

FIFTY-SEVENTH DAY**MORNING SESSION**

Senate Chamber, Olympia, Monday, March 7, 2005

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

The Sergeant at Arms Color Guard consisting of Pages Austin Hill and Ashley Zarelli, presented the Colors. Pastor Robert Christensen of the Olympia-Lacey Church of God 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 3, 2005

SB 5057 Prime Sponsor, Jacobsen: Representing the WUTC on the agency council on coordinated transportation. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5057 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5058 Prime Sponsor, Haugen: Changing the payment date of motor vehicle fuel tax and special fuel tax when paying by electronic funds transfer. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5058 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Eide, 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 3, 2005

SB 5063 Prime Sponsor, Jacobsen: Creating a telework enhancement funding board. Reported by Committee on Transportation

MAJORITY recommendation: That Second Substitute Senate Bill No. 5063 be substituted therefor, and the second substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5121 Prime Sponsor, Keiser: Creating the airport siting council. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5121 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5138 Prime Sponsor, Jacobsen: Modifying transportation fees. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5138 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 3, 2005

SB 5164 Prime Sponsor, Haugen: Authorizing the department of transportation to impose impact fees. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5164 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: Do not pass. Signed by Senators Benson, Esser and Mulliken

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5199 Prime Sponsor, Poulsen: Harmonizing vehicle size limits with federal rules. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5201 Prime Sponsor, Haugen: Authorizing a pilot project for high-occupancy toll lanes. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5201 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Esser, Kastama, Oke, Spanel, Swecker and Weinstein

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

Passed to Committee on Rules for second reading.

March 4, 2005

SB 5510 Prime Sponsor, Spanel: Defining supervisor for public employment purposes. Reported by Committee on Ways & Means

MAJORITY recommendation: Without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5775 Prime Sponsor, Mulliken: Providing funds for the maintenance and preservation of small city and town streets. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5775 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 3, 2005

SB 5822 Prime Sponsor, Haugen: Recovering costs for motorist information signs. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5822 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 3, 2005

SB 5856 Prime Sponsor, Brandland: Revising negligence standards regarding the failure to wear safety belts. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5856 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Esser, Mulliken, Oke and Swecker

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5966 Prime Sponsor, McCaslin: Prohibiting vehicle immobilization. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5969 Prime Sponsor, Swecker: Modifying city and town use of state fuel tax distributions. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5969 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 3, 2005

SB 5977 Prime Sponsor, Oke: Authorizing the "we love our pets" license plate. Reported by Committee on Transportation

MAJORITY recommendation: 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 3, 2005

SB 6016 Prime Sponsor, Jacobsen: Providing local transportation funding options. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6016 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, 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.

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 fourth order of business.

MESSAGES FROM THE HOUSE

March 4, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:
HOUSE BILL NO. 1235,
SUBSTITUTE HOUSE BILL NO. 1266,
HOUSE BILL NO. 1286,
SUBSTITUTE HOUSE BILL NO. 1304,
SUBSTITUTE HOUSE BILL NO. 1326,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

March 4, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:
HOUSE BILL NO. 1007,
HOUSE BILL NO. 1032,
SUBSTITUTE HOUSE BILL NO. 1090,

HOUSE BILL NO. 1112,
 HOUSE BILL NO. 1124,
 SUBSTITUTE HOUSE BILL NO. 1132,
 SUBSTITUTE HOUSE BILL NO. 1133,
 HOUSE BILL NO. 1141,
 SUBSTITUTE HOUSE BILL NO. 1158,
 SUBSTITUTE HOUSE BILL NO. 1174,
 SUBSTITUTE HOUSE BILL NO. 1179,
 SUBSTITUTE HOUSE BILL NO. 1214,
 HOUSE BILL NO. 1695,
 HOUSE BILL NO. 1832,
 HOUSE BILL NO. 1944,
 and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

March 4, 2005

MR. PRESIDENT:

The House has passed the following bill {s}:
 HOUSE BILL NO. 1051,
 and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

March 4, 2005

MR. PRESIDENT:

The House has passed the following bill {s}:
 ENGROSSED HOUSE BILL NO. 1003,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1272,
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1282,
 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 6080 by Senators Prentice and Stevens

AN ACT Relating to the costs of transporting offender property upon transfer; amending RCW 72.02.045; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 6081 by Senators Regala, Esser and Doumit

AN ACT Relating to property tax exemption for church property used to produce church directories; amending RCW 84.36.020; and creating a new section.

Referred to Committee on Ways & Means.

SB 6082 by Senators Benton, Keiser, Zarelli and Kohl-Welles

AN ACT Relating to travel expenses incurred by a worker seeking treatment for a work-related injury; and adding a new section to chapter 51.36 RCW.

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

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1100 by House Committee on Appropriations (originally sponsored by Representatives Kenney, Priest, Morrell, Fromhold, Jarrett, Sommers, Ormsby, Appleton, Tom, Anderson, Roberts, P. Sullivan, Lantz, Dickerson, Schual-Berke and Santos)

AN ACT Relating to creating a state financial aid account to ensure that all statewide financial aid is made available; and adding a new section to chapter 28B.10 RCW.

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

HB 1110 by Representatives Eickmeyer, B. Sullivan, Hinkle, Haler and Newhouse

AN ACT Relating to recertification standards for private applicators of pesticides; and amending RCW 17.21.128.

Referred to Committee on Agriculture & Rural Economic Development.

HB 1128 by Representative Nixon

AN ACT Relating to the definition of the term "conviction" in chapter 77.15 RCW; and amending RCW 77.15.050.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 1137 by House Committee on Health Care (originally sponsored by Representatives Morrell, Orcutt, Cody, McDonald, Green, Campbell, Clibborn, Schindler, Kagi, Woods, Hunt, Miloscia, Linville, Lantz, Moeller, Williams, Wallace and Kenney)

AN ACT Relating to physical therapy; amending RCW 18.74.005, 18.74.010, and 18.74.012; and adding new sections to chapter 18.74 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1140 by Representatives Bailey, Cody and Wallace

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

Referred to Committee on Health & Long-Term Care.

HB 1145 by Representatives Clibborn, Tom, Morrell, Springer, Curtis, Ormsby, Kagi, Eickmeyer, Kenney and Darneille

AN ACT Relating to donation of unclaimed personal property to nonprofit charitable organizations; amending RCW 63.32.050 and 63.40.060; and adding a new section to chapter 63.35 RCW.

Referred to Committee on Government Operations & Elections.

SHB 1147 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Clements, O'Brien, Skinner, Woods, Pearson, Simpson, Lovick, Tom and B. Sullivan)

AN ACT Relating to protecting communities from sex offenders through the establishment of community protection zones; amending RCW 9.94A.030, 9.94A.712, and 72.09.340; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Human Services & Corrections.

HB 1170 by Representatives Dickerson, Cody, Sommers, Darneille, Schual-Berke, Kenney and Clibborn

AN ACT Relating to basic health plan eligibility of persons studying in the United States under temporary visas; amending RCW 70.47.020; and creating a new section.

Referred to Committee on Health & Long-Term Care.

HB 1180 by Representatives Kilmer, Wallace and Woods

AN ACT Relating to vehicle length and width measurement exclusive devices and specialized equipment; amending RCW 46.44.010 and 46.44.030; and adding a new section to chapter 46.44 RCW.

Referred to Committee on Transportation.

HB 1184 by Representatives Flannigan, Hinkle, Takko and Shabro

AN ACT Relating to training for newly elected county officers; and adding a new section to chapter 36.16 RCW.

Referred to Committee on Government Operations & Elections.

HB 1232 by Representatives O'Brien, Pearson, Morrell, Lantz, Lovick, Wood, McCune, Wallace and Condotta

AN ACT Relating to clarifying the ability of Washington state patrol officers to engage in private law enforcement off-duty employment in plainclothes for private benefit; and amending RCW 43.43.112.

Referred to Committee on Transportation.

HB 1237 by Representatives Newhouse, Cody, Clements, Bailey, Roach, Morrell, Lovick, Simpson, Murray, Chase, Kagi and Wallace

AN ACT Relating to specialized commercial vehicles used for patient transportation; amending RCW 18.73.030; and creating a new section.

Referred to Committee on Transportation.

HB 1238 by Representatives Blake, Orcutt, McCoy, Takko and Chase

AN ACT Relating to administering flood control zone districts; amending RCW 86.15.060; adding a new section to chapter 86.15 RCW; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SHB 1257 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Roach, Kirby, Newhouse, Simpson, Holmquist, Haler, Upthegrove, O'Brien and Nixon)

AN ACT Relating to motorcycle or motor-driven cycle insurance coverage; and amending RCW 48.22.030.

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

HB 1270 by Representatives Curtis, Simpson, Conway, Hinkle, Upthegrove, Morrell, Moeller, Green, O'Brien, P. Sullivan, McDonald, Campbell, Chase, B. Sullivan, Ormsby, Kilmer, McCoy, Jarrett, Serben and Strow

AN ACT Relating to suspending a retirement allowance upon reemployment; amending RCW 41.26.500 and 41.26.500; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1297 by Representatives Williams, Priest, Flannigan and Serben

AN ACT Relating to the membership of the commission on judicial conduct; amending RCW 2.64.020; and providing a contingent effective date.

Referred to Committee on Judiciary.

HB 1356 by Representatives Pettigrew, Holmquist and Ormsby

AN ACT Relating to local government insurance transactions; amending RCW 48.62.031; and adding a new section to chapter 48.62 RCW.

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

HB 1396 by Representatives Williams, Alexander, Springer, DeBolt, Conway, Wood, McCoy, Condotta and Armstrong

AN ACT Relating to continuing education for land surveyors; and amending RCW 18.43.080.

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

SHB 1398 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Haler, O'Brien, Newhouse, Walsh, Grant, Curtis, McCune, Hankins and Kretz)

AN ACT Relating to theft of livestock; amending RCW 9A.56.080 and 4.24.320; and prescribing penalties.

Referred to Committee on Agriculture & Rural Economic Development.

HB 1405 by Representatives Kretz, Blake, Kristiansen, Sump, B. Sullivan, Holmquist, Buri, Serben, Pearson, Hasegawa, McCune, Grant, P. Sullivan, Campbell, Ahern and Haigh

AN ACT Relating to the advisory committee to the fish and wildlife commission composed of disabled individuals; and amending RCW 77.04.150.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 1479 by Representatives Morrell, Campbell, Schual-Berke, Nixon, Cody, Green, Appleton, Clibborn, Simpson and Moeller

AN ACT Relating to independent prescriptive authority for advanced registered nurse practitioners; amending RCW

18.79.240; and repealing RCW 18.57.280, 18.71.370, and 18.79.320.

Referred to Committee on Health & Long-Term Care.

HB 1555 by Representatives Wallace, Newhouse, Haigh, Dunn, Takko, Grant, Blake, Quall, Linville, Conway, Orcutt and Kretz

AN ACT Relating to monetary assessments by drainage, diking, flood control, and mosquito control districts; amending RCW 17.28.255; and adding a new section to chapter 85.38 RCW.

Referred to Committee on Government Operations & Elections.

ESHB 1607 by House Committee on Higher Education (originally sponsored by Representatives Strow, Kenney, Walsh, McCoy, Ormsby, Murray, Chase, Dickerson, Hasegawa, Roberts, Santos and Hudgins)

AN ACT Relating to resident tuition rates for American Indian students; and amending RCW 28B.15.0131.

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

HJR 4201 by Representatives Williams, Lovick, Priest, Flannigan and Serben

Changing the membership of the commission on judicial conduct.

Referred to Committee on Judiciary.

MOTION

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

MOTION

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

The Senate was called to order at 10:44 a.m. by President Owen.

MOTION

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

There being no objection, the Senate resumed consideration of Substitute Senate Bill No. 5219.

MOTION

Senator Roach moved that the following amendments by Senator Roach be taken together, considered as one, and 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 in favor of adoption of the amendment to the striking amendment.

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

MOTION

A division was demanded.

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

The President declared the question before the Senate to be the adoption of the amendments by Senator Roach on page 1, line 3 and page 4, line 36, to Substitute Senate Bill No. 5219.

The motion by Senator Roach failed and the amendments were not adopted by a rising voice vote.

MOTION

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

On page 8, after line 37 of the amendment, insert the following:

"Sec. 11. RCW 29A.40.091 and 2004 c 271 s 135 are each amended to read as follows:

The county auditor shall send each absentee voter a ballot, a security envelope in which to seal the ballot after voting, a larger envelope in which to return the security envelope, and instructions on how to mark the ballot and how to return it to the county auditor. The instructions that accompany an absentee ballot for a partisan primary must include instructions for voting the applicable ballot style, as provided in chapter 29A.36 RCW. The larger return envelope must contain a declaration by the absentee voter reciting his or her qualifications and stating that he or she has not voted in any other jurisdiction at this election, together with a summary of the penalties for any violation of any of the provisions of this chapter. The return envelope must provide space for the voter to indicate the date on which the ballot was voted and for the voter to sign the oath. A summary of the applicable penalty provisions of this chapter must be printed on the return envelope immediately adjacent to the space for the voter's signature. The signature of the voter on the return envelope must affirm and attest to the statements regarding the qualifications of that voter and to the validity of the ballot. For out-of-state voters, overseas voters, and service voters, the signed declaration on the return envelope constitutes the equivalent of a voter registration for the election or primary for which the ballot has been issued. The voter must be instructed to either return the ballot to the county auditor by whom it was issued or attach sufficient first class postage, if applicable, and mail the ballot to the appropriate county auditor ((no later than the day of the election or primary for which the ballot was issued)) in accordance with the time requirements of RCW 29A.40.110.

If the county auditor chooses to forward absentee ballots, he or she must include with the ballot a clear explanation of the qualifications necessary to vote in that election and must also advise a voter with questions about his or her eligibility to contact the county auditor. This explanation may be provided on the ballot envelope, on an enclosed insert, or printed directly on the ballot itself. If the information is not included, the envelope must clearly indicate that the ballot is not to be forwarded and that return postage is guaranteed.

Sec. 12. RCW 29A.40.110 and 2003 c 111 s 1011 are each amended to read as follows:

(1) The opening and subsequent processing of return identification envelopes for any primary or election may begin on or after the tenth day before the primary or election. The tabulation of absentee ballots must not commence until after 8:00 p.m. on the day of the primary or election.

(2) After opening the return identification envelopes, the county canvassing board or its representative shall place all of the ballots in secure storage until after 8:00 p.m. of the day of the primary or election. Absentee ballots that are to be tabulated on an electronic vote tallying system may be taken from the inner security envelopes and all the normal procedural steps may be performed to prepare these ballots for tabulation.

(3) Before opening a returned absentee ballot, the canvassing board, or its designated representatives, shall examine the postmark, statement, and signature on the return identification envelope that contains the security envelope and absentee ballot. ~~((They))~~ An absentee ballot may be counted only if the return identification envelope was signed by the date of the primary or election for which it was issued and is in the office of the county auditor before the close of the polls on the day of the primary or election for which it was issued. However, an absentee ballot from an out-of-state, overseas, or service voter may be counted if it was mailed no later than the day of the primary or election for which it was issued. The canvassing board or its representative shall verify that the voter's signature on the return envelope is the same as the signature of that voter in the registration files of the county. For registered voters casting absentee ballots, the date on the return identification envelope to which the voter has attested determines the validity, as to the ((time of voting)) date of mailing for that absentee ballot if the postmark is missing or is illegible. For out-of-state voters, overseas voters, and service voters, the date on the return identification envelope to which the voter has attested determines the validity as to the ((time of voting)) date of mailing for that absentee ballot. For any absentee ballot, a variation between the signature of the voter on the return envelope and the signature of that voter in the registration files due to the substitution of initials or the use of common nicknames is permitted so long as the surname and handwriting are clearly the same.

Sec. 13. RCW 29A.48.050 and 2003 c 111 s 1205 are each amended to read as follows:

The voter shall return the ballot to the county auditor in the return identification envelope. ~~((H))~~ Whether mailed or returned otherwise, a ballot must be ((postmarked not later than the date of the primary or election. Otherwise, the ballot must be deposited at the office of the county auditor or the designated place of deposit not later than 8:00 p.m. on the date of the primary or election)) returned in accordance with the time requirements as provided for an absentee ballot under RCW 29A.40.110."

Renumber the sections following consecutively and correct internal references accordingly.

On page 9, after line 29 of the amendment, insert the following:

"**Sec. 12.** RCW 29A.60.160 and 2003 c 111 s 1516 are each amended to read as follows:

At least every third day after a primary or election and before certification of the election results, except Sundays and legal holidays, the county auditor, as delegated by the county canvassing board, shall process absentee ballots and canvass the votes cast at that primary or election, if the county auditor is in possession of more than twenty-five ballots that have yet to be canvassed. The county auditor, as delegated by the county canvassing board, may use his or her discretion in determining when to process the remaining absentee ballots and canvass the votes during the final four days before the certification of election results in order to protect the secrecy of any ballot. In counties where this process has not been delegated to the county auditor, the county auditor shall convene the county canvassing board to

process absentee ballots and canvass the votes cast at the primary or election as set forth in this section.

Each absentee ballot previously not canvassed that was received by the county auditor two days or more before processing absentee ballots and canvassing the votes as delegated by or processed by the county canvassing board, that ~~((either was received by the county auditor before the closing of the polls on the day of the primary or election for which it was issued, or that bears a postmark on or before the primary or election for which it was issued))~~ was returned in accordance with the time requirements as provided for an absentee ballot under RCW 29A.40.110, must be processed at that time. The tabulation of votes that results from that day's canvass must be made available to the general public immediately upon completion of the canvass."

Renumber the sections following consecutively and correct internal references accordingly.

On page 31, line 3 of the title amendment, after "29A.40.070," insert "29A.40.091, 29A.40.110, 29A.48.050," and in line 4 of the title amendment after "29A.56.030," insert "29A.60.160,"

Senators Schoesler and Roach spoke in favor of adoption of the amendment to the striking amendment.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Schoesler on page 8, line 37 to Substitute Senate Bill No. 5219.

The motion by Senator Schoesler failed and the amendment was not adopted by a rising voice vote.

MOTION

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

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

Sec. 1. RCW 29A.04.310 and 2005 c 2 s 8 (Initiative Measure No. 872, approved November 2, 2004) are each 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))~~ the Tuesday immediately preceding Labor Day of the same calendar year.

Renumber the sections consecutively and correct any internal references accordingly.

Senator Roach spoke in favor of adoption of the amendment to the striking amendment.

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

Senator Esser demanded a roll call and the demand was sustained.

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

MOTION

On motion of Senator Hewitt, Senators Benson and Zarelli were excused.

Senator Benton spoke in favor of adoption of the amendment to the striking amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Roach on page 1, line 3 to Substitute Senate Bill No. 5219.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Roach was not adopted by the following vote: Yeas, 22; Nays, 26; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Carrell, Deccio, Delvin, Esser, Fairley, Finkbeiner, Hargrove, Hewitt, Honeyford, Jacobsen, Johnson, McCaslin, Morton, Mulliken, Parlette, Pflug, Roach, Schoesler, Sheldon and Stevens - 22

Voting nay: Senators Berkey, Brandland, Brown, Doumit, Eide, Franklin, Fraser, Haugen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Oke, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Schmidt, Shin, Spanel, Swecker, Thibaudeau and Weinstein - 26

Excused: Senator Zarelli - 1

The President declared the question before the Senate to be the adoption of the striking amendment.

MOTIONS

A division was demanded.

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

The motion by Senator Kastama carried and the striking amendment was adopted on a rising vote.

MOTION

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

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."

MOTION

On motion of Senator Kastama, the rules were suspended, Engrossed Substitute Senate Bill No. 5219 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

PARLIAMENTARY INQUIRY

Senator Jacobsen: "Thank you Mr. President. Last year the voters past Initiative 872 which essentially had too pass to post and I'm curious, in this one, if this changes anything dealing with that. Does it require two-thirds vote first amend Initiative I. Any part of this that is referred to in I-872 such as the primary date?"

REPLY BY THE PRESIDENT

President Owen: "Senator Jacobsen has raised the point of inquiry as to whether or not this bill would amend the Initiative 872 that was passed by the voters last year."

PARLIAMENTARY INQUIRY

Senator Kastama: "Thank you Mr. President. I would only comment that the Initiative changed the type of primary. It had nothing to do with the actual date of the primary, therefore I would say it's irrelevant but I will certainly stand to your judgement."

POINT OF ORDER

Senator Roach: "Thank you, I wanted to add to the discussion that your having right now by saying that it does, when you change the primary date it actually significantly changes the primary election. If it's not significantly changing the primary election than I submit we wouldn't be having this particular bill before us in the first place. That also I believe would address the issue of the primary election, the issue you're your discussing right now with that Initiative."

MOTION

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

President Pro Tempore Franklin assumed the chair.

SECOND READING

SENATE BILL NO. 5565, by Senators Schmidt, Kastama, Weinstein, Roach, Keiser, Sheldon, Shin, Rockefeller, Oke and Kohl-Welles

Informing out-of-state, overseas, and service voters of rights and procedures.

The measure was read the second time.

MOTION

On motion of Senator Kastama, the rules were suspended, Senate Bill No. 5565 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kastama, Roach and Esser spoke in favor of passage of the bill.

The President Pro Tempore declared the question before the Senate to be the final passage of Senate Bill No. 5565.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5565 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau and Weinstein - 48

Excused: Senator Zarelli - 1

SENATE BILL NO. 5565, 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. 5743, by Senators Kastama, Roach, Fairley, Benson, Berkey, Haugen, McAuliffe, Shin, Parlette, Keiser, Mulliken and Rockefeller

Enhancing voter registration recordkeeping.

MOTIONS

On motion of Senator Kastama, Substitute Senate Bill No. 5743 was substituted for Senate Bill No. 5743 and the substitute bill was placed on the second reading and read the second time.

MOTION

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

On page 5, after line 30, insert the following:

"**Sec. 7.** RCW 29A.08.125 and 2003 c 111 s 209 are each amended to read as follows:

(1) Each county auditor shall maintain a computer file containing the records of all registered voters within the county. The auditor may provide for the establishment and maintenance of such files by private contract or through interlocal agreement as provided by chapter 39.34 RCW. The computer file must include, but not be limited to, each voter's last name, first name, middle initial, date of birth, residence address, gender, date of registration, applicable taxing district and precinct codes, and the last date on which the individual voted.

(2) County election officials shall randomly investigate the record of all registered voters within the county contained on the official statewide voter registration list for that county, to make corrections in the record regarding persons who are deceased or whose residence differs from that on the official statewide voter registration list.

(3) The county auditor shall subsequently record each consecutive date upon which the individual has voted and retain at least the last five such consecutive dates. If the voter has not voted at least five times since establishing his or her current registration record, only the available dates will be included.

Sec. 8. RCW 29A.08.125 and 2004 c 267 s 110 are each amended to read as follows:

(1) Each county auditor shall maintain a computer file containing a copy of each record of all registered voters within the county contained on the official statewide voter registration list for that county.

(2) County election officials shall randomly investigate the record of all registered voters within the county contained on the official statewide voter registration list for that county, to make corrections in the record regarding persons who are deceased or whose residence differs from that on the official statewide voter registration list.

(3) The computer file must include, but not be limited to, each voter's last name, first name, middle initial, date of birth, residence address, gender, date of registration, applicable taxing district and precinct codes, and the last date on which the individual voted.

(4) The county auditor shall subsequently record each consecutive date upon which the individual has voted and retain all such consecutive dates."

Renumber the sections following consecutively and correct internal references accordingly.

On page 7, after line 37, insert the following:

"**Sec. 10.** RCW 29A.08.605 and 2003 c 111 s 236 are each amended to read as follows:

In addition to the case-by-case maintenance required under RCW 29A.08.620 and 29A.08.630 (~~and~~), the canceling of registrations under RCW 29A.08.510, and the random investigation required under RCW 29A.08.125, the county auditor shall establish a general program of voter registration list maintenance. This program must be a thorough review that is applied uniformly throughout the county and must be nondiscriminatory in its application. Any program established must be completed at least once every two years and not later than ninety days before the date of a primary or general election for federal office. The county may fulfill its obligations under this section in one of the following ways:

(1) The county auditor may enter into one or more contracts with the United States postal service, or its licensee, which permit the auditor to use postal service change-of-address information. If the auditor receives change of address information from the United States postal service that indicates that a voter has changed his or her residence address within the county, the auditor shall

transfer the registration of that voter and send a confirmation notice informing the voter of the transfer to the new address. If the auditor receives postal change of address information indicating that the voter has moved out of the county, the auditor shall send a confirmation notice to the voter and advise the voter of the need to reregister in the new county. The auditor shall place the voter's registration on inactive status;

(2) A direct, nonforwardable, nonprofit or first-class mailing to every registered voter within the county bearing the postal endorsement "Return Service Requested." If address correction information for a voter is received by the county auditor after this mailing, the auditor shall place that voter on inactive status and shall send to the voter a confirmation notice;

(3) Any other method approved by the secretary of state.

Sec. 11. RCW 29A.08.605 and 2004 c 267 s 128 are each amended to read as follows:

In addition to the case-by-case maintenance required under RCW 29A.08.620 and 29A.08.630 (~~and~~), the canceling of registrations under RCW 29A.08.510, and the random investigation required under RCW 29A.08.125, the secretary of state and the county auditor shall cooperatively establish a general program of voter registration list maintenance. This program must be a thorough review that is applied uniformly throughout the county and must be nondiscriminatory in its application. Any program established must be completed at least once every two years and not later than ninety days before the date of a primary or general election for federal office. This obligation may be fulfilled in one of the following ways:

(1) The secretary of state may enter into one or more contracts with the United States postal service, or its licensee, which permit the use of postal service change-of-address information. If the change of address information is received from the United States postal service that indicates that a voter has changed his or her residence address within the state, the auditor shall transfer the registration of that voter and send a confirmation notice informing the voter of the transfer to the new address;

(2) A direct, nonforwardable, nonprofit or first-class mailing to every registered voter bearing the postal endorsement "Return Service Requested." If address correction information for a voter is received by the county auditor after this mailing, the auditor shall place that voter on inactive status and shall send to the voter a confirmation notice;

(3) Any other method approved by the secretary of state."

Renumber the sections following consecutively and correct internal references accordingly.

On page 9, line 8, after "(f)" strike everything through "(h)" on line 12, and insert "Provide current and accurate voter registration information using information obtained under RCW 29A.08.125;

(g) Provide for a comparison between the voter registration data base and the department of licensing change of address data base;

~~((g))~~ (h) Provide online access for county auditors with the goal of real time duplicate checking and update capabilities; and

~~((h))~~ (i)"

On page 9, line 27, strike all of section 13 and insert the following:

"NEW SECTION. **Sec. 13.** Sections 7 and 10 of this act expire January 1, 2006.

NEW SECTION. **Sec. 14.** Sections 7 and 10 of this act take effect ninety days after the adjournment of the legislative session in which they are enacted. The remainder of the act takes effect January 1, 2006."

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

Senator Roach demanded a roll call and the demand was sustained.

Senator Kastama spoke in favor of adoption of the amendment.

Senator Roach withdrew her motion for a roll call.

The President Pro Tempore declared the question before the Senate to be the adoption of the amendment by Senators McCaslin and Esser on page 5, after line 30 to Substitute Senate Bill No. 5743.

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

President Owen assumed the chair.

REMARKS BY THE PRESIDENT

President Owen: Senator Mulliken, it's been brought to our attention that there were some more perfecting amendments to the substitute which should be taken before your striking amendment is taken. Would you be willing to withdraw your motion to adopt your striking amendment until we deal with those perfecting amendments. With the permission of the Senate Senator Mulliken withdraws her motion to move the striking amendment."

MOTION

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

On page 3, line 13, after "and address," insert "The secretary of state or the county auditor shall check on the citizenship of each applicant with the federal Immigration and Naturalization Service, in accordance with 8 U.S.C. 1373."

Senator Roach spoke in favor of adoption of the amendment.

Senator Kastama spoke against adoption of the amendment.

Senator Roach demanded a roll call.

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

The President declared the question before the Senate to be the adoption of the amendment by Senator Roach on page 3, line 13 to Substitute Senate Bill No. 5743.

ROLL CALL

The Secretary called the roll on the adoption of the amendment by Senator Roach was adopted by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Brandland, Carrell, Deccio, Delvin, Eide, Esser, Finkbeiner, Hargrove, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Pridemore, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Stevens and Swecker - 27

Voting nay: Senators Berkey, Brown, Doumit, Fairley, Franklin, Fraser, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Poulsen, Prentice, Rasmussen, Regala, Shin, Spanel, Thibaudeau and Weinstein - 21

Excused: Senator Zarelli - 1

MOTION

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

On page 6, after line 36, insert the following:

"The application form must also provide a box the applicant may check to indicate that he or she is a member of the armed forces."

On page 9, after line 23, insert the following:

"**Sec. 12.** RCW 29A.40.091 and 2004 c 271 s 135 are each amended to read as follows:

The county auditor shall send each absentee voter a ballot, a security envelope in which to seal the ballot after voting, a larger envelope in which to return the security envelope, and instructions on how to mark the ballot and how to return it to the county auditor. The instructions that accompany an absentee ballot for a partisan primary must include instructions for voting the applicable ballot style, as provided in chapter 29A.36 RCW. The

larger return envelope must contain a declaration by the absentee voter reciting his or her qualifications and stating that he or she has not voted in any other jurisdiction at this election, together with a summary of the penalties for any violation of any of the provisions of this chapter. The return envelope must provide a box the voter may check to indicate that he or she is a member of the armed forces. The return envelope must provide space for the voter to indicate the date on which the ballot was voted and for the voter to sign the oath. A summary of the applicable penalty provisions of this chapter must be printed on the return envelope immediately adjacent to the space for the voter's signature. The signature of the voter on the return envelope must affirm and attest to the statements regarding the qualifications of that voter and to the validity of the ballot. For out-of-state voters, overseas voters, and service voters, the signed declaration on the return envelope constitutes the equivalent of a voter registration for the election or primary for which the ballot has been issued. The voter must be instructed to either return the ballot to the county auditor by whom it was issued or attach sufficient first class postage, if applicable, and mail the ballot to the appropriate county auditor no later than the day of the election or primary for which the ballot was issued.

If the county auditor chooses to forward absentee ballots, he or she must include with the ballot a clear explanation of the qualifications necessary to vote in that election and must also advise a voter with questions about his or her eligibility to contact the county auditor. This explanation may be provided on the ballot envelope, on an enclosed insert, or printed directly on the ballot itself. If the information is not included, the envelope must clearly indicate that the ballot is not to be forwarded and that return postage is guaranteed."

Renumber the sections following consecutively and correct internal references accordingly.

Senators Roach and Kastama 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 Roach on page 6, line 36 to Substitute Senate Bill No. 5743.

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

MOTION

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

On page 9, after line 23, insert the following:

"**Sec. 12.** RCW 46.20.155 and 2004 c 249 s 7 are each amended to read as follows:

(1) Before issuing an original license or identicard or renewing a license or identicard under this chapter, the licensing agent shall determine if the applicant wants to register to vote or transfer his or her voter registration by asking the following question:

"Do you want to register to vote or transfer your voter registration?"

If the applicant chooses to register or transfer a registration, the agent shall ((state)) ask and confirm the following:

((~~"I would like to remind you that you must be a United States citizen and at least eighteen years of age in order to vote."~~))

(1) "Are you a United States citizen?"

(2) "Are you at least eighteen years of age?"

If the applicant answers in the affirmative to both questions, the agent shall then provide the applicant with a voter registration form and instructions and shall record that the applicant has requested to register to vote or transfer a voter registration.

If the applicant answers in the negative to either question, the agent shall not provide the applicant with a voter registration form and instructions.

(2) The department shall establish a procedure that substantially meets the requirements of subsection (1) of this

section when permitting an applicant to renew a license or identocard by mail or by electronic commerce."

Renumber the sections following consecutively and correct internal references accordingly.

Senators Roach and Kastama 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 Roach on page 9, after line 23 to Substitute Senate Bill No. 5743.

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

MOTION

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

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 29A.08 RCW to read as follows:

In order to vote at any election or primary, whether at a polling place or by absentee or mail ballot, a person must have registered to vote at least thirty days before the election or primary, regardless of the person's status as an absentee, mail ballot, out-of-state, overseas, or service voter.

Sec. 2. RCW 29A.04.103 and 2003 c 111 s 118 are each amended to read as follows:

"Out-of-state voter" means any (~~elector~~) registered voter of the state of Washington outside the state but not outside the territorial limits of the United States or the District of Columbia.

Sec. 3. RCW 29A.04.109 and 2003 c 111 s 119 are each amended to read as follows:

"Overseas voter" means any (~~elector~~) registered voter of the state of Washington outside the territorial limits of the United States or the District of Columbia.

Sec. 4. RCW 29A.04.163 and 2003 c 111 s 127 are each amended to read as follows:

"Service voter" means any (~~elector~~) registered voter of the state of Washington who is a member of the armed forces under 42 U.S.C. Sec. 1973 ff-6 while in active service, is a student or member of the faculty at a United States military academy, is a member of the merchant marine of the United States, is a program participant as defined in RCW 40.24.020, or is a member of a religious group or welfare agency officially attached to and serving with the armed forces of the United States.

Sec. 5. RCW 29A.08.010 and 2003 c 111 s 201 are each amended to read as follows:

As used in this chapter: "Information required for voter registration" or "required information" means the minimum information provided on a voter registration application that is required by the county auditor in order to place a voter registration applicant on the voter registration rolls. This information includes proof that the applicant is a United States citizen, the applicant's name, (~~complete residence~~) residential address, date of birth, and a signature attesting to the truth of the information provided on the application. Proof of citizenship is not required if an applicant is transferring his or her voter registration within a county or between counties in this state. All other information supplied is ancillary and not to be used as grounds for not registering an applicant to vote.

Sec. 6. RCW 29A.08.010 and 2004 c 267 s 102 are each amended to read as follows:

As used in this chapter: "Information required for voter registration" or "required information" means the minimum information provided on a voter registration application that is required by the county auditor in order to place a voter registration applicant on the voter registration rolls. This information includes proof that the applicant is a United States citizen, the applicant's name, (~~complete residence~~) residential address, date of birth, Washington state driver's license number,

Washington state identification card, or the last four digits of the applicant's social security number, and a signature attesting to the truth of the information provided on the application(~~(-and a check or indication in the box confirming the individual is a United States citizen)~~). If the individual does not have a driver's license, state identification card, or Social Security number the registrant must be issued a unique voter registration number (~~(and)~~) in order to be placed on the voter registration rolls. All other information supplied is ancillary and not to be used as grounds for not registering an applicant to vote. Modification of the language of the official Washington state voter registration form by the voter will not be accepted and will cause the rejection of the registrant's application. Proof of citizenship is not required if an applicant is transferring his or her voter registration within a county or between counties in this state.

Sec. 7. RCW 29A.08.030 and 2004 c 267 s 104 are each amended to read as follows:

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

(1) "Verification notice" means a notice sent by the county auditor or secretary of state to a voter registration applicant and is used to verify or collect information about the applicant in order to complete the registration.

(2) "Acknowledgement notice" means a notice sent by nonforwardable mail by the county auditor or secretary of state to a registered voter to acknowledge a voter registration transaction, which can include initial registration, transfer, or reactivation of an inactive registration. An acknowledgement notice may be a voter registration card.

(3) "Confirmation notice" means a notice sent to a registered voter by first class forwardable mail at the address indicated on the voter's permanent registration record and to any other address at which the county auditor or secretary of state could reasonably expect mail to be received by the voter in order to confirm the voter's residence address. The confirmation notice must be designed (~~so that the voter may update his or her current residence address~~) to include a postage prepaid, preaddressed return form by which the registrant may verify the address information.

Sec. 8. RCW 29A.08.107 and 2004 c 267 s 106 are each amended to read as follows:

(1) The secretary of state must review the information provided by each voter registration applicant to ensure that (~~either~~) the driver's license number, state identification card number, or the last four digits of the social security number match the information maintained by the Washington department of licensing or the social security administration. If a match cannot be made, the secretary of state or county auditor must correspond with the applicant to (~~resolve the discrepancy~~) obtain from the applicant a copy of a current photo identification, utility bill, bank statement, paycheck, or government check or another government document that shows the applicant's name and address.

(2) If the applicant fails to respond to any correspondence required in this section to confirm information provided on a voter registration application(~~(-) within (thirty) forty-five days~~), the (~~secretary of state shall forward the application to the appropriate county auditor for document storage~~) applicant will not be registered to vote.

(3) Only after the secretary of state has confirmed (~~that an applicant's driver's license number or the last four digits of the applicant's social security number match existing records with the Washington department of licensing or the social security administration or determined that the applicant does not have either a driver's license number or social security number~~) the applicant's identity, as required by subsection (1) of this section, may the applicant be placed on the official list of registered voters.

Sec. 9. RCW 29A.08.110 and 2003 c 111 s 206 are each amended to read as follows:

(1) On receipt of an application for voter registration under

this chapter, the county auditor shall review the application to determine whether the information supplied is complete. An application that contains proof that the applicant is a United States citizen, the applicant's name, complete valid residence address, date of birth, and signature attesting to the truth of the information provided on the application is complete. Proof of citizenship is not required if an applicant is transferring his or her voter registration within a county or between counties in this state. If it is not complete, the auditor shall promptly mail a verification notice of the deficiency to the applicant. This verification notice shall require the applicant to provide the missing information. If the verification notice is not returned by the applicant or is returned as undeliverable (~~the auditor shall not place~~), the name of the applicant may not be placed on the county voter list. If the applicant provides the required information, the applicant shall be registered to vote as of the date of mailing of the original voter registration application.

(2) If the information is complete, the applicant is considered to be registered to vote as of the original date of mailing or date of delivery, whichever is applicable. The auditor shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record. Within forty-five days after the receipt of an application but no later than seven days before the next primary, special election, or general election, the auditor shall send to the applicant, by first class mail, an acknowledgement notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The postal service shall be instructed not to forward a voter registration card to any other address and to return to the auditor any card which is not deliverable. If the applicant has indicated that he or she is registered to vote in another county in Washington but has also provided an address within the auditor's county that is for voter registration purposes, the auditor shall send, on behalf of the registrant, a registration cancellation notice to the auditor of that other county and the auditor receiving the notice shall cancel the registrant's voter registration in that other county. If the registrant has indicated on the form that he or she is registered to vote within the county but has provided a new address within the county that is for voter registration purposes, the auditor shall transfer the voter's registration.

(3) If an acknowledgement notice card is properly mailed as required by this section to the address listed by the voter as being the voter's mailing address and the notice is subsequently returned to the auditor by the postal service as being undeliverable to the voter at that address, the auditor shall promptly send the voter a confirmation notice. The auditor shall place the voter's registration on inactive status pending a response from the voter to the confirmation notice.

Sec. 10. RCW 29A.08.110 and 2004 c 267 s 107 are each amended to read as follows:

(1) On receipt of an application for voter registration, the county auditor shall review the application to determine whether the information supplied is complete. An application is considered complete only if it contains proof that the applicant is a United States citizen, the applicant's name, complete valid residence address, date of birth, and signature attesting to the truth of the information provided and an indication the license information or social security number has been confirmed by the secretary of state. Proof of citizenship is not required if an applicant is transferring his or her voter registration within a county or between counties in this state. If it is not complete, the auditor shall promptly mail a verification notice of the deficiency to the applicant. This verification notice shall require the applicant to provide the missing information. If the verification notice is not returned by the applicant or is returned as undeliverable (~~the auditor shall not place~~), the name of the applicant may not be placed on the county voter list. If the applicant provides the required verified information, the applicant shall be registered to vote as of the date of mailing of the original voter registration application.

(2) In order to prevent duplicate registration records, all complete voter registration applications must be screened against existing voter registration records in the official statewide voter registration list. If a match of an existing record is found in the official list the record must be updated with the new information provided on the application. If the new information indicates that the voter has changed his or her county of residence, the application must be forwarded to the voter's new county of residence for processing. If the new information indicates that the voter remains in the same county of residence or if the applicant is a new voter the application must be processed by the county of residence.

(3) If the information required in subsection (1) of this section is complete, the applicant is considered to be registered to vote as of the original date of mailing or date of delivery, whichever is applicable. The auditor shall record the appropriate precinct identification, taxing district identification, and date of registration on the voter's record in the state voter registration list. Within forty-five days after the receipt of an application but no later than seven days before the next primary, special election, or general election, the auditor shall send to the applicant, by first class mail, an acknowledgement notice identifying the registrant's precinct and containing such other information as may be required by the secretary of state. The postal service shall be instructed not to forward a voter registration card to any other address and to return to the auditor any card which is not deliverable. If the registrant has indicated on the form that he or she is registered to vote within the county but has provided a new address within the county that is for voter registration purposes, the auditor shall transfer the voter's registration.

(4) If an acknowledgement notice card is properly mailed as required by this section to the address listed by the voter as being the voter's mailing address and the notice is subsequently returned to the auditor by the postal service as being undeliverable to the voter at that address, the auditor shall promptly send the voter a confirmation notice. The auditor shall place the voter's registration on inactive status pending a response from the voter to the confirmation notice.

NEW SECTION. Sec. 11. A new section is added to chapter 29A.08 RCW to read as follows:

No person registering to vote, who meets all the qualifications of a registered voter in the state of Washington, may be disqualified because of a nontraditional address being used as a residence address. Voters using such an address will be registered and assigned to a precinct based on the location provided. Voters without a traditional address will be registered at the county courthouse, city hall, or other public building near the area that the voter considers his or her residence. Registering at a nontraditional address will not disqualify a voter from requesting ongoing absentee voter status if the voter designates a valid mailing address.

For the purposes of this section, "nontraditional address" includes shelters, parks, or other identifiable locations that the voter deems to be his or her residence.

Sec. 12. RCW 29A.08.115 and 2004 c 267 s 108 are each amended to read as follows:

A person or organization collecting voter registration application forms must transmit the forms to the secretary of state or a (~~designee~~) county auditor at least once weekly. The registration date on such forms will be the date they are received by the secretary of state or county auditor.

Sec. 13. RCW 29A.08.140 and 2003 c 111 s 212 are each amended to read as follows:

The registration files of all precincts shall be closed against original registration or transfers for thirty days immediately preceding every primary, special election, and general election to be held in such precincts.

The county auditor shall give notice of the closing of the precinct files for original registration and transfer (~~and notice of the special registration and voting procedure provided by RCW~~

29A.08.145)) by one publication in a newspaper of general circulation in the county at least five days before the closing of the precinct files.

No person may vote at any primary, special election, or general election in a precinct polling place unless he or she has registered to vote at least thirty days before that primary or election. ~~((If a person, otherwise qualified to vote in the state, county, and precinct in which he or she applies for registration, does not register at least thirty days before any primary, special election, or general election, he or she may register and vote by absentee ballot for that primary or election under RCW 29A.08.145-))~~

Sec. 14. RCW 29A.08.140 and 2004 c 267 s 112 are each amended to read as follows:

The registration files of all precincts shall be closed against original registration or transfers for thirty days immediately preceding every primary, special election, and general election to be held in such precincts.

The county auditor shall give notice of the closing of the precinct files for original registration and transfer ~~((and notice of the special registration and voting procedure provided by RCW 29A.08.145))~~ by one publication in a newspaper of general circulation in the county at least five days before the closing of the precinct files.

No person may vote at any primary, special election, or general election in a precinct polling place unless he or she has registered to vote at least thirty days before that primary or election and appears on the official statewide voter registration list. ~~((If a person, otherwise qualified to vote in the state, county, and precinct in which he or she applies for registration, does not register at least thirty days before any primary, special election, or general election, he or she may register and vote by absentee ballot for that primary or election under RCW 29A.08.145-))~~

Sec. 15. RCW 29A.08.145 and 2004 c 267 s 113 are each amended to read as follows:

This section establishes a special procedure which an elector may use to register to vote or transfer a voter registration by changing his or her address during the period beginning after the closing of registration for voting at the polls under RCW 29A.08.140 and ending on the fifteenth day before a primary, special election, or general election. A qualified elector in the state may register to vote or change his or her registration address in person in the office of the county auditor of the county in which the applicant resides, or at a voter registration location specifically designated for this purpose by the ~~((county auditor of the county in which the applicant resides))~~ secretary of state, and apply for an absentee ballot for that primary or election. The auditor or registration assistant shall register that individual in the manner provided in this chapter. The application for an absentee ballot executed by the newly registered or transferred voter for the primary or election that follows the execution of the registration shall be promptly transmitted to the auditor with the completed voter registration form.

Sec. 16. RCW 29A.08.210 and 2003 c 111 s 216 are each amended to read as follows:

(1) An applicant for voter registration shall complete an application providing the following information concerning his or her qualifications as a voter in this state:

~~((1))~~ (a) Proof that the applicant is a United States citizen;

~~((2))~~ (b) The address of the last former registration of the applicant as a voter in the state;

~~((3))~~ (c) The applicant's full name;

~~((4))~~ (d) The applicant's date of birth;

~~((5))~~ (e) The address of the applicant's residence for voting purposes;

~~((6))~~ (f) The mailing address of the applicant if that address is not the same as the address in (e) of this subsection ~~((4))~~ of this section);

~~((7))~~ (g) The sex of the applicant;

~~((8))~~ A declaration that the applicant is a citizen of the United

States;

~~((9))~~ (h) The applicant's Washington state driver's license number, Washington state identification card number, or the last four digits of the applicant's Social Security number;

~~((10))~~ (i) The applicant's signature; and

~~((11))~~ (j) Any other information that the secretary of state determines is necessary to establish the identity of the applicant and prevent duplicate or fraudulent voter registrations.

This information shall be recorded on a single registration form to be prescribed by the secretary of state.

If the applicant fails to provide the information required for voter registration, the auditor shall send the applicant a verification notice. The auditor shall not register the applicant until the required information is provided. If a verification notice is returned as undeliverable or the applicant fails to respond to the notice within forty-five days, the auditor shall not register the applicant to vote.

(2) The applicant shall sign and attest to the following declaration:

"I declare that the facts on this voter registration form are true. I am a citizen of the United States, I am not presently denied my civil rights as a result of being convicted of a felony, I will have lived in Washington at this address for thirty days before the next election at which I vote, and I will be at least eighteen years old when I vote."

(3) The following warning shall appear in a conspicuous place on the voter registration form:

"If you knowingly provide false information on this voter registration form or knowingly make a false declaration about your qualifications for voter registration you will have committed a class C felony that is punishable by imprisonment for up to five years, or by a fine of up to ten thousand dollars, or both imprisonment and fine."

Sec. 17. RCW 29A.08.220 and 2004 c 267 s 115 are each amended to read as follows:

(1) The secretary of state shall specify by rule the format of all voter registration applications. These applications shall be compatible with existing voter registration records. An applicant for voter registration shall be required to complete only one application and to provide the required information other than his or her signature no more than one time. If an applicant transfers his or her voter registration within a county or between counties of this state, he or she is not required to provide proof of citizenship. These applications shall also contain information for the voter to transfer his or her registration.

Any application format specified by the secretary for use in registering to vote in state and local elections shall satisfy the requirements of the National Voter Registration Act of 1993 (P.L. 103-31) and the Help America Vote Act of 2002 (P.L. 107-252) for registering to vote in federal elections.

(2) All registration applications required under RCW 29A.08.210 and 29A.08.340 shall be produced and furnished by the secretary of state to the county auditors and the department of licensing.

Sec. 18. RCW 29A.08.250 and 2004 c 267 s 117 are each amended to read as follows:

The secretary of state shall furnish registration forms necessary to carry out the registration of voters as provided by this chapter without cost to the respective counties. All voter registration forms must include clear and conspicuous language, designed to draw an applicant's attention, stating that the applicant must ~~((be))~~ provide proof that the applicant is a United States citizen in order to register to vote. Voter registration application forms must also contain a space for the applicant to provide his or her driver's license number or the last four digits of his or her social security number as well as check boxes intended to allow the voter to indicate age and United States citizenship ~~((eligibility))~~ under the Help America Vote Act of 2002 (P.L. 107-252).

Sec. 19. RCW 29A.08.520 and 2003 c 111 s 233 are each

amended to read as follows:

(1) Upon receiving official notice of a person's conviction of a felony in either state or federal court, if the convicted person is a registered voter in the county, the county auditor shall cancel the defendant's voter registration. Additionally, the secretary of state in conjunction with the department of corrections and the Washington state patrol shall arrange for a monthly comparison of any lists of known felons maintained by the department of corrections and the Washington state patrol with the statewide voter registration list. If a person is found on the department of corrections felon list or the Washington state patrol felon list and the statewide voter registration list, the secretary of state or county auditor shall confirm the match through a date of birth comparison and immediately cancel the voter registration from the official state voter registration list. The canceling authority shall send notice of the proposed cancellation to the person at his or her last known voter registration address.

(2) Felons who have been granted a certificate of discharge by a court shall provide a certified copy of the certificate of discharge to the department of corrections and the Washington state patrol within thirty days from the day the court grants the certificate, and shall provide a certified copy of their certificate of discharge to the elections officer at the time they register to vote.

Sec. 20. RCW 29A.08.520 and 2004 c 267 s 126 are each amended to read as follows:

(1) Upon receiving official notice of a person's conviction of a felony in either state or federal court, if the convicted person is a registered voter in the county, the county auditor shall cancel the defendant's voter registration. Additionally, the secretary of state in conjunction with the department of corrections and the Washington state patrol shall arrange for a ((periodic)) monthly comparison of ((a)) any lists of known felons maintained by the department of corrections and the Washington state patrol with the statewide voter registration list. If a person is found on the department of corrections felon list or the Washington state patrol felon list and the statewide voter registration list, the secretary of state or county auditor shall confirm the match through a date of birth comparison and immediately cancel the voter registration from the official state voter registration list. The canceling authority shall send notice of the proposed cancellation to the person at his or her last known voter registration address.

(2) Felons who have been granted a certificate of discharge by a court shall provide a certified copy of the certificate of discharge to the department of corrections and the Washington state patrol within thirty days from the day the court grants the certificate, and shall provide a certified copy of their certificate of discharge to the elections officer at the time they register to vote.

NEW SECTION. Sec. 21. A new section is added to chapter 29A.08 RCW to read as follows:

A person may prove that he or she is a United States citizen with an original or copy of any one of the following:

- (1) A United States passport;
- (2) A certified birth certificate issued by the city, county, or state. A certified birth certificate has a registrar's raised, embossed, impressed, or multicolored seal, registrar's signature, and the date the certificate was filed with the registrar's office, which must be within one year of birth;
- (3) A consular report of birth abroad or certification of birth;
- (4) A naturalization certificate; or
- (5) A certificate of citizenship.

Sec. 22. RCW 29A.08.651 and 2004 c 267 s 101 are each amended to read as follows:

(1) The office of the secretary of state shall create and maintain a statewide voter registration data base. This data base must be a single, uniform, official, centralized, interactive computerized statewide voter registration list defined, maintained, and administered at the state level that contains the name and registration information of every legally registered voter in the state and assigns a unique identifier to each legally registered voter in the state.

(2) The computerized list must serve as the single system for storing and maintaining the official list of registered voters throughout the state.

(3) The computerized list must contain the name and registration information of every legally registered voter in the state.

(4) Under the computerized list, a unique identifier is assigned to each legally registered voter in the state.

(5) The computerized list must be coordinated with other agency data bases within the state, including but not limited to the department of corrections, the department of licensing, ((and)) the department of health, the Washington state patrol, and the office of the administrator for the courts.

(6) Any election officer in the state, including any local election officer, may obtain immediate electronic access to the information contained in the computerized list.

(7) All voter registration information obtained by any local election officer in the state must be electronically entered into the computerized list on an expedited basis at the time the information is provided to the local officer.

(8) The chief state election officer shall provide support, as may be required, so that local election officers are able to enter information as described in subsection (3) of this section.

(9) The computerized list serves as the official voter registration list for the conduct of all elections.

(10) The secretary of state has data authority on all voter registration data.

(11) The voter registration data base must be designed to accomplish at a minimum, the following:

(a) Comply with the Help America Vote Act of 2002 (P.L. 107-252);

(b) Identify duplicate voter registrations;

(c) Identify suspected duplicate voters;

(d) Screen against the department of corrections, the Washington state patrol, and other appropriate state agency data bases to aid in the cancellation of voter registration of felons;

(e) Provide up-to-date signatures of voters for the purposes of initiative signature checking;

(f) Provide for a comparison between the voter registration data base and the department of licensing change of address data base;

(g) Provide online access for county auditors with the goal of real time duplicate checking and update capabilities; and

(h) Provide for the cancellation of voter registration for persons who have moved to other states and surrendered their Washington state drivers' licenses.

NEW SECTION. Sec. 23. A new section is added to chapter 29A.08 RCW to read as follows:

In addition to any legal obligations of local election officers, the secretary of state in conjunction with the department of health shall arrange for a monthly comparison of any lists of known deaths maintained by the department of health with the statewide voter registration list. If a person is found on the department of health death list and the statewide voter registration list, the secretary of state or county auditor shall immediately cancel the voter registration from the official state voter registration list.

NEW SECTION. Sec. 24. A new section is added to chapter 29A.08 RCW to read as follows:

In addition to any legal obligations of local election officers, the secretary of state in conjunction with the department of health, the department of social and health services, and the administrator for the courts shall arrange for a monthly comparison of any lists of persons known to have been declared mentally incompetent and unable to vote or placed under the care of a full guardianship due to their mental capacity. If a person is found on the department of health, the department of social and health services, or the administrator for the courts lists and the statewide voter registration list, the secretary of state or county auditor shall immediately cancel the voter registration from the official state voter registration list.

The administrator for the courts shall collect and maintain a list of all judicial determinations of full guardianship under RCW 11.88.010 and other cases where the court has ordered someone unable to vote.

NEW SECTION. Sec. 25. A new section is added to chapter 29A.08 RCW to read as follows:

In addition to any legal obligations of local election officers, the secretary of state in conjunction with local election officers shall make at a minimum a monthly comparison of names on the statewide voter registration list, and if a person is found registered more than once on the statewide voter registration list, the secretary of state or county auditor shall immediately cancel all voter registrations for that voter in excess of one from the official state voter registration list.

Sec. 26. RCW 29A.08.775 and 2004 c 267 s 136 are each amended to read as follows:

Only voters who appear on the official statewide voter registration list are eligible to participate in elections. Each county shall maintain a copy of that county's portion of the state list. The county must ensure that data used for the production of poll lists and other lists and mailings done in the administration of each election are ~~((drawn from))~~ the same as the official statewide voter registration list.

Sec. 27. RCW 46.20.155 and 2004 c 249 s 7 are each amended to read as follows:

(1) Before issuing an original license or identicard or renewing a license or identicard under this chapter, the licensing agent shall determine if the applicant wants to register to vote or transfer his or her voter registration by asking the following question:

"Do you want to register to vote or transfer your voter registration?"

(2) If the applicant chooses to register or transfer a registration, the agent shall ((state)) make the following statement and ask the applicant the following questions:

"((I would like to remind you that)) You must be a United States citizen and at least eighteen years of age in order to vote. Are you a United States citizen? Are you at least eighteen years of age?"

(3) If the applicant responds in the affirmative that he or she is a United States citizen, and that he or she is at least eighteen years of age, the agent shall then provide the applicant with a voter registration form and instructions and shall record that the applicant has requested to register to vote or transfer a voter registration.

~~((2))~~ (4) The department shall establish a procedure that substantially meets the requirements of subsections (1) and (2) of this section when permitting an applicant to renew a license or identicard by mail or by electronic commerce.

Sec. 28. RCW 29A.40.020 and 2003 c 111 s 1002 are each amended to read as follows:

(1) Except as otherwise provided by law, a registered voter or out-of-state voter, overseas voter, or service voter desiring to cast an absentee ballot at a single election or primary must request the absentee ballot from his or her county auditor no earlier than ninety days nor later than the day before the election or primary at which the person seeks to vote. Except as otherwise provided by law, the request may be made orally in person, by telephone, electronically, or in writing. An application or request for an absentee ballot made under the authority of a federal statute or regulation will be considered and given the same effect as a request for an absentee ballot under this chapter.

(2) A voter requesting an absentee ballot for a primary may also request an absentee ballot for the following general election. A request by an out-of-state voter, overseas voter, or service voter for an absentee ballot for a primary election will be considered as a request for an absentee ballot for the following general election.

(3) In requesting an absentee ballot, the voter shall state the address to which the absentee ballot should be sent. A request for an absentee ballot from an out-of-state voter, overseas voter, or

service voter must include the address of the last residence in the state of Washington ~~((and either a written application or the oath on the return envelope must include a declaration of the other qualifications of the applicant as an elector of this state))~~. A request for an absentee ballot from any other voter must state the address at which that voter is currently registered to vote in the state of Washington or the county auditor shall verify that information from the voter registration records of the county.

(4) A request for an absentee ballot from a registered voter who is within this state must be made directly to the auditor of the county in which the voter is registered. An absentee ballot request from a registered voter who is temporarily outside this state or from an out-of-state voter, overseas voter, or service voter may be made either to the appropriate county auditor or to the secretary of state, who shall promptly forward the request to the appropriate county auditor.

(5) No person, organization, or association may distribute absentee ballot applications within this state that contain a return address other than that of the appropriate county auditor.

Sec. 29. RCW 29A.40.091 and 2004 c 271 s 135 are each amended to read as follows:

The county auditor shall send each absentee voter a ballot, a security envelope in which to seal the ballot after voting, a larger envelope in which to return the security envelope, and instructions on how to mark the ballot and how to return it to the county auditor. The instructions that accompany an absentee ballot for a partisan primary must include instructions for voting the applicable ballot style, as provided in chapter 29A.36 RCW. The larger return envelope must contain a declaration by the absentee voter reciting his or her qualifications and stating that he or she has not voted in any other jurisdiction at this election, together with a summary of the penalties for any violation of any of the provisions of this chapter. The return envelope must provide space for the voter to indicate the date on which the ballot was voted and for the voter to sign the oath. A summary of the applicable penalty provisions of this chapter must be printed on the return envelope immediately adjacent to the space for the voter's signature. The signature of the voter on the return envelope must affirm and attest to the statements regarding the qualifications of that voter and to the validity of the ballot. ~~((For out-of-state voters, overseas voters, and service voters, the signed declaration on the return envelope constitutes the equivalent of a voter registration for the election or primary for which the ballot has been issued.))~~ The voter must be instructed to either return the ballot to the county auditor by whom it was issued or attach sufficient first class postage, if applicable, and mail the ballot to the appropriate county auditor no later than the day of the election or primary for which the ballot was issued.

If the county auditor chooses to forward absentee ballots, he or she must include with the ballot a clear explanation of the qualifications necessary to vote in that election and must also advise a voter with questions about his or her eligibility to contact the county auditor. This explanation may be provided on the ballot envelope, on an enclosed insert, or printed directly on the ballot itself. If the information is not included, the envelope must clearly indicate that the ballot is not to be forwarded and that return postage is guaranteed.

NEW SECTION. Sec. 30. A new section is added to chapter 29A.84 RCW to read as follows:

The secretary of state and the appropriate county auditor shall refer all cases of violations of the following statutes that they discover or suspect to have occurred to the local prosecuting attorney: RCW 29A.84.130, 29A.84.140, 29A.84.650, 29A.84.655, 29A.84.660, 29A.84.670, and 29A.84.680. The prosecutor to whom the violations were referred shall submit to the secretary of state a list of all such referrals, the basis of the referrals, and the final disposition of the referrals.

Sec. 31. RCW 29A.84.110 and 2003 c 111 s 2105 are each amended to read as follows:

If any county auditor or registration assistant:

(1) Willfully neglects or refuses to perform any duty required by law in connection with the registration of voters; or

(2) Willfully neglects or refuses to perform such duty in the manner required by voter registration law; or

(3) Enters or causes or permits to be entered on the voter registration records the name of any person in any other manner or at any other time than as prescribed by voter registration law or enters or causes or permits to be entered on such records the name of any person not entitled to be thereon; or

(4) Destroys, mutilates, conceals, changes, or alters any registration record in connection therewith except as authorized by voter registration law, he or she is guilty of a ~~((gross misdemeanor punishable to the same extent as a gross misdemeanor that is))~~ class C felony punishable under RCW 9A.20.021.

Sec. 32. RCW 29A.84.140 and 2003 c 111 s 2108 are each amended to read as follows:

A person who knows that he or she does not possess the legal qualifications of a voter and who registers to vote is guilty of a ~~((misdemeanor))~~ class C felony punishable under RCW 9A.20.021.

Sec. 33. RCW 29A.84.650 and 2003 c 111 s 2131 are each amended to read as follows:

Any person who votes or attempts to vote more than once at any primary or general or special election is guilty of a ~~((gross misdemeanor, punishable to the same extent as a gross misdemeanor that is))~~ class C felony punishable under RCW 9A.20.021.

Sec. 34. RCW 29A.84.670 and 2003 c 111 s 2134 and 2003 c 53 s 181 are each reenacted and amended to read as follows:

(1) It is unlawful for a voter to:

(a) Receive a ballot from any person other than the election officer having charge of the ballots;

(b) Vote or offer to vote any ballot except one received from the election officer having charge of the ballots;

(c) Fail to return to the election officers any ballot received from an election officer.

(2) A violation of this section is a gross misdemeanor, punishable ~~((by a fine not exceeding one hundred dollars, plus costs of prosecution))~~ under RCW 9A.20.021.

Sec. 35. RCW 9.94A.515 and 2004 c 176 s 2 and 2004 c 94 s 3 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

- XVI Aggravated Murder 1 (RCW 10.95.020)
- XV Homicide by abuse (RCW 9A.32.055)
- Malicious explosion 1 (RCW 70.74.280(1))
- Murder 1 (RCW 9A.32.030)
- XIV Murder 2 (RCW 9A.32.050)
- Trafficking 1 (RCW 9A.40.100(1))
- XIII Malicious explosion 2 (RCW 70.74.280(2))
- Malicious placement of an explosive 1 (RCW 70.74.270(1))
- XII Assault 1 (RCW 9A.36.011)
- Assault of a Child 1 (RCW 9A.36.120)

- Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
- Rape 1 (RCW 9A.44.040)
- Rape of a Child 1 (RCW 9A.44.073)
- Trafficking 2 (RCW 9A.40.100(2))
- XI Manslaughter 1 (RCW 9A.32.060)
- Rape 2 (RCW 9A.44.050)
- Rape of a Child 2 (RCW 9A.44.076)
- X Child Molestation 1 (RCW 9A.44.083)
- Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
- Kidnapping 1 (RCW 9A.40.020)
- Leading Organized Crime (RCW 9A.82.060(1)(a))
- Malicious explosion 3 (RCW 70.74.280(3))
- Sexually Violent Predator Escape (RCW 9A.76.115)
- IX Assault of a Child 2 (RCW 9A.36.130)
- Explosive devices prohibited (RCW 70.74.180)
- Hit and Run--Death (RCW 46.52.020(4)(a))
- Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
- Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- Malicious placement of an explosive 2 (RCW 70.74.270(2))
- Robbery 1 (RCW 9A.56.200)
- Sexual Exploitation (RCW 9.68A.040)
- Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
- VIII Arson 1 (RCW 9A.48.020)
- Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
- Manslaughter 2 (RCW 9A.32.070)
- Promoting Prostitution 1 (RCW 9A.88.070)
- Theft of Ammonia (RCW 69.55.010)
- Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
- Child Molestation 2 (RCW 9A.44.086)

- Civil Disorder Training (RCW 9A.48.120)
- Dealing in depictions of minor engaged in sexually explicit conduct (RCW 9.68A.050)
- Drive-by Shooting (RCW 9A.36.045)
- Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
- Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
- Introducing Contraband 1 (RCW 9A.76.140)
- Malicious placement of an explosive 3 (RCW 70.74.270(3))
- Sending, bringing into state depictions of minor engaged in sexually explicit conduct (RCW 9.68A.060)
- Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))
- Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
- Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
- VI Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
- Bribery (RCW 9A.68.010)
- Incest 1 (RCW 9A.64.020(1))
- Intimidating a Judge (RCW 9A.72.160)
- Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
- Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
- Rape of a Child 3 (RCW 9A.44.079)
- Theft of a Firearm (RCW 9A.56.300)
- Unlawful Storage of Ammonia (RCW 69.55.020)
- V Abandonment of dependent person 1 (RCW 9A.42.060)
- Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
- Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
- Child Molestation 3 (RCW 9A.44.089)
- Criminal Mistreatment 1 (RCW 9A.42.020)
- Custodial Sexual Misconduct 1 (RCW 9A.44.160)
- Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145)
- Extortion 1 (RCW 9A.56.120)
- Extortionate Extension of Credit (RCW 9A.82.020)
- Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
- Incest 2 (RCW 9A.64.020(2))
- Kidnapping 2 (RCW 9A.40.030)
- Perjury 1 (RCW 9A.72.020)
- Persistent prison misbehavior (RCW 9.94.070)
- Possession of a Stolen Firearm (RCW 9A.56.310)
- Rape 3 (RCW 9A.44.060)
- Rendering Criminal Assistance 1 (RCW 9A.76.070)
- Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
- Sexually Violating Human Remains (RCW 9A.44.105)
- Stalking (RCW 9A.46.110)
- Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
- IV Arson 2 (RCW 9A.48.030)
- Assault 2 (RCW 9A.36.021)
- Assault by Watercraft (RCW 79A.60.060)
- Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
- Cheating 1 (RCW 9.46.1961)
- Commercial Bribery (RCW 9A.68.060)
- Counterfeiting (RCW 9.16.035(4))
- Endangerment with a Controlled Substance (RCW 9A.42.100)
- Escape 1 (RCW 9A.76.110)
- Hit and Run--Injury (RCW 46.52.020(4)(b))
- Hit and Run with Vessel--Injury Accident (RCW 79A.60.200(3))
- Identity Theft 1 (RCW 9.35.020(2))
- Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
- Influencing Outcome of Sporting Event (RCW 9A.82.070)

- Malicious Harassment (RCW 9A.36.080)
- Residential Burglary (RCW 9A.52.025)
- Robbery 2 (RCW 9A.56.210)
- Theft of Livestock 1 (RCW 9A.56.080)
- Threats to Bomb (RCW 9.61.160)
- Trafficking in Stolen Property 1 (RCW 9A.82.050)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))
- Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))
- Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))
- Unlawful transaction of insurance business (RCW 48.15.023(3))
- Unlicensed practice as an insurance professional (RCW 48.17.063(3))
- Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
- Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)
- Willful Failure to Return from Furlough (RCW 72.66.060)
- III Abandonment of dependent person 2 (RCW 9A.42.070)
- Assault 3 (RCW 9A.36.031)
- Assault of a Child 3 (RCW 9A.36.140)
- Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
- Burglary 2 (RCW 9A.52.030)
- Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
- Criminal Gang Intimidation (RCW 9A.46.120)
- Criminal Mistreatment 2 (RCW 9A.42.030)
- Custodial Assault (RCW 9A.36.100)
- Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
- Escape 2 (RCW 9A.76.120)
- Extortion 2 (RCW 9A.56.130)
- Harassment (RCW 9A.46.020)
- Intimidating a Public Servant (RCW 9A.76.180)
- Introducing Contraband 2 (RCW 9A.76.150)
- Malicious Injury to Railroad Property (RCW 81.60.070)
- Patronizing a Juvenile Prostitute (RCW 9.68A.100)
- Perjury 2 (RCW 9A.72.030)
- Possession of Incendiary Device (RCW 9.40.120)
- Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
- Promoting Prostitution 2 (RCW 9A.88.080)
- Securities Act violation (RCW 21.20.400)
- Tampering with a Witness (RCW 9A.72.120)
- Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
- Theft of Livestock 2 (RCW 9A.56.083)
- Trafficking in Stolen Property 2 (RCW 9A.82.055)
- Unlawful Imprisonment (RCW 9A.40.040)
- Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
- Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)
- Voter Registration Violation by Election Official (RCW 29A.84.110)
- Willful Failure to Return from Work Release (RCW 72.65.070)
- II Computer Trespass 1 (RCW 9A.52.110)
- Counterfeiting (RCW 9.16.035(3))
- Escape from Community Custody (RCW 72.09.310)
- Health Care False Claims (RCW 48.80.030)
- Identity Theft 2 (RCW 9.35.020(3))
- Improperly Obtaining Financial Information (RCW 9.35.010)
- Malicious Mischief 1 (RCW 9A.48.070)
- Possession of Stolen Property 1 (RCW 9A.56.150)
- Repeat Voting (RCW 29A.84.650)

Theft 1 (RCW 9A.56.030)	Unlawful Trafficking in Food Stamps (RCW 9.91.142)
Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))	Unlawful Use of Food Stamps (RCW 9.91.144)
Trafficking in Insurance Claims (RCW 48.30A.015)	<u>Unqualified Voter Registering (RCW 29A.84.140)</u>
Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))	Vehicle Prowl 1 (RCW 9A.52.095)
Unlawful Practice of Law (RCW 2.48.180)	<u>NEW SECTION. Sec. 36.</u> The following acts or parts of acts are each repealed:
Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))	(1) RCW 29A.08.145 (Late registration--Special procedure) and 2004 c 267 s 113, 2003 c 111 s 213, & 1993 c 383 s 1;
I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)	(2) RCW 29A.08.155 (Payment for maintenance of electronic records) and 2004 c 267 s 114 & 2003 c 111 s 215; and
False Verification for Welfare (RCW 74.08.055)	(3) RCW 29A.08.230 (Oath of applicant) and 2003 c 111 s 218, 1994 c 57 s 12, 1990 c 143 s 8, 1973 1st ex.s. c 21 s 4, 1971 ex.s. c 202 s 10, & 1965 c 9 s 29.07.080.
Forgery (RCW 9A.60.020)	<u>NEW SECTION. Sec. 37.</u> Sections 5, 9, 13, and 19 of this act expire January 1, 2006.
Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)	<u>NEW SECTION. Sec. 38.</u> (1) Sections 5, 9, 16, 17, 18, 21, 27, and 36 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect July 1, 2005.
Malicious Mischief 2 (RCW 9A.48.080)	(2) Sections 6, 10, 14, and 20 of this act take effect January 1, 2006."
Mineral Trespass (RCW 78.44.330)	In line 1 of the title, after "procedures;" strike the remainder of the title and insert "amending RCW 29A.04.103, 29A.04.109, 29A.04.163, 29A.08.010, 29A.08.010, 29A.08.010, 29A.08.030, 29A.08.107, 29A.08.110, 29A.08.110, 29A.08.115, 29A.08.140, 29A.08.140, 29A.08.145, 29A.08.210, 29A.08.220, 29A.08.250, 29A.08.520, 29A.08.520, 29A.08.651, 29A.08.775, 46.20.155, 29A.40.020, 29A.40.091, 29A.84.110, 29A.84.140, and 29A.84.650; reenacting and amending RCW 29A.84.670 and 9.94A.515; adding new sections to chapter 29A.08 RCW; adding a new section to chapter 29A.84 RCW; repealing RCW 29A.08.145, 29A.08.155, and 29A.08.230; prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency."
Possession of Stolen Property 2 (RCW 9A.56.160)	Senators Mulliken, Benton and Carrell spoke in favor of adoption of the striking amendment.
Reckless Burning 1 (RCW 9A.48.040)	Senators Kastama, Kline and Haugen spoke against adoption of the striking amendment.
Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)	Senator Esser demanded a roll call.
Theft 2 (RCW 9A.56.040)	The President declared that one-sixth of the members supported the demand and the demand was sustained.
Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW 9A.56.096(5)(b))	
Transaction of insurance business beyond the scope of licensure (RCW 48.17.063(4))	
Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)	
Unlawful Possession of Fictitious Identification (RCW 9A.56.320)	
Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)	
Unlawful Possession of Payment Instruments (RCW 9A.56.320)	
Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)	
Unlawful Production of Payment Instruments (RCW 9A.56.320)	

PARLIAMENTARY INQUIRY

Senator Hargrove: "The amendment, the individual amendments that we adopted, were they to the striker or were they to the underline bill."

REMARKS BY THE PRESIDENT

President Owen: "They were to the underline bill."

The President declared the question before the Senate to be the adoption of the striking amendment by Senator Mulliken to Substitute Senate Bill No. 5743.

ROLL CALL

The Secretary called the roll on the adoption of the striking amendment by Senator Mulliken and the striking amendment was not adopted by the following vote: Yeas, 20; Nays, 28; Absent, 1; Excused, 0.

Voting yea: Senators Benson, Benton, Brandland, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Parlette, Pflug, Schmidt, Schoesler, Stevens and Zarelli - 20

Voting nay: Senators Berkey, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Oke, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Sheldon, Shin, Spanel, Swecker, Thibaudeau and Weinstein - 28

Absent: Senator Roach - 1

There being no objection, the following title amendments were adopted:

In line 2 of the title, after "29A.08.115," insert "29A.08.125, 29A.08.125,"

In line 3 of the title, after "29A.08.520," insert "29A.08.605, 29A.08.605,"

In line 4 of the title, after "29A.08.155;" strike "and" and in line 5 of the title, after "date" insert "; and providing an expiration date"

In line 3 of the title, after "29A.08.651," strike "and 29A.08.775" and insert "29A.08.775, and 29A.40.091"

In line 3 of the title, after "29A.08.651," strike "and 29A.08.775" and insert "29A.08.775, and 46.20.155"

MOTION

On motion of Senator Kastama, the rules were suspended. Engrossed Substitute Senate Bill No. 5743 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.

The President Pro Tempore declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5743.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5743 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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

ENGROSSED SUBSTITUTE SENATE BILL NO. 5743, 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.

RULING BY THE PRESIDENT

President Owen: "In ruling upon the point of inquiry raised by Senator Jacobsen that amendment 45 takes a two-thirds vote because it mends sections enacted by Initiative Number 872, the President finds and rules as follows:

Although the main purpose of I872 was not to affect the date of the primary, it should be noted that Section 8 of I-872, which is now codified at RCW 29A. 04.310, actually does amend the primary dates. Specifically, I-872 breaks out and numbers the primary dates which were previously incorporated into one sentence. While the purpose of the drafters in so doing can be debated, the effect for purposes of this ruling cannot: these dates were differently set forth in the initiative as voted upon at the

general election. As a result, amending this section will take two-thirds vote of this body and Senator Jacobson's point is well taken.

MOTION

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

MOTION

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

MOTION

Senator Weinstein moved adoption of the following resolution:

SENATE RESOLUTION 8630

By Senators Weinstein and Esser

WHEREAS, The Bellevue High School football team and girls' swim team both recently won state championships; and

WHEREAS, The football team's title is a state-record fourth consecutive state 3A title, the first such achievement by a Washington football team in any classification; and

WHEREAS, It is the fourth state title for the girls' swim team; and

WHEREAS, Football coach Butch Goncharoff and his coaching staff have led the team to a 50-2 record in the past four seasons; and

WHEREAS, Both Goncharoff and swim coach Paul Von Destinon concentrate not just on athletic ability, but on instilling a strong work ethic and team spirit among their athletes; and

WHEREAS, Bellevue High School students showed their immense school spirit throughout the season in a positive, respectful way; and

WHEREAS, In addition to high-quality athletic programs, Bellevue High School staff and students also strive for academic excellence, including setting a goal that all students should take at least one advanced level course before graduating; and

WHEREAS, Bellevue High School athletes show a dedication to schoolwork, with 21 members of the football team and nine members of the swim team carrying a cumulative grade point average of 3.5 or higher;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the Bellevue High School Wolverines football team and girls' swim team, and their coaching staffs, for a commitment to excellence both on the field and in the classroom; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Bellevue High School football team head coach Butch Goncharoff, girls' swim team coach Paul Von Destinon, and Principal Mike Bacigalupi.

Senators Weinstein, 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. 8630.

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

MOTION

At 12:15 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 9:45 p.m. by President Owen.

MOTION

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

SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

March 7, 2005
SB 5037 Prime Sponsor, Prentice: Providing long-term funding for problem gambling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5037 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005
SB 5041 Prime Sponsor, McCaslin: Revising deadly weapon and firearm sentence range enhancements. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5041 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, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005
SB 5064 Prime Sponsor, Thibaudeau: Studying the use of electronic medical records. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5064 as recommended by Committee on Health & Long-Term Care 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, Rockefeller, Schoesler, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Roach

Passed to Committee on Rules for second reading.

March 7, 2005
SB 5069 Prime Sponsor, Keiser: Establishing family leave insurance. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5069 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair;

Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala and Thibaudeau

MINORITY recommendation: Do not pass. Signed by Senator Pflug

Passed to Committee on Rules for second reading.

March 7, 2005
SB 5095 Prime Sponsor, Doumit: Improving the efficiency and predictability of the hydraulic project approval program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Brandland, Doumit, Hewitt, Parlette, Pflug, Rasmussen, Roach, Schoesler and Zarelli

MINORITY recommendation: MMR Signed by Senators Fraser, Vice Chair, Capital Budget Chair; Fairley, Kohl-Welles and Rockefeller

Passed to Committee on Rules for second reading.

March 7, 2005
SB 5101 Prime Sponsor, Poulsen: Providing incentives to support renewable energy. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5101 as recommended by Committee on Water, Energy & Environment 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 7, 2005
SB 5111 Prime Sponsor, Morton: Providing tax incentives for solar energy systems. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5111 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, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005
SB 5136 Prime Sponsor, Doumit: Modifying fire protection district property tax levies. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Hewitt, Kohl-Welles, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Pflug

Passed to Committee on Local Government.

March 7, 2005

SB 5157 Prime Sponsor, Regala: Revising provisions relating to local law enforcement automatic fingerprint identification systems. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5157 as recommended by Committee on Judiciary be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5202 Prime Sponsor, Parlette: Requiring the public employees' benefits board to develop a health savings account option for employees. Revised for 2nd Substitute: Requiring a study of public employee health plans and health savings account options. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5202 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Hewitt, Parlette, Pflug, Rasmussen, Roach, Rockefeller, Schoesler and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Fairley

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5213 Prime Sponsor, Brandland: Supporting the long-term success of families with children by removing barriers to Temporary Assistance for Needy Families and the WorkFirst programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5213 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, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5226 Prime Sponsor, Jacobson: Providing for temporary combination fishing licenses. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Roach and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5227 Prime Sponsor, Jacobson: Decriminalizing certain hunter reporting requirements. Revised for 1st Substitute: Concerning wildlife reporting requirements. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5227 as recommended by Committee on Natural Resources, Ocean & Recreation be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5235 Prime Sponsor, Kohl-Welles: Requiring the department of labor and industries to set child labor law administration fees. Revised for 2nd Substitute: Requiring the department of labor and industries to charge child labor law administration fees. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5235 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5278 Prime Sponsor, Jacobson: Establishing the ocean policy review commission. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5278 as recommended by Committee on Natural Resources, Ocean & Recreation be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Kohl-Welles, Pridemore, Rasmussen, Regala, Roach, Rockefeller and Thibaudeau

MINORITY recommendation: Without recommendation. Signed by Senators Hewitt, Parlette, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5286 Prime Sponsor, Kastama: Restricting postretirement employment for members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5286 be substituted therefor, and the substitute bill do

pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Parlette, Pflug, Rasmussen, Schoesler and Zarelli

MINORITY recommendation: Do not pass. Signed by Senators Fairley, Pridemore, Regala and Thibaudeau

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5311 Prime Sponsor, Rasmussen: Creating an autism task force. Reported by Committee on Ways & Means

MAJORITY recommendation: 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 Children & Family Services.

March 7, 2005

SB 5325 Prime Sponsor, Zarelli: Promoting economic development and community revitalization. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Hewitt, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Economic Development, Agriculture & Trade.

March 7, 2005

SB 5349 Prime Sponsor, Kastama: Creating a dyslexia reading instruction pilot program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5349 as recommended by Committee on Early Learning, K-12 & Higher Education be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Hewitt, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Fairley

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5366 Prime Sponsor, Schoesler: Regulating movement of older mobile homes. Revised for 1st Substitute: Regulating older mobile homes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5366 as recommended by Committee on Financial Institutions, Housing & Consumer Protection 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 7, 2005

SB 5370 Prime Sponsor, Brown: Creating the economic development strategic reserve account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5370 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Brandland, Fairley, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5378 Prime Sponsor, Pridemore: Allowing counties to increase funding for properties acquired through conservation futures. Reported by Committee on Ways & Means

MAJORITY recommendation: Without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5385 Prime Sponsor, Jacobsen: Creating the Washington invasive species council. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5385 as recommended by Committee on Natural Resources, Ocean & Recreation be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5396 Prime Sponsor, Fraser: Expanding the criteria for habitat conservation programs. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5396 as recommended by Committee on Natural Resources, Ocean & Recreation be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Hewitt, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5405 Prime Sponsor, Jacobson: Establishing the future of Washington forests review council. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5405 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, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5411 Prime Sponsor, Pridemore: Authorizing branch campuses to offer lower-division courses. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5411 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Doumit, Fairley, Hewitt, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senators Brandland, Parlette and Schoesler

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5419 Prime Sponsor, Fraser: Changing water permit processing provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5419 as recommended by Committee on Water, Energy & Environment be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5431 Prime Sponsor, Spanel: Concerning the management of on-site sewage systems in marine areas. Revised for 2nd Substitute: Concerning on-site sewage disposal systems. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5431 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, Pflug, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Roach

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5432 Prime Sponsor, Spanel: Creating the oil spill monitoring and oversight council. Revised for 1st Substitute: Creating the citizens' oil spill advisory council. (REVISED FOR ENGROSSED: Creating the oil spill advisory council.) Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5432 as recommended by Committee on Water, Energy & Environment be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5451 Prime Sponsor, Keiser: Modifying the excise taxation of cosmetic medical services. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5451 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Hewitt, Parlette, Pflug, Rasmussen, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5454 Prime Sponsor, Hargrove: Revising trial court funding provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5454 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, Pflug, Pridemore, Rasmussen, Regala, Rockefeller, Thibaudeau and Zarelli

MINORITY recommendation: MMR Signed by Senators Roach and Schoesler

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5471 Prime Sponsor, Thibaudeau: Authorizing a prescription drug purchasing consortium. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5471 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair,

Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5487 Prime Sponsor, Keiser: Requiring the liquor control board to implement a retail business plan to improve efficiency and increase revenue. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5487 as recommended by Committee on Labor, Commerce, Research & Development be substituted therefor, and the substitute bill do pass. Signed by Senators Fraser, Vice Chair, Capital Budget Chair; Doumit, Hewitt, Kohl-Welles, Pflug, Pridemore, Regala, Rockefeller, Schoesler and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Parlette, Rasmussen, Roach and Zarelli

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5490 Prime Sponsor, Kastama: Tightening muffler noise standards. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5509 Prime Sponsor, Poulsen: Requiring public buildings to be built using high-performance green building standards. Revised for 2nd Substitute: Concerning high-performance building standards. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5509 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 3, 2005

SB 5518 Prime Sponsor, Eide: Increasing certain fees of licensing subagents. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobson, Vice Chair; Poulsen, Vice Chair;

Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Transportation.

March 7, 2005

SB 5522 Prime Sponsor, Franklin: Purchasing service credit lost due to injury. Reported by Committee on Ways & Means

MAJORITY recommendation: 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 Appropriations.

March 7, 2005

SB 5544 Prime Sponsor, Spanel: Creating the Washington voluntary accounts program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5544 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala and Rockefeller

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5581 Prime Sponsor, Brown: Establishing the life sciences discovery fund. Revised for 2nd Substitute: Establishing the life sciences discovery fund. (REVISED FOR ENGROSSED: Establishing the life sciences discovery fund authority.) Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5581 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler and Thibaudeau

MINORITY recommendation: Without recommendation. Signed by Senators Hewitt, Parlette, Pflug, Roach and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5617 Prime Sponsor, Parlette: Suspending a retirement allowance upon reemployment. Revised for 1st Substitute: Addressing postretirement employment for members of the law enforcement officers' and fire fighters' retirement system plan 2. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5617 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Pflug, Pridemore, Rockefeller, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5623 Prime Sponsor, Haugen: Clarifying that sales and use tax does not apply to certain regional transit authority service agreements. Revised for 1st Substitute: Modifying the excise taxation of maintenance service agreements for regional transit authorities. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5623 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5638 Prime Sponsor, McAuliffe: Changing student assessment provisions. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5638 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, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau

MINORITY recommendation: Without recommendation. Signed by Senator Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5651 Prime Sponsor, Fraser: Returning interest earned to the community and technical college capital projects account. Reported by Committee on Ways & Means

MAJORITY recommendation: 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 7, 2005

SB 5699 Prime Sponsor, Oke: Preventing and controlling aquatic invasive species and algae. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5699 as recommended by Committee on Natural Resources, Ocean & Recreation be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Hewitt, Parlette, Roach and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5722 Prime Sponsor, Keiser: Concerning small employers and the basic health plan. Revised for 2nd Substitute: Expanding access to insurance coverage through the small business assist program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5722 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5741 Prime Sponsor, Kastama: Modifying provisions on voters' pamphlets. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5741 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, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Schoesler

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5742 Prime Sponsor, Roach: Strengthening review and correction of county election procedures. Reported by Committee on Ways & Means

MAJORITY recommendation: 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 7, 2005

SB 5761 Prime Sponsor, Doumit: Concerning forest practices' impacts on family forest landowners. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Kohl-Welles, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5763 Prime Sponsor, Hargrove: Enacting the omnibus treatment of mental and substance abuse disorders act of 2005. Revised for 2nd Substitute: Creating the omnibus treatment of mental and substance abuse disorders act of 2005. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5763 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller and Thibaudeau

MINORITY recommendation: Without recommendation. Signed by Senators Hewitt, Parlette, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5767 Prime Sponsor, McAuliffe: Developing plans to address the housing needs of homeless persons. Reported by Committee on Ways & Means

MAJORITY recommendation: Without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala and Rockefeller

MINORITY recommendation: MMR Signed by Senators Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5773 Prime Sponsor, Fraser: Protecting homeowners who hire contractors to remodel or build their homes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5773 be substituted therefor, and the second substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller and Thibaudeau

MINORITY recommendation: Without recommendation. Signed by Senators Hewitt, Parlette and Schoesler

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5780 Prime Sponsor, Prentice: Making technical improvements to the medicaid nursing home rate setting process. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5782 Prime Sponsor, Shin: Modifying provisions of

the linked deposit program. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5782 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, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5785 Prime Sponsor, Fairley: Stabilizing the cost of medical malpractice insurance. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala and Rockefeller

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5790 Prime Sponsor, Doumit: Modifying motor vehicle taxation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5790 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5842 Prime Sponsor, Doumit: Using the retrospective rating program to improve worker safety. Reported by Committee on Ways & Means

MAJORITY recommendation: Without recommendation. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala and Rockefeller

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5857 Prime Sponsor, Prentice: Authorizing a business and occupation tax deduction for certain nonprofit community health centers. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Kohl-Welles, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Finance.

March 7, 2005

SB 5878 Prime Sponsor, Prentice: Prohibiting internet gambling. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5878 as recommended by Committee on Labor, Commerce, Research & Development 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, Rasmussen, Regala, Roach, Rockefeller, Schoesler, Thibaudeau and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5913 Prime Sponsor, Kastama: Regulating tattooing and body piercing. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5913 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Roach, Rockefeller, Schoesler and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Hewitt

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5916 Prime Sponsor, Schmidt: Providing tax incentives for clean and alternative fuel vehicles. Revised for 2nd Substitute: Exempting clean alternative fuel vehicles from sales and use tax. Reported by Committee on Ways & Means

MAJORITY recommendation: That Second Substitute Senate Bill No. 5916 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, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Schoesler

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5940 Prime Sponsor, Thibaudeau: Funding the conservation of the state art collection. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Kohl-Welles, Parlette, Pflug,

Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau

MINORITY recommendation: Without recommendation. Signed by Senators Hewitt and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5972 Prime Sponsor, Prentice: Modifying the business and occupation tax credit for property tax payments related to the manufacture of commercial airplanes. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5972 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 5999 Prime Sponsor, Prentice: Exempting service contracts to administer parking and business improvement areas from excise taxation. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5999 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 and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 6000 Prime Sponsor, Zarelli: Providing a sales and use tax exemption for privately produced trout purchased by the department of fish and wildlife. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Hewitt, Kohl-Welles, Parlette, Pflug, Rasmussen, Roach, Schoesler, Thibaudeau and Zarelli

MINORITY recommendation: Without recommendation. Signed by Senator Rockefeller

Passed to Committee on Rules for second reading.

March 7, 2005

SB 6027 Prime Sponsor, Hewitt: Eliminating obsolete bond retirement accounts. Reported by Committee on Ways & Means

MAJORITY recommendation: 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 7, 2005

SB 6033 Prime Sponsor, Doumit: Creating a Washington coastal Dungeness crab pot buoy tag program. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Brandland, Doumit, Fairley, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Rockefeller, Schoesler and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Hewitt, Parlette, Roach and Zarelli

Passed to Committee on Natural Resources, Ecology & Parks.

March 7, 2005

SB 6050 Prime Sponsor, Parlette: Providing financial assistance to cities, towns, and counties. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6050 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Brandland, Doumit, Fairley, Parlette, Rasmussen, Roach, Rockefeller and Zarelli

MINORITY recommendation: Do not pass. Signed by Senators Hewitt, Pflug, Pridemore and Schoesler

Passed to Committee on Rules for second reading.

March 7, 2005

SB 6061 Prime Sponsor, Rockefeller: Requiring the disclosure of controlling interest transfers in business organizations for real estate excise tax purposes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 6073 Prime Sponsor, Kohl-Welles: Making appropriations to conduct reviews of admission applications. Revised for 1st Substitute: Encouraging institutions of higher education to conduct comprehensive reviews of admission applicants. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6073 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: MMR Signed by Senators Brandland, Hewitt, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

March 7, 2005

SB 6078 Prime Sponsor, Regala: Controlling state expenditures. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6078 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Fairley, Kohl-Welles, Pridemore, Rasmussen, Regala, Rockefeller and Thibaudeau

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Parlette, Pflug, Roach, Schoesler and Zarelli

Passed to Committee on Rules for second reading.

MOTION

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

MOTION

At 9:47 p.m., on motion of Senator Eide, the Senate adjourned until 9:00 a.m. Tuesday, March 8, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate