ninety days or at a special election called for that purpose (~~not less than forty-five days nor more than ninety days after the filing of the referendum petition~~) according to RCW 29A.04.330. Notice of the election shall be given as provided in RCW 35.13.080 and the election shall be conducted as provided in the general election law. The annexation shall be deemed approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

After the expiration of the forty-fifth day from but excluding the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed

shall become a part of the city or town upon the date fixed in the ordinance of annexation.

Sec. 19. RCW 35.61.360 and 1987 c 138 s 2 are each amended to read as follows:

(1) As provided in this section, a metropolitan park district may withdraw areas from its boundaries, or reannex areas into the metropolitan park district that previously had been withdrawn from the metropolitan park district under this section.

(2) The withdrawal of an area shall be authorized upon: (a) Adoption of a resolution by the park district commissioners requesting the withdrawal and finding that, in the opinion of the commissioners, inclusion of this area within the metropolitan park district will result in a reduction of the district's tax levy rate under the provisions of RCW 84.52.010; and (b) adoption of a resolution by the city or town council approving the withdrawal, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the withdrawal, if the area is located outside of a city or town. A withdrawal shall be effective at the end of the day on the thirty-first day of December in the year in which the resolutions are adopted, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution.

The withdrawal of an area from the boundaries of a metropolitan park district shall not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the metropolitan park district existing at the time of the withdrawal.

(3) An area that has been withdrawn from the boundaries of a metropolitan park district under this section may be reannexed into the metropolitan park district upon: (a) Adoption of a resolution by the park district commissioners proposing the reannexation; and (b) adoption of a resolution by the city or town council approving the reannexation, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the reannexation, if the area is located outside of a city or town. The reannexation shall be effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution. Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the city or town council, or county legislative authority, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall be submitted to the voters of the area at the next special election date (~~specified in RCW 29.13.020 that occurs forty-five or more days after the petitions have been validated~~) according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote shall authorize the reannexation.

Sec. 20. RCW 35A.14.299 and 1967 ex.s. c 119 s 35A.14.299 are each amended to read as follows:

Such annexation ordinance as provided for in RCW 35A.14.297 shall be subject to referendum for forty-five days after the passage thereof. Upon the filing of a timely and sufficient referendum petition with the legislative body, signed by qualified electors in number equal to not less than ten percent of the votes cast in the last general state election in the area to be annexed, the question of annexation shall be submitted to the voters of such area in a general election if one is to be held within ninety days or at a special election called for that purpose (~~not less than forty-five days nor more than ninety days after the filing of the referendum petition~~) according to RCW 29A.04.330. Notice of such election shall be given as provided in RCW 35A.14.070 and the election shall be conducted as provided in RCW (~~35A.14.060~~) 35A.29.151. The annexation shall be deemed

approved by the voters unless a majority of the votes cast on the proposition are in opposition thereto.

After the expiration of the forty-fifth day from but excluding the date of passage of the annexation ordinance, if no timely and sufficient referendum petition has been filed, the area annexed shall become a part of the code city upon the date fixed in the ordinance of annexation. From and after such date, if the ordinance so provided, property in the annexed area shall be subject to the proposed zoning regulation prepared and filed for such area as provided in RCW 35A.14.330 and 35A.14.340. If the ordinance so provided, all property within the area annexed shall be assessed and taxed at the same rate and on the same basis as the property of such annexing code city is assessed and taxed to pay for any then outstanding indebtedness of such city contracted prior to, or existing at, the date of annexation.

Sec. 21. RCW 36.93.030 and 1991 c 363 s 91 are each amended to read as follows:

(1) There is hereby created and established in each county with a population of two hundred ten thousand or more a board to be known and designated as a "boundary review board".

(2) A boundary review board may be created and established in any other county in the following manner:

(a) The county legislative authority may, by majority vote, adopt a resolution establishing a boundary review board; or

(b) A petition seeking establishment of a boundary review board signed by qualified electors residing in the county equal in number to at least five percent of the votes cast in the county at the last county general election may be filed with the county auditor.

Upon the filing of such a petition, the county auditor shall examine the same and certify to the sufficiency of the signatures thereon. No person may withdraw his or her name from a petition after it has been filed with the auditor. Within thirty days after the filing of such petition, the county auditor shall transmit the same to the county legislative authority, together with his or her certificate of sufficiency.

After receipt of a valid petition for the establishment of a boundary review board, the county legislative authority shall submit the question of whether a boundary review board should be established to the electorate at the next ~~((county))~~ primary or ~~((county))~~ general election ~~((which occurs more than forty-five days from the date of receipt of the petition))~~ according to RCW 29A.04.321. Notice of the election shall be given as provided in RCW ~~((29.27.080))~~ 29A.52.351 and shall include a clear statement of the proposal to be submitted.

If a majority of the persons voting on the proposition shall vote in favor of the establishment of the boundary review board, such board shall thereupon be deemed established.

Sec. 22. RCW 42.12.040 and 2005 c 2 s 15 (Initiative Measure No. 872) are each amended to read as follows:

(1) If a vacancy occurs in any partisan elective office in the executive or legislative branches of state government or in any partisan county elective office before the ~~((sixth))~~ eleventh Tuesday prior to the next general election following the occurrence of the vacancy, a successor shall be elected to that office at that general election. Except during the last year of the term of office, if such a vacancy occurs on or after the ~~((sixth))~~ eleventh Tuesday prior to the general election, the election of the successor shall occur at the next succeeding general election. The elected successor shall hold office for the remainder of the unexpired term. This section shall not apply to any vacancy occurring in a charter county that has charter provisions inconsistent with this section.

(2) If a vacancy occurs in any legislative office or in any partisan county office after the general election in a year that the position appears on the ballot and before the start of the next term, the term of the successor who is of the same party as the incumbent may commence once he or she has qualified as defined in RCW 29A.04.133 and shall continue through the term for which he or she was elected.

Sec. 23. RCW 42.17.080 and 2002 c 75 s 2 are each amended to read as follows:

(1) On the day the treasurer is designated, each candidate or political committee shall file with the commission and the county auditor or elections officer of the county in which the candidate resides, or in the case of a political committee, the county in

which the treasurer resides, in addition to any statement of organization required under RCW 42.17.040 or 42.17.050, a report of all contributions received and expenditures made prior to that date, if any.

(2) At the following intervals each treasurer shall file with the commission and the county auditor or elections officer of the county in which the candidate resides, or in the case of a political committee, the county in which the committee maintains its office or headquarters, and if there is no office or headquarters then in the county in which the treasurer resides, a report containing the information required by RCW 42.17.090:

(a) On the twenty-first day and the seventh day immediately preceding the date on which the election is held; and

(b) On the tenth day of the first month after the election ~~((: PROVIDED, That this report shall not be required following a primary election from:~~

~~((i) A candidate whose name will appear on the subsequent general election ballot; or~~

~~((ii) Any continuing political committee)); and~~

(c) On the tenth day of each month in which no other reports are required to be filed under this section: PROVIDED, That such report shall only be filed if the committee has received a contribution or made an expenditure in the preceding calendar month and either the total contributions received or total expenditures made since the last such report exceed two hundred dollars.

When there is no outstanding debt or obligation, and the campaign fund is closed, and the campaign is concluded in all respects, and in the case of a political committee, the committee has ceased to function and has dissolved, the treasurer shall file a final report. Upon submitting a final report, the duties of the treasurer shall cease and there shall be no obligation to make any further reports.

The report filed twenty-one days before the election shall report all contributions received and expenditures made as of the end of the fifth business day before the date of the report. The report filed seven days before the election shall report all contributions received and expenditures made as of the end of the one business day before the date of the report. Reports filed on the tenth day of the month shall report all contributions received and expenditures made from the closing date of the last report filed through the last day of the month preceding the date of the current report.

(3) For the period beginning the first day of the fourth month preceding the date on which the special ~~((or general))~~ election is held, or for the period beginning on the first day of the fifth month before the date on which the general election is held, and ending on the date of that special or general election, each Monday the treasurer shall file with the commission and the appropriate county elections officer a report of each bank deposit made during the previous seven calendar days. The report shall contain the name of each person contributing the funds so deposited and the amount contributed by each person. However, contributions of no more than twenty-five dollars in the aggregate from any one person may be deposited without identifying the contributor. A copy of the report shall be retained by the treasurer for his or her records. In the event of deposits made by a deputy treasurer, the copy shall be forwarded to the treasurer for his or her records. Each report shall be certified as correct by the treasurer or deputy treasurer making the deposit.

(4) If a city requires that candidates or committees for city offices file reports with a city agency, the candidate or treasurer so filing need not also file the report with the county auditor or elections officer.

(5) The treasurer or candidate shall maintain books of account accurately reflecting all contributions and expenditures on a current basis within five business days of receipt or expenditure. During the eight days immediately preceding the date of the election the books of account shall be kept current within one business day. As specified in the committee's statement of organization filed under RCW 42.17.040, the books of account must be open for public inspection as follows:

(a) For at least two consecutive hours between 8:00 a.m. and 8:00 p.m. on the eighth day immediately before the election, except when it is a legal holiday, in which case on the seventh day immediately before the election, at the principal headquarters or,

if there is no headquarters, at the address of the treasurer or such other place as may be authorized by the commission; and

(b) By appointment for inspections to be conducted at the designated place for inspections between 8:00 a.m. and 8:00 p.m. on any other day from the seventh day through the day immediately before the election, other than Saturday, Sunday, or a legal holiday. It is a violation of this chapter for a candidate or political committee to refuse to allow and keep an appointment for an inspection to be conducted during these authorized times and days in the week prior to the election. The appointment must be allowed at an authorized time and day for such inspections that is within twenty-four hours of the time and day that is requested for the inspection.

(6) The treasurer or candidate shall preserve books of account, bills, receipts, and all other financial records of the campaign or political committee for not less than five calendar years following the year during which the transaction occurred.

(7) All reports filed pursuant to subsection (1) or (2) of this section shall be certified as correct by the candidate and the treasurer.

(8) Copies of all reports filed pursuant to this section shall be readily available for public inspection for at least two consecutive hours Monday through Friday, excluding legal holidays, between 8:00 a.m. and 8:00 p.m., as specified in the committee's statement of organization filed pursuant to RCW 42.17.040, at the principal headquarters or, if there is no headquarters, at the address of the treasurer or such other place as may be authorized by the commission.

(9) After January 1, 2002, a report that is filed with the commission electronically need not also be filed with the county auditor or elections officer.

(10) The commission shall adopt administrative rules establishing requirements for filer participation in any system designed and implemented by the commission for the electronic filing of reports.

Sec. 24. RCW 52.02.080 and 1989 c 63 s 6 are each amended to read as follows:

The election on the formation of the district and to elect the initial fire commissioners shall be conducted by the election officials of the county or counties in which the proposed district is located in accordance with the general election laws of the state. This election shall be held at the next general election date (~~as specified under RCW 29.13.020~~) according to RCW 29A.04.321 and 29A.04.330, that occurs (~~forty-five or more days~~) after the date of the action by the boundary review board, or county legislative authority or authorities, approving the proposal.

Sec. 25. RCW 52.04.056 and 1989 c 63 s 11 are each amended to read as follows:

(1) As provided in this section, a fire protection district may withdraw areas from its boundaries, or reannex areas into the fire protection district that previously had been withdrawn from the fire protection district under this section.

(2) The withdrawal of an area shall be authorized upon: (a) Adoption of a resolution by the board of fire commissioners requesting the withdrawal and finding that, in the opinion of the board, inclusion of this area within the fire protection district will result in a reduction of the district's tax levy rate under the provisions of RCW 84.52.010; and (b) adoption of a resolution by the city or town council approving the withdrawal, if the area is located within the city or town, or adoption of a resolution by the county legislative authority or authorities of the county or counties within which the area is located approving the withdrawal, if the area is located outside of a city or town. A withdrawal shall be effective at the end of the day on the thirty-first day of December in the year in which the resolutions are adopted, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution.

The authority of an area to be withdrawn from a fire protection district as provided under this section is in addition, and not subject, to the provisions of RCW 52.04.101.

The withdrawal of an area from the boundaries of a fire protection district shall not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the fire protection district existing at the time of the withdrawal.

(3) An area that has been withdrawn from the boundaries of a fire protection district under this section may be reannexed into the fire protection district upon: (a) Adoption of a resolution by the board of fire commissioners proposing the reannexation; and (b) adoption of a resolution by the city or town council approving the reannexation, if the area is located within the city or town, or adoption of a resolution by the county legislative authority or authorities of the county or counties within which the area is located approving the reannexation, if the area is located outside of a city or town. The reannexation shall be effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution. Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the city or town council, or county legislative authority or authorities, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall be submitted to the voters of the area at the next special election date (~~(specified in RCW 29.13.020 that occurs forty-five or more days after the petitions have been validated)~~) according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote shall authorize the reannexation.

Sec. 26. RCW 52.04.071 and 1984 c 230 s 16 are each amended to read as follows:

The county legislative authority or authorities shall by resolution call a special election to be held in the city or town and in the fire protection district at the next date (~~provided in RCW 29.13.010 but not less than forty-five days from the date of the declaration of the finding~~) according to RCW 29A.04.321, and shall cause notice of the election to be given as provided for in RCW (~~29.27.080~~) 29A.52.351.

The election on the annexation of the city or town into the fire protection district shall be conducted by the auditor of the county or counties in which the city or town and the fire protection district are located in accordance with the general election laws of the state. The results thereof shall be canvassed by the canvassing board of the county or counties. No person is entitled to vote at the election unless he or she is a qualified elector in the city or town or unless he or she is a qualified elector within the boundaries of the fire protection district. The ballot proposition shall be in substantially the following form:

"Shall the city or town of be annexed to and be a part of fire protection district?

YES
NO"

If a majority of the persons voting on the proposition in the city or town and a majority of the persons voting on the proposition in the fire protection district vote in favor thereof, the city or town shall be annexed and shall be a part of the fire protection district.

Sec. 27. RCW 53.04.110 and 1998 c 240 s 1 are each amended to read as follows:

Any port district now existing or which may hereafter be organized under the laws of the state of Washington is hereby authorized to change its corporate name under the following conditions and in the following manner:

(1) On presentation (~~at least forty-five days before any general port election to be held in the port district~~) of a petition to the commissioners of any port district now existing or which may hereafter be established under the laws of the state of Washington, signed by at least ten percent of the total number of voters of the port district who voted at the last general port election and asking that the corporate name of the port district be changed, it shall be the duty of the commissioners to submit to the voters of the port district the proposition as to whether the corporate name of the port shall be changed. The proposition

shall be submitted at the next general port election according to RCW 29A.04.330.

(2) The petition shall contain the present corporate name of the port district and the corporate name which is proposed to be given to the port district.

(3) On submitting the proposition to the voters of the port district it shall be the duty of the port commissioners to cause to be printed on the official ballot used at the election the following proposition:

"Shall the corporate name, 'Port of ' be changed to 'Port of ' YES
"Shall the corporate name, 'Port of ' be changed to 'Port of ' NO"

(4) At the time when the returns of the general election shall be canvassed by the commissioners of the port district, it shall be the duty of the commissioners to canvass the vote upon the proposition so submitted, recording in their record the result of the canvass.

(5) Should a majority of the registered voters of the port district voting at the general port election vote in favor of the proposition it shall be the duty of the port commissioners to certify the fact to the auditor of the county in which the port district shall be situated and to the secretary of state of the state of Washington, under the seal of the port district. On and after the filing of the certificate with the county auditor as aforesaid and with the secretary of state of the state of Washington, the corporate name of the port district shall be changed, and thenceforth the port district shall be known and designated in accordance therewith.

Sec. 28. RCW 54.08.010 and 1985 c 469 s 55 are each amended to read as follows:

At any general election held in an even-numbered year, the county legislative authority of any county in this state may, or, on petition of ten percent of the qualified electors of the county based on the total vote cast in the last general county election held in an even-numbered year, shall, by resolution, submit to the voters of the county the proposition of creating a public utility district which shall be coextensive with the limits of the county as now or hereafter established. A form of petition for the creation of a public utility district shall be submitted to the county auditor within ten months prior to the election at which the proposition is to be submitted to the voters. Petitions shall be filed with the county auditor not less than four months before the election and the county auditor shall within thirty days examine the signatures thereof and certify to the sufficiency or insufficiency thereof. If the petition be found to be insufficient, it shall be returned to the persons filing the same, who may amend or add names thereto for ten days, when the same shall be returned to the county auditor, who shall have an additional fifteen days to examine the same and attach his certificate thereto. No person having signed the petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor: PROVIDED, That each signature shall be dated and that no signature dated prior to the date on which the form of petition was submitted to the county auditor shall be valid. Whenever the petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the county legislative authority which shall submit the proposition to the voters of the county at the next general election in an even-numbered year (~~occurring forty-five days after submission of the proposition to the legislative authority~~) according to RCW 29A.04.330. The notice of the election shall state the boundaries of the proposed public utility district and the object of such election, and shall in other respects conform to the requirements of the general laws of the state of Washington, governing the time and manner of holding elections. In submitting the question to the voters for their approval or rejection, the proposition shall be expressed on the ballot substantially in the following terms:

Public Utility District No. YES
Public Utility District No. NO

Any petition for the formation of a public utility district may describe a less area than the entire county in which the petition is filed, the boundaries of which shall follow the then existing

precinct boundaries and not divide any voting precinct; and in the event that such a petition is filed the county legislative authority shall fix a date for a hearing on such petition, and shall publish the petition, without the signatures thereto appended, for two weeks prior to the date of the hearing, together with a notice stating the time of the meeting when the petition will be heard. The publication, and all other publications required by chapter 1, Laws of 1931, shall be in a newspaper of general circulation in the county in which the district is situated. The hearing on the petition may be adjourned from time to time, not exceeding four weeks in all. If upon the final hearing the county legislative authority shall find that any lands have been unjustly or improperly included within the proposed public utility district and will not be benefited by inclusion therein, it shall change and fix the boundary lines in such manner as it shall deem reasonable and just and conducive to the public welfare and convenience, and make and enter an order establishing and defining the boundary lines of the proposed public utility district: PROVIDED, That no lands shall be included within the boundaries so fixed lying outside the boundaries described in the petition, except upon the written request of the owners of those lands. Thereafter the same procedure shall be followed as prescribed in this chapter for the formation of a public utility district including an entire county, except that the petition and election shall be confined solely to the lesser public utility district.

No public utility district created after September 1, 1979, shall include any other public utility district within its boundaries: PROVIDED, That this paragraph shall not alter, amend, or modify provisions of chapter 54.32 RCW.

Sec. 29. RCW 54.08.070 and 1979 ex.s. c 240 s 2 are each amended to read as follows:

Any district which does not own or operate electric facilities for the generation, transmission or distribution of electric power on March 25, 1969, or any district which hereafter does not construct or acquire such electric facilities within ten years of its creation, shall not construct or acquire any such electric facilities without the approval of such proposal by the voters of such district: PROVIDED, That a district shall have the power to construct or acquire electric facilities within ten years following its creation by action of its commission without voter approval of such action.

At any general election held in an even-numbered year, the proposal to construct or acquire electric facilities may be submitted to the voters of the district by resolution of the public utility district commission or shall be submitted to the voters of the district by the county legislative authority on petition of ten percent of the qualified electors of such district, based on the total vote cast in the last general county election held in an even-numbered year. A form of petition for the construction or acquisition of electric facilities by the public utility district shall be submitted to the county auditor within ten months prior to the election at which such proposition is to be submitted to the voters. Petitions shall be filed with the county auditor not less than four months before such election and the county auditor shall within thirty days examine the signatures thereof and certify to the sufficiency or insufficiency thereof. If such petition is found to be insufficient, it shall be returned to the persons filing the same, who may amend and add names thereto for ten days, when the same shall be returned to the county auditor, who shall have an additional fifteen days to examine the same and attach his certificate thereto. No person having signed such petition shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor: PROVIDED, That each signature shall be dated and that no signature dated prior to the date on which the form of petition was submitted to the county auditor shall be valid. Whenever such petition shall be certified to as sufficient, the county auditor shall forthwith transmit the same, together with his certificate of sufficiency attached thereto, to the county legislative authority which shall submit such proposition to the voters of said district at the next general election in an even-numbered year (~~occurring forty-five days after submission of the proposition to said legislative authority~~) according to RCW 29A.04.330. The notice of the election shall state the object of such election, and shall in other respects conform to the requirements of the general laws of Washington, governing the time and manner of holding elections.

The proposal submitted to the voters for their approval or rejection, shall be expressed on the ballot substantially in the following terms:

Shall Public Utility District No. of County construct or acquire electric facilities for the generation, transmission or distribution of electric power?

Yes No

Within ten days after such election, the election board of the county shall canvass the returns, and if at such election a majority of the voters voting on such proposition shall vote in favor of such construction or acquisition of electric facilities, the district shall be authorized to construct or acquire electric facilities.

Sec. 30. RCW 57.04.050 and 1999 c 153 s 1 are each amended to read as follows:

Upon entry of the findings of the final hearing on the petition if one or more county legislative authorities find that the proposed district will be conducive to the public health, welfare, and convenience and will benefit the land therein, they shall present a resolution to the county auditor calling for a special election to be held at a date ~~((specified under RCW 29.13.020, that occurs forty-five or more days after the resolution is presented))~~ according to RCW 29A.04.330, at which a ballot proposition authorizing the district to be created shall be submitted to voters for their approval or rejection. The commissioners shall cause to be published a notice of the election for four successive weeks in a newspaper of general circulation in the proposed district, which notice shall state the hours during which the polls will be open, the boundaries of the district as finally adopted and the object of the election, and the notice shall also be posted ten days in ten public places in the proposed district. The district shall be created if the ballot proposition authorizing the district to be created is approved by a majority of the voters voting on the proposition.

A separate ballot proposition authorizing the district, if created, to impose a single-year excess levy for the preliminary expenses of the district shall be submitted to voters for their approval or rejection at the same special election, if the petition to create the district also proposed that a ballot proposition authorizing an excess levy be submitted to voters for their approval or rejection. The excess levy shall be proposed in the amount specified in the petition to create the district, not to exceed one dollar and twenty-five cents per thousand dollars of assessed value, and may only be submitted to voters for their approval or rejection if the special election is held in February, March, April, or May. The proposition to be effective must be approved in the manner set forth in Article VII, section 2(a) of the state Constitution.

Sec. 31. RCW 70.44.235 and 1987 c 138 s 4 are each amended to read as follows:

(1) As provided in this section, a public hospital district may withdraw areas from its boundaries, or reannex areas into the public hospital district that previously had been withdrawn from the public hospital district under this section.

(2) The withdrawal of an area shall be authorized upon: (a) Adoption of a resolution by the hospital district commissioners requesting the withdrawal and finding that, in the opinion of the commissioners, inclusion of this area within the public hospital district will result in a reduction of the district's tax levy rate under the provisions of RCW 84.52.010; and (b) adoption of a resolution by the city or town council approving the withdrawal, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the withdrawal, if the area is located outside of a city or town. A withdrawal shall be effective at the end of the day on the thirty-first day of December in the year in which the resolutions are adopted, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution.

The withdrawal of an area from the boundaries of a public hospital district shall not exempt any property therein from taxation for the purpose of paying the costs of redeeming any indebtedness of the public hospital district existing at the time of the withdrawal.

(3) An area that has been withdrawn from the boundaries of a public hospital district under this section may be reannexed into the public hospital district upon: (a) Adoption of a resolution by

the hospital district commissioners proposing the reannexation; and (b) adoption of a resolution by the city or town council approving the reannexation, if the area is located within the city or town, or adoption of a resolution by the county legislative authority of the county within which the area is located approving the reannexation, if the area is located outside of a city or town. The reannexation shall be effective at the end of the day on the thirty-first day of December in the year in which the adoption of the second resolution occurs, but for purposes of establishing boundaries for property tax purposes, the boundaries shall be established immediately upon the adoption of the second resolution. Referendum action on the proposed reannexation may be taken by the voters of the area proposed to be reannexed if a petition calling for a referendum is filed with the city or town council, or county legislative authority, within a thirty-day period after the adoption of the second resolution, which petition has been signed by registered voters of the area proposed to be reannexed equal in number to ten percent of the total number of the registered voters residing in that area.

If a valid petition signed by the requisite number of registered voters has been so filed, the effect of the resolutions shall be held in abeyance and a ballot proposition to authorize the reannexation shall be submitted to the voters of the area at the next special election date ~~((specified in RCW 29.13.020 that occurs forty-five or more days after the petitions have been validated))~~ according to RCW 29A.04.330. Approval of the ballot proposition authorizing the reannexation by a simple majority vote shall authorize the reannexation.

NEW SECTION. Sec. 32. The following acts or parts of acts are each repealed:

(1) RCW 29A.04.158 (September primary) and 2004 c 271 s 187;

(2) RCW 29A.04.311 (Primaries) and 2004 c 271 s 105; and

(3) RCW 29A.24.211 (Lapse of election when no filing for single positions--Effect) and 2004 c 271 s 116.

NEW SECTION. Sec. 33. This act takes effect January 1, 2006."

On page 1, line 2 of the title, after "procedures;" strike the remainder of the title and insert "amending RCW 29A.04.321, 29A.04.330, 29A.24.040, 29A.24.050, 29A.24.171, 29A.24.181, 29A.24.191, 29A.40.070, 29A.56.030, 29A.60.190, 29A.64.070, 27.12.355, 27.12.370, 35.02.086, 35.06.070, 35.13.1821, 35.61.360, 35A.14.299, 36.93.030, 42.12.040, 42.17.080, 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; reenacting and amending RCW 29A.04.310 and 29A.24.210; repealing RCW 29A.04.158, 29A.04.311, and 29A.24.211; and providing an effective date."

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

MOTION

Senator Roach moved that the following amendment to the striking amendment by Senator Roach be adopted.

On page 1, beginning on line 3 of the amendment, strike all of section 1 and insert the following:

"Sec. 1. RCW 29A.04.310 and 2005 c 2 s 8 (Initiative Measure No. 872) are each reenacted and amended to read as follows:

Primaries for general elections to be held in November must be held on(:

~~—(†) the ((third)) first~~ Tuesday of the preceding September(;

~~or~~
~~—(2) The seventh Tuesday immediately preceding that general election, whichever occurs first))."~~

On page 4, line 36 of the amendment, after "((fourth))" strike "third" and insert "second"

On page 5, line 1 of the amendment, after "in" strike "((July)) May" and insert "July"

On page 5, line 12 of the amendment, strike "third Monday in ((July)) May" and insert "second Monday in July"

Senator Roach spoke against adoption of the amendment to the striking amendment.

Senator Schmidt spoke against adoption of the amendment to

the striking amendment.

MOTION

On motion of Senator Eide, Substitute Senate Bill No. 5219 was deferred and the bill held its place on the second reading calendar.

SECOND READING

SENATE BILL NO. 5241, by Senators Fraser, Swecker, Rockefeller, Rasmussen, Sheldon and Oke

Creating additional district court judge positions.

The measure was read the second time.

MOTION

On motion of Senator Kline, the rules were suspended, Senate Bill No. 5241 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kline and Johnson 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. 5241.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5241 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Oke - 1

SENATE BILL NO. 5241, 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. 5321, by Senators Haugen, Swecker, Jacobsen and Esser

Regulating disclosure of addresses of vehicle owners.

The measure was read the second time.

MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 5321 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and 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. 5321.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5321 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley,

Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Oke - 1

SENATE BILL NO. 5321, 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 eighth order of business.

MOTION

Senator Kohl-Welles moved adoption of the following resolution:

SENATE RESOLUTION
8640

By Senators Kohl-Welles, Brown, Jacobsen, Schmidt, Roach, Brandland, Spanel and McAuliffe

WHEREAS, Women of all backgrounds and walks of life, and degree of ability or disability have made considerable contributions to the growth and development of our communities, states, country, and nations around the world; and

WHEREAS, Women have played a critical role in the social, cultural, and spiritual development of communities around the globe; and

WHEREAS, Women of all backgrounds have constituted significant portions of the labor force, whether working outside or inside the home, whether paid or as volunteers, and have played a critical role in the nurturing of our children; and

WHEREAS, Women have served as leaders of progressive social movements to secure individual rights and freedoms and continue to lead efforts to eliminate discrimination and violence against all people and to promote equality, security, and peace; and

WHEREAS, Women continue to experience day-to-day discrimination and continue to be victims of violence around the globe; and

WHEREAS, Women have been largely unrecognized and undervalued for their historical and contemporary scientific, governmental, athletic, literary, and artistic accomplishments; and

WHEREAS, Washington state has been a champion of women's rights and a national leader in promoting progress for women, having been one of the first states to grant suffrage to women; and

WHEREAS, Washington state had the highest proportion of women legislators of any state legislature between 1995 and 2004, and the highest in the history of the United States at 40.8 percent in 2000; and

WHEREAS, The Washington State Legislature continues to have one of the highest proportion of women legislators in the United States at 33.3 percent currently; and

WHEREAS, Washington state is the first state in the nation to have two female United States senators, Patty Murray and Maria Cantwell, and a female governor, Christine Gregoire, at the same time; and

WHEREAS, Governor Gregoire declared February 7-13, 2005, to be "Girls and Women in Sports Week" in order to promote equality and access for girls and women in sports; and

WHEREAS, The history of girls and women in sports is rich and long, yet there has been little national recognition of the significance of girls' and women's athletic achievements; and

WHEREAS, Girls and women historically have had fewer opportunities to participate in school and professional athletics; and

WHEREAS, Eighty-two percent of executive businesswomen played organized sports after elementary school; and

WHEREAS, Girls who play sports have a more positive body image, higher self-esteem, and experience higher states of psychological well-being than girls who do not play sports; and

WHEREAS, On July 23, 1972, Congress enacted Title IX, which states in part that no person in the United States shall be discriminated against on the basis of sex under any educational program or activity receiving federal funds; and

WHEREAS, In 1972, girls constituted only seven percent of all high school athletes nation-wide. Last year, in 2004, girls composed 41.5 percent of the total high school athletes in the United States; and

WHEREAS, Since the enactment of Title IX, the average number of women's teams offered per school is at an all-time high of 8.34; and

WHEREAS, High school athletic teams in the state of Washington have achieved many accomplishments that serve as an inspiration to young women by promoting the values of teamwork and cooperation. Examples of successful high school teams include: Roosevelt High School, winners of the 2004 WIAA State Basketball Championship; Mead High School, winners of the 2004 WIAA State Volleyball Championship; Bellarmine Prep, winners of the 2004 WIAA State Cross Country, Tennis, and Soccer Championships; Redmond High School, winners of the 2004 WIAA State Gymnastics Championship; Rogers High School, winners of the 2004 WIAA State Swim and Dive Championship; Inglemoor High School, winners of the 2004 WIAA State Softball Championship; and Curtis High School, winners of the 2004 WIAA State Track and Field Championship; and

WHEREAS, Institutions of higher education continue to produce elite athletes competing with pride, commitment, and passion; and

WHEREAS, Washington colleges and universities have fostered outstanding achievements in women's athletics, including: The University of Washington's softball team, which advanced to their second straight College World Series; the UW volleyball team for making their first ever appearance at the NCAA Division I Final Four; the naming of UW volleyball head coach Jim McLaughlin as the Tachikara/AVCA Division I National Coach of the Year and the naming of Claire Carter as the first four-time All-American in UW history for her accomplishments on the UW tennis team; Eastern Washington University's soccer team for claiming their first Big Sky Conference Regular Season Title and the EWU volleyball team for being named Big Sky Conference Regular Season Champions for the third straight year; Central Washington University's volleyball team, who placed first in the Great Northwest Athletic Conference; Western Washington University's volleyball team, who had a 54-match league winning streak, the fourth longest in NCAA II history; Pacific Lutheran University's volleyball team, the winner of the Northwest Conference Title; Seattle Pacific University's soccer team, the winner of the Great Northwest Athletic Conference, and the SPU basketball team for finishing third in the nation; The Evergreen State College's basketball team who had its best-ever overall record in history and highest finish in the Cascade Conference, the Evergreen women's crew team who competed in the Dad Vail Regatta last spring, the nation's largest collegiate crew event, and Alisha White who was named to the NAIA All-America team for her accomplishments on the Evergreen soccer team; Washington State University's rowing team that finished third at the Pac-10 Championships, and Erin Patterson for being named to the CRCA All-America Second Team, the WSU soccer team for having 17 players earn Pac-10 All Academic Honors, and Kim Welch for being named to the NGCA All-America First Team for her accomplishments on the WSU golf team; and St. Martin's College, whose women's teams were the 2003-2004 Great Northwest Athletics Conference Women's All-Sports Academic Champions; and

WHEREAS, Washington is honored to host the Seattle Storm, the 2004 National Women's Basketball Association Champions, and the first major professional sports team in Seattle to bring home a championship in 25 years; and

WHEREAS, Sue Bird and Lauren Jackson were awarded first team all-WNBA honors, and Betty Lennox was named the WNBA Finals MVP, for their outstanding play; and

WHEREAS, Coach Anne Donovan, already enshrined in the Basketball Hall of Fame, became the first female coach to win a WNBA title, and the first female professional coach to win the Seattle Post-Intelligencer Sports Star of the Year Award; and

WHEREAS, Lauren Jackson, Betty Lennox, Sue Bird, Sheri Sam, Kamila Vodichkova, Alicia Thompson, Janell Burse, Tully Bevilaqua, Simone Edwards, Adia Barnes, Michelle Greco, Head Coach Anne Donovan, and the entire coaching staff have proven to be outstanding role models, both on and off the court, for young women in the state of Washington; and

WHEREAS, Women across the country are underrepresented in leadership positions of coaches, officials, and sports administrators, and there is a demonstrated need for women to serve in these positions to ensure a fair representation of the abilities of women; and

WHEREAS, The current and past accomplishments of women athletes, scholars, and leaders should be recognized and celebrated; and

WHEREAS, The United States of America, as a world leader, recognized the critical role of women in America by establishing March as National Women's History Month; and

WHEREAS, The United Nations has proclaimed March 8th to be International Women's Day since 1975;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and celebrate the women of our state, country, and the world on March 8th, International Women's Day, and during March, National Women's History Month.

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

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8640.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Lauren Jackson of the WNBA's Seattle Storm who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Ms. Lauren Jackson to address the Senate.

REMARKS BY LAUREN JACKSON

Lauren Jackson: "Thank you very much. It's a huge honor to be here today and I'm really happy that I got to witness what you guys do. I think it's really important, obviously it's really important part to you know our future especially the kids that are around and watching from schools and stuff. So I thank you very much. It's an honor to be here so thank you for introducing me and yeah, Go Seattle. Go Washington. Thank you."

INTRODUCTION OF SPECIAL GUESTS

The President introduced Wally Walker, President & CEO of Seattle Sonics and Storm; Karen Bryant, Chief of Operating Officer; Valerie O'Neill, Director of Public Relations; and Jamie Carmichael, representing the Eastern Washington University volleyball team, who were all seated in the gallery.

The President announced that Leslie Tuiasosopo, Assistant Coach and players Jessica Veris, Courtney Thompson and Darla Myhra of the University of Washington volleyball team would also be visiting the Senate later in the day.

MOTION

At 11:56 a.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Monday, March 7, 2005.

THOMAS HOEMANN, Secretary of the Senate

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