

SIXTY-SECOND DAY

MORNING SESSION

Senate Chamber, Olympia, Saturday, March 12, 2005

The Senate was called to order at 8:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Cadet Senior Mater Sergeant Lee Poor of Chehalis; Cadet Senior Master Sergeant Daniel Holmes; Cadet Staff Sergeant Stefanie Holmes and Cadet Master Sergeant David Peterson and , presented the Colors. Pastor High Priest Jim Erlandson of the Community of Christ Church offered the prayer.

MOTION

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

MOTION

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

MESSAGES FROM THE STATE OFFICES

March 11, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann
Secretary of the Senate
P.O. Box 40482

Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Department of Social & Health Services report, "Chemical Dependency Disposition Alternative". This report is mandated under Chapter 338, Laws of 1997, Section 27 in addition RCW 13.40.165.

If you have any questions about the report, please call 360-902-8105.

Sincerely,

Dennis Braddock, Secretary

The Department of Social & Health Services report, "Chemical Dependency Disposition Alternative" is on file in the Office of the Secretary of the Senate.

**SECOND READING
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS**

MOTION

On motion of Senator Spanel, Gubernatorial Appointment No. 9098, Steven W. Koch, as a member of the Board of Trustees, Bellingham Technical College District No. 25, be confirmed.

Senator Spanel spoke in favor of the motion.

APPOINTMENT OF STEVEN W. KOCH

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 2; Excused, 0.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Absent: Senators Deccio and Pridemore - 2

MOTION

On motion of Senator Regala, Senator Pridemore was excused.

MOTION

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

MESSAGE FROM THE HOUSE

March 11, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:
SECOND SUBSTITUTE HOUSE BILL NO. 1220,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1252,
SUBSTITUTE HOUSE BILL NO. 1344,
SECOND SUBSTITUTE HOUSE BILL NO. 1346,
SUBSTITUTE HOUSE BILL NO. 1353,
SUBSTITUTE HOUSE BILL NO. 1365,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1794,
SUBSTITUTE HOUSE BILL NO. 2081,
SUBSTITUTE HOUSE BILL NO. 2086,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2097,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MR. PRESIDENT:

The House has passed the following bill{s}:
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1290,
HOUSE BILL NO. 1466,
HOUSE BILL NO. 1599,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1696,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1703,
SUBSTITUTE HOUSE BILL NO. 1854,
SUBSTITUTE HOUSE BILL NO. 1951,
SUBSTITUTE HOUSE BILL NO. 1975,
SUBSTITUTE HOUSE BILL NO. 2085,
HOUSE BILL NO. 2282,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

March 11, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:
SECOND SUBSTITUTE HOUSE BILL NO. 1542,
HOUSE BILL NO. 1600,
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1605,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1635,
SUBSTITUTE HOUSE BILL NO. 1648,
HOUSE BILL NO. 1690,
SUBSTITUTE HOUSE BILL NO. 1711,
HOUSE BILL NO. 1742,
SUBSTITUTE HOUSE BILL NO. 1798,
SUBSTITUTE HOUSE BILL NO. 1817,
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

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

SB 6085 INTRODUCTION AND FIRST READING
by Senators Hewitt and Honeyford

AN ACT Relating to payment of the unfunded actuarial accrued liability in plan 1 of the public employees' retirement system and plan 1 of the teachers' retirement system; adding new sections to chapter 41.45 RCW; creating a new section; providing effective dates; and declaring an emergency.

Referred to Committee on Ways & Means.

FIRST READING OF HOUSE BILLS

ESHB 1079 by House Committee on Higher Education (originally sponsored by Representatives Kagi, Kenney, Chase, Dickerson and Schual-Berke)

AN ACT Relating to postsecondary education and training support for former foster youth; amending RCW 74.13.570, 28B.92.060, and 28B.12.060; and creating a new section.

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

SHB 1091 by House Committee on Appropriations (originally sponsored by Representatives Linville, Newhouse, Flannigan, Grant, McCoy, Chase, Morrell and Kilmer)

AN ACT Relating to providing additional funding for the community economic revitalization board's programs; amending RCW 43.160.060; and adding a new section to chapter 43.176 RCW.

Referred to Committee on International Trade & Economic Development.

HB 1108 by Representatives Grant, Walsh, Wallace, Rodne, Wood, Morrell, Lovick, Williams, Jarrett, Kilmer, Simpson, Kessler, Chase and Dickerson

AN ACT Relating to limitations for vehicles passing pedestrians or bicyclists; and amending RCW 46.61.110 and 46.61.125.

Referred to Committee on Transportation.

SHB 1117 by House Committee on Transportation (originally sponsored by Representatives Ericksen, Linville, Newhouse, Buri, Strow and B. Sullivan)

AN ACT Relating to the highway weight limit for farm implements; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 1120 by Representatives Dunshee, Jarrett, Ormsby, Morrell, Roberts, Chase and Linville

AN ACT Relating to the community and technical college capital projects account; amending RCW 43.84.092; reenacting and amending RCW 43.84.092; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

ESHB 1127 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives B. Sullivan, Rodne, P. Sullivan, Jarrett, Kirby, Nixon, McCoy and Shabro)

AN ACT Relating to public building or construction contracts; amending RCW 48.30.270; repealing RCW 53.08.145; repealing 2003 c 323 s 2; repealing 2003 c 323 ss 3 and 4 (uncodified); and repealing 2000 c 143 s 3 (uncodified).

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

HB 1136 by Representatives O'Brien, Darneille, Kirby, Miloscia, Lovick and Chase

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

Referred to Committee on Human Services & Corrections.

SHB 1181 by House Committee on Transportation (originally sponsored by Representatives Flannigan, Ericksen, Wallace, Woods, Chase and Kilmer)

AN ACT Relating to transferring overweight sealed ocean-going containers between ocean marine terminals and railheads; and adding a new section to chapter 46.44 RCW.

Referred to Committee on Transportation.

EHB 1187 by Representatives Dickerson, Moeller, Kagi, Roberts, Darneille, Schual-Berke, Chase, Clibborn, McIntire, Uptegrove and Hasegawa

AN ACT Relating to elimination of mandatory minimum sentences for youthful offenders tried as adults; amending RCW 9.94A.540; and creating a new section.

Referred to Committee on Human Services & Corrections.

2SHB 1188 by House Committee on Appropriations (originally sponsored by Representatives Murray, Woods, Conway, O'Brien, Ericks, Condotta, Wood, Simpson, Campbell, P. Sullivan, Lovick, Williams, Chase, Hinkle and Ormsby)

AN ACT Relating to negotiating state patrol officer wages and wage-related matters; amending RCW 41.56.473 and 41.56.475; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1248 by Representatives Woods, Appleton, Kilmer and Anderson

AN ACT Relating to adding an additional port district member to the executive board of regional transportation planning organizations; and amending RCW 47.80.060.

Referred to Committee on Transportation.

HB 1260 by Representatives Jarrett, Clibborn, Pettigrew and Wallace

AN ACT Relating to driver's license examinations; amending RCW 46.20.120; adding new sections to chapter 46.20 RCW; and creating a new section.

Referred to Committee on Transportation.

SHB 1299 by House Committee on Finance (originally sponsored by Representatives McIntire, Simpson, Morrell, McCoy, Roberts, Moeller, Wood and Chase)

AN ACT Relating to repealing outdated and unused tax preferences; amending RCW 15.76.165, 43.52.460, 82.08.0255, and 82.12.0256; reenacting and amending RCW 82.04.050 and 82.04.260; creating a new section; repealing RCW 82.35.010, 82.35.020, 82.35.040, 82.35.050, 82.35.070, 82.35.080, 82.35.900, 82.61.010, 82.61.030, 82.61.050, 82.61.060, 82.61.080, 82.61.090, 82.61.900, 82.61.901, 48.14.029, 82.04.4329, 82.08.0276, 82.08.0295, 82.12.0295, 82.12.02545, and 84.56.450; and providing an effective date.

Referred to Committee on Ways & Means.

ESHB 1302 by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Kagi, Jarrett and B. Sullivan)

AN ACT Relating to burn ban triggers; and amending RCW 70.94.473 and 70.94.030.

Referred to Committee on Water, Energy & Environment.

ESHB 1314 by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, Darneille, Uptegrove, Lovick, Lantz, Simpson, Morrell, Williams, Conway, Roberts, Moeller, Kenney, Wood, Kagi, McDermott, Santos, Chase and Ormsby)

AN ACT Relating to filing fees to fund the domestic violence prevention account; amending RCW 36.18.010, 36.18.016, 70.123.030, 36.18.020, and 36.18.022; and adding a new section to chapter 70.123 RCW.

Referred to Committee on Judiciary.

HB 1319 by Representatives Conway, Fromhold, Crouse, Simpson, Uptegrove and Campbell

AN ACT Relating to survivor benefits for ex spouses in the law enforcement officers' and fire fighters' retirement system, plan 1; and amending RCW 41.26.160, 41.26.161, and 41.26.162.

Referred to Committee on Ways & Means.

HB 1329 by Representatives Conway, Crouse, Simpson and Chase

AN ACT Relating to choosing a reduced retirement allowance under the law enforcement officers' and fire fighters' retirement system, plan 1; amending RCW 41.26.164; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1343 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives P. Sullivan, Walsh, Simpson, Green, Buri, Kessler, Haler, Morrell, McCoy, Williams, Linville, Hasegawa, Roberts, Sells, McDermott, Chase and Ormsby)

AN ACT Relating to active duty members of the national guard; adding a new section to chapter 38.40 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

HB 1373 by Representatives Simpson, Schindler, Miloscia, Chase and Holmquist

AN ACT Relating to imposing impact fees on manufactured housing communities; and adding a new section to chapter 82.02 RCW.

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

SHB 1381 by House Committee on Transportation (originally sponsored by Representatives Clements, Kenney and Skinner)

AN ACT Relating to allowing vehicles with hydraulics to operate on public roadways; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

HB 1385 by Representatives Takko, Haigh, Roberts, Hankins, Ericks, Haler, Lovick, McCoy and Chase

AN ACT Relating to recorded instruments; and amending RCW 65.04.045 and 65.04.080.

Referred to Committee on Government Operations & Elections.

E2SHB 1415 by House Committee on Appropriations (originally sponsored by Representatives Dickerson, B. Sullivan, Dunshee, Williams, Hunt, Eickmeyer, Chase, Sells and Hasegawa)

AN ACT Relating to impacts of commercial passenger vessels on the marine waters of Washington; amending RCW 90.48.020; adding new sections to chapter 90.48 RCW; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Water, Energy & Environment.

HB 1457 by Representatives Haigh, Bailey, Conway, McCoy and McDonald

AN ACT Relating to military department accounts; amending RCW 38.20.010; and adding new sections to chapter 38.40 RCW.

Referred to Committee on Ways & Means.

SHB 1461 by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Linville, Buri and Pettigrew)

AN ACT Relating to the conservation assistance revolving account; and amending RCW 89.08.550.

Referred to Committee on Agriculture & Rural Economic Development.

2SHB 1483 by House Committee on Appropriations (originally sponsored by Representatives Dickerson, McDonald, Moeller, Darneille, Jarrett, Simpson, Morrell, Sommers, Kenney, McDermott, Kagi, Chase and Clibborn)

AN ACT Relating to investments in cost-effective intervention programs for juvenile justice-involved youth; adding new sections to chapter 13.40 RCW; adding a new section to chapter 43.135 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SHB 1509 by House Committee on Finance (originally sponsored by Representatives Green, Conway, Orcutt, Appleton, Morrell, O'Brien, Lovick, McCoy, Kilmer, Kessler, McDermott, Campbell, Simpson, Hunt, Chase, P. Sullivan, Sells, Kirby, Kenney, Linville and Kagi)

AN ACT Relating to a property tax exemption for widows or widowers of honorably discharged veterans; amending RCW 84.36.379, 84.36.383, 84.36.385, 84.36.387, and 84.36.389; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

ESHB 1539 by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Linville, Roach, Morris, DeBolt, Ericksen, Williams and Upthegrove)

AN ACT Relating to failure to notify the one-number locator service when excavating near a transmission pipeline; amending RCW 19.122.055, 19.122.070, and 19.122.020; and prescribing penalties.

Referred to Committee on Water, Energy & Environment.

2SHB 1565 by House Committee on Transportation (originally sponsored by Representatives Jarrett, Moeller, Tom, Simpson, Appleton, Linville, Sommers, Lantz and Dunshee)

AN ACT Relating to multimodal concurrency strategies; amending RCW 47.80.030; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Transportation.

SHB 1657 by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Takko, Buck, B. Sullivan, Orcutt, Blake, Wallace, Sells and Chase)

AN ACT Relating to construction of bridges and trestles; and amending RCW 79.91.100.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 1681 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives B. Sullivan, Darneille, Chase, Appleton, Upthegrove and Lovick)

AN ACT Relating to the joint task force on criminal background check processes; reenacting and amending 2004 c 41 s 2 (uncodified); providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SHB 1719 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives P. Sullivan, Cox, Hunt, Simpson and Williams)

AN ACT Relating to school district bidding requirements; and amending RCW 28A.335.190.

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

SHB 1732 by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, McCoy, Wood, Chase, Campbell and Santos)

AN ACT Relating to allowing additional industrial insurance benefits when social security benefits are reduced; and amending RCW 51.32.220.

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

SHB 1756 by House Committee on Commerce & Labor (originally sponsored by Representatives P. Sullivan, B. Sullivan, Miloscia, Simpson, Nixon, Curtis, Conway and Wood)

AN ACT Relating to the occupational safety and health of fire department employees; adding a new chapter to Title 35 RCW; adding a new chapter to Title 35A RCW; adding a new chapter to Title 52 RCW; adding a new chapter to Title 53 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 1763 by Representatives B. Sullivan, Cody, Walsh and Nixon

AN ACT Relating to anatomical gifts; and repealing RCW 68.50.560.

Referred to Committee on Health & Long-Term Care.

HB 1771 by Representatives McDermott, Nixon, Tom, Santos, Simpson, Chase, Quall and Kenney

AN ACT Relating to school meal programs; amending RCW 28A.235.160; and amending 2004 c 54 s 1 (uncodified).

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

EHB 1814 by Representatives Williams, Campbell, Kirby, Wood, Jarrett, Lantz, Flannigan, Rodne, Hunt, Simpson, Morrell, Lovick, Dunshee and Linville

AN ACT Relating to mandatory arbitration; amending RCW 7.06.010; reenacting and amending RCW 7.06.020; and creating a new section.

Referred to Committee on Judiciary.

SHB 1823 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Kretz, Serben, McCune, Armstrong, Rodne, Buri, Clements, Cox, Sump, Haler, Pettigrew, Grant, Holmquist, Walsh, Strow, Haigh and Kristiansen)

AN ACT Relating to assisting the economic development of underserved rural communities by assisting an owner or operator that has discontinued using an underground petroleum storage tank; amending RCW 70.148.120 and 70.148.130; making an appropriation; and providing an expiration date.

Referred to Committee on Water, Energy & Environment.

HB 1838 by Representatives Linville, Grant and Hinkle

AN ACT Relating to increasing the threshold for short board appeals before the shorelines and pollution control hearings boards to fifteen thousand dollars; and amending RCW 90.58.185 and 43.21B.305.

Referred to Committee on Water, Energy & Environment.

SHB 1841 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Kenney, Conway, Strow, Sells, Simpson, Hasegawa and Santos)

AN ACT Relating to electrical trainees; and amending RCW 19.28.161.

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

SHB 1856 by House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Condotta, Wood, McCoy, Kessler, Campbell and Chase)

AN ACT Relating to industrial insurance fund audits; amending RCW 43.09.310; and adding a new section to chapter 51.44 RCW.

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

SHB 1891 by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Hinkle, B. Sullivan, Buck and Haler)

AN ACT Relating to issuing reclaimed water permits to private utilities; and amending RCW 90.46.030 and 90.46.040.

Referred to Committee on Water, Energy & Environment.

SHB 1895 by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris, Hudgins, McCoy and B. Sullivan)

AN ACT Relating to statewide energy efficiency; amending RCW 44.39.010 and 44.39.070; adding new sections to chapter 44.39 RCW; and adding new sections to chapter 43.19 RCW.

Referred to Committee on Water, Energy & Environment.

HB 1915 by Representatives McIntire, Conway, Clements, McCoy, Williams and Chase

AN ACT Relating to adding additional tribes with whom the governor may contract with under RCW 43.06.460; and amending RCW 43.06.460.

Referred to Committee on Ways & Means.

HB 1916 by Representatives Conway, McIntire, Clements, McCoy, Williams and Chase

AN ACT Relating to authorizing a cigarette taxation agreement between the state of Washington and the Puyallup Indian Tribe; amending RCW 82.08.0316 and 82.12.0316; adding a new section to chapter 43.06 RCW; adding a new

section to chapter 82.24 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1921 by House Committee on Appropriations (originally sponsored by Representatives Schual-Berke and Bailey)

AN ACT Relating to the quality maintenance fee on nursing facility operators; amending RCW 74.46.091; and creating a new section.

Referred to Committee on Ways & Means.

SHB 1938 by House Committee on Appropriations (originally sponsored by Representatives Hinkle, Darneille, Morrell, Ericks and O'Brien)

AN ACT Relating to employment and retirement rights of members of the armed forces called to active duty; amending RCW 41.40.170; reenacting and amending RCW 41.04.005; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1939 by Representatives Linville, Newhouse, Hinkle and Pettigrew

AN ACT Relating to the minimum standards for construction and maintenance of wells; amending RCW 18.104.020, 18.104.043, 18.104.050, 18.104.055, 18.104.100, 18.104.120, and 18.104.190; and adding a new section to chapter 18.104 RCW.

Referred to Committee on Water, Energy & Environment.

HB 1947 by Representatives Appleton, Green, Kilmer, Woods, Flannigan, Campbell, Lantz, Williams, Hunt, Darneille, Kirby, Chase, Eickmeyer and Conway

AN ACT Relating to studying toll discounts; and creating a new section.

Referred to Committee on Transportation.

HB 1966 by Representatives Ericks, O'Brien, Lovick, Strow, Haler, Takko, Morrell, Nixon, Campbell, McIntire, Conway, Santos, Chase and Moeller

AN ACT Relating to classifying identity theft as a crime against persons; and reenacting and amending RCW 9.94A.411.

Referred to Committee on Judiciary.

SHB 1969 by House Committee on Transportation (originally sponsored by Representatives Ericks, Hankins, Simpson, Jarrett, Upthegrove, Murray and Dickerson)

AN ACT Relating to modifying goals for the planning, operation, and performance of and investment in the state transportation system; and amending RCW 47.01.012.

Referred to Committee on Transportation.

2SHB 1970 by House Committee on Appropriations (originally sponsored by Representatives P. Sullivan, Springer, Miloscia, Upthegrove, Morrell, Haigh, O'Brien, Linville and Takko)

AN ACT Relating to improving government management, accountability, and performance; adding new sections to chapter 43.17 RCW; adding a new section to chapter 44.04 RCW; adding a new section to chapter 2.04 RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

HB 1974 by Representatives Linville, Rodne, Morris, Anderson and Kenney

AN ACT Relating to creating the association of Washington generals; and adding new sections to chapter 43.31 RCW.

Referred to Committee on International Trade & Economic Development.

SHB 1987 by House Committee on Education (originally sponsored by Representatives Priest, Ormsby, Curtis and Anderson)

AN ACT Relating to alternative assessments; and adding a new section to chapter 28A.655 RCW.

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

HB 1999 by Representatives Nixon, Flannigan, McDonald and Wood

AN ACT Relating to clarifying civil liability for traffic infractions when vehicle title is transferred; and amending RCW 46.12.102.

Referred to Committee on Transportation.

2SHB 2030 by House Committee on Appropriations (originally sponsored by Representatives Roberts and Kagi)

AN ACT Relating to guardianship of dependent children; amending RCW 13.34.030, 13.34.110, 13.34.145, 13.34.230, 13.34.231, 13.34.232, 13.34.233, 13.34.234, 13.34.236, and 13.32A.030; reenacting and amending RCW 74.15.020; adding new sections to chapter 13.34 RCW; creating a new section; and providing an effective date.

Referred to Committee on Human Services & Corrections.

HB 2058 by Representatives Quall, Talcott, P. Sullivan, Anderson, Appleton, O'Brien, Lovick, Darneille, Haigh, Holmquist and Ericks

AN ACT Relating to school employees convicted of or pleading guilty to sex crimes; and amending RCW 43.43.845.

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

HB 2096 by Representatives Buri, Haler, McDonald, Linville, Ormsby, Holmquist, Grant, Cox, McDermott, Armstrong, Pearson, Morrell, Serben, Newhouse, Conway, Chase and Santos

AN ACT Relating to studying the economic and social contribution of agricultural fairs to Washington state; and creating new sections.

Referred to Committee on Ways & Means.

SHB 2124 by House Committee on Transportation (originally sponsored by Representatives Murray, Jarrett, Simpson, Hudgins, Upthegrove, Sells, Wallace, Dickerson, B. Sullivan, Moeller, Kenney and Hasegawa)

AN ACT Relating to increasing state participation in public transportation service and planning; amending RCW 47.01.081, 47.66.030, and 47.66.040; adding new sections to chapter 47.01 RCW; adding a new section to chapter 47.66 RCW; and creating a new section.

Referred to Committee on Transportation.

ESHB 2128 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Kirby and Roach)

AN ACT Relating to banks, savings banks, and mutual savings banks branches; amending RCW 30.38.005, 30.38.010, 32.04.030, and 32.32.228; adding a new section to chapter 30.38 RCW; and declaring an emergency.

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

SHB 2156 by House Committee on Children & Family Services (originally sponsored by Representatives Hinkle, Kagi, Nixon, Pettigrew, McDonald, Dickerson, Pearson, Springer, Rodne and Williams)

AN ACT Relating to dependency and termination of parental rights; amending RCW 13.34.138, 13.34.145, 13.34.132, and 13.34.190; and creating new sections.

Referred to Committee on Human Services & Corrections.

ESHB 2171 by House Committee on Local Government (originally sponsored by Representatives Springer, Simpson, Takko, Ericks and Clibborn)

AN ACT Relating to allowing counties and cities one additional year to comply with the requirements of RCW 36.70A.130; amending RCW 36.70A.130; creating new sections; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

HB 2188 by Representatives Lantz, Kessler, Sells, Tom, McDermott, Conway, Kenney and Santos

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

Referred to Committee on Ways & Means.

HB 2206 by Representatives Haigh and Nixon

AN ACT Relating to connection of limited areas of more intensive rural development for recreational or tourist use to existing public facilities; and amending RCW 36.70A.070.

Referred to Committee on Government Operations & Elections.

EHCR 4404 by Representatives Kenney, Cox, Sells, Priest, Jarrett, Conway, Ormsby and Linville

Approving the 2004 update to the state comprehensive plan for work force training.

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

MOTION

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

MOTION

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

SECOND READING

SENATE BILL NO. 5229, by Senators Swecker, Jacobsen, Doumit, Fraser, Kohl-Welles and Rasmussen

Authorizing endangered wildlife license plates.

MOTIONS

On motion of Senator Swecker, Substitute Senate Bill No. 5229 was substituted for Senate Bill No. 5229 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Swecker, the rules were suspended, Substitute Senate Bill No. 5229 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Swecker spoke in favor of passage of the bill.

PERSONAL PRIVILEGE

Senator Haugen: "Well today we're going to be doing a series of transportation bills and for some of us this is going to be really kind of a special day because we're going to go and go to a service for Ruth Fisher who was the transportation queen of the House. I think we'll make her proud today because you'll find that we work in a very bi-partisan way over here and most of our bills rather rapidly. She was an extraordinary person who sometimes questioned the Senate but we're going to prove to her today that the Senate can do its work and do it rapidly. I think it's kind of ironic that we're doing license plate bills today because most of you know that she hated these things. She did have a soft spot in her heart and finally gave in so today we'll be doing those. But today as we work on transportation that's not forget that great lady who got us where we are today in transportation as far as public transportation and regional governments. She was really an extraordinary individual, a little rough around the edges at times but she really was a sweet heart and we all love her and going to miss her greatly."

MOTION

On motion of Senator Hewitt, Senator Deccio was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5229.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5229 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Deccio and Pridemore - 2

SUBSTITUTE SENATE BILL NO. 5229, 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.

SECOND READING

SENATE BILL NO. 5230, by Senators Swecker, Jacobsen, Oke, Doumit, Fraser, Rockefeller, Kohl-Welles and Rasmussen

Establishing the Washington's Wildlife license plate collection.

MOTIONS

On motion of Senator Jacobsen, Substitute Senate Bill No. 5230 was substituted for Senate Bill No. 5230 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Jacobsen, the rules were suspended, Substitute Senate Bill No. 5230 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5230.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5230 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Deccio and Pridemore - 2

SUBSTITUTE SENATE BILL NO. 5230, 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.

SECOND READING

SENATE BILL NO. 5316, by Senators Jacobsen, Swecker, Haugen, Parlette, Kohl-Welles and Oke

Authorizing state parks and recreation commission license plates.

MOTIONS

On motion of Senator Jacobsen, Substitute Senate Bill No. 5316 was substituted for Senate Bill No. 5316 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Jacobsen, the rules were suspended, Substitute Senate Bill No. 5316 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5316.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5316 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Deccio and Pridemore - 2

SUBSTITUTE SENATE BILL NO. 5316, 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.

MOTION

Senator Haugen moved that the substitute bill be not adopted.

SECOND READING

SENATE BILL NO. 5423, by Senators Haugen and Swecker

Authorizing creation of thematic collections of special plates.

The measure was read the second time.

MOTION

Senator Haugen moved that the following striking amendment by Senator Haugen be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** A new section is added to chapter 46.16 RCW to read as follows:

(1) The following special license plate series created by the legislature may be personalized: (a) RCW 46.16.301 as currently law; (b) RCW 46.16.301(1) (a), (b), or (c), as it existed before amendment by section 5, chapter 291, Laws of 1997; (c) RCW 46.16.305, except those plates issued under RCW 46.16.305 (1) and (2); (d) RCW 46.16.324; (e) RCW 46.16.385; or (f) RCW 46.16.745.

(2) Personalized special plates issued under this section may be personalized only by using numbers or letters, or any combination thereof not exceeding seven positions, and not less than one position, to the extent that there are no conflicts with existing license plate series. A personalized special license plate is subject to the same requirements as personalized license plates listed in RCW 46.16.575, 46.16.580, 46.16.590, 46.16.595, and 46.16.600.

(3) In addition to any other fees and taxes due at the time of registration, applicants for a personalized special license plate must pay both the fees to purchase and renew a special plate as set out in the statute creating the special plate and the personalized plate as required in RCW 46.16.585 and 46.16.606. The special plate fee must be distributed in accordance with the requirements set out in the statute creating the special plate. The personalized plate fee must be distributed under RCW 46.16.605 and 46.16.606, except ten dollars of the original or renewal fee must be deposited into the pedestrian and bicycle grant program account created under section 9 of this act. The transfer of personalized special plates is to be administered under RCW 46.16.316.

Sec. 2. RCW 46.16.316 and 2004 c 223 s 4, 2004 c 221 s 5, 2004 c 48 s 5, and 2004 c 35 s 5 are each reenacted and amended to read as follows:

Except as provided in RCW 46.16.305:

(1) When a person who has been issued a special license plate or plates: (a) Under RCW 46.16.30901, 46.16.30903,

46.16.30905, or 46.16.301 as it existed before amendment by section 5, chapter 291, Laws of 1997, or under RCW 46.16.305(2) or 46.16.324; ((or)) (b) approved by the special license plate review board under RCW 46.16.715 through 46.16.775; or (c) under section 1 of this act sells, trades, or otherwise transfers or releases ownership of the vehicle upon which the special license plate or plates have been displayed, he or she shall immediately report the transfer of such plate or plates to an acquired vehicle or vehicle eligible for such plates pursuant to departmental rule, or he or she shall surrender such plates to the department immediately if such surrender is required by departmental rule. If a person applies for a transfer of the plate or plates to another eligible vehicle, a transfer fee of ten dollars shall be charged in addition to all other applicable fees. Such transfer fees shall be deposited in the motor vehicle fund. Failure to surrender the plates when required is a traffic infraction.

(2) If the special license plate or plates issued by the department become lost, defaced, damaged, or destroyed, application for a replacement special license plate or plates shall be made and fees paid as provided by law for the replacement of regular license plates.

Sec. 3. RCW 46.16.385 and 2004 c 222 s 1 are each amended to read as follows:

(1) The department shall design and issue disabled parking emblem versions of special license plates issued under (a) RCW 46.16.301; (b) RCW 46.16.305, except those plates issued under RCW 46.16.305 (1) and (2); (c) RCW 46.16.324; (d) RCW 46.16.745; (e) RCW 73.04.110; (f) RCW 73.04.115; ((or)) (g) RCW 46.16.301(1) (a), (b), or (c), as it existed before amendment by section 5, chapter 291, Laws of 1997; (h) RCW 46.16.565; or (i) plates issued under section 1 of this act. The disabled parking emblem version of the special plate must display the universal symbol of access that may be used in lieu of the parking placard issued to persons who qualify for special parking privileges under RCW 46.16.381. The department may not charge an additional fee for the issuance of the special disabled parking emblem license plate, except the regular motor vehicle registration fee, the fee associated with the particular special plate, and any other fees and taxes required to be paid upon registration of a motor vehicle. The emblem must be incorporated into the design of the special license plate in a manner to be determined by the department, and under existing vehicular licensing procedures and existing laws.

(2) Persons who qualify for special parking privileges under RCW 46.16.381, and who have applied and paid the appropriate fee for any of the special license plates listed in subsection (1) of this section, are entitled to receive from the department a special disabled parking emblem license plate. The special disabled parking emblem license plate may be used for one vehicle registered in the disabled person's name. Persons who have been issued the parking privileges or who are using a vehicle displaying the special disabled parking emblem license plate may park in places reserved for mobility disabled persons.

(3) The special disabled parking emblem license plate must be administered in the same manner as the plates issued under RCW 46.16.381.

(4) The department shall adopt rules to implement this section.

Sec. 4. RCW 46.16.570 and 1986 c 108 s 1 are each amended to read as follows:

Except for personalized plates issued under section 1 of this act, the personalized license plates shall be the same design as regular license plates, and shall consist of numbers or letters, or any combination thereof not exceeding seven positions unless proposed by the department and approved by the Washington state patrol and not less than one position, to the extent that there are no conflicts with existing passenger, commercial, trailer, motorcycle, or special license plates series or with the provisions of RCW 46.16.230 or 46.16.235: **PROVIDED,** That the maximum number of positions on personalized license plates for motorcycles shall be designated by the department.

Sec. 5. RCW 46.16.600 and 1979 c 158 s 143 are each amended to read as follows:

(1) The director of licensing may establish such rules and regulations as may be necessary to carry out the purposes of RCW 46.16.560 through 46.16.595.

(2) Upon direction by the board, the department shall adopt a rule limiting the ability of organizations and governmental entities to apply for more than one license plate series.

Sec. 6. RCW 46.16.690 and 2003 c 361 s 502 are each amended to read as follows:

The department shall offer license plate design services to organizations that are sponsoring a new special license plate series or are seeking to redesign the appearance of an existing special license plate series that they sponsored. In providing this service, the department must work with the requesting organization in determining the specific qualities of the new plate design and must provide full design services to the organization. The department shall collect from the requesting organization a fee of ~~((one thousand five))~~ two hundred dollars for providing license plate design services. This fee includes one original license plate design and up to five additional renditions of the original design. If the organization requests the department to provide further renditions, in addition to the five renditions provided for under the original fee, the department shall collect an additional fee of ~~((five))~~ one hundred dollars per rendition. All revenue collected under this section must be deposited into the multimodal transportation account.

Sec. 7. RCW 46.16.725 and 2003 c 196 s 103 are each amended to read as follows:

(1) The creation of the board does not in any way preclude the authority of the legislature to independently propose and enact special license plate legislation.

(2) The board must review and either approve or reject special license plate applications submitted by sponsoring organizations.

(3) Duties of the board include but are not limited to the following:

(a) Review and approve the annual financial reports submitted by sponsoring organizations with active special license plate series and present those annual financial reports to the legislative transportation committee;

(b) Report annually to the legislative transportation committee on the special license plate applications that were considered by the board;

(c) Issue approval and rejection notification letters to sponsoring organizations, the department, the chairs of the senate and house of representatives transportation committees, and the legislative sponsors identified in each application. The letters must be issued within seven days of making a determination on the status of an application;

(d) Review annually the number of plates sold for each special license plate series created after January 1, 2003. The board may submit a recommendation to discontinue a special plate series to the chairs of the senate and house of representatives transportation committees;

(e) Provide policy guidance and directions to the department concerning the adoption of rules necessary to limit the number of special license plates that an organization or a governmental entity may apply for.

(4) In order to assess the effects and impact of the proliferation of special license plates, the legislature declares a temporary moratorium on the issuance of any additional plates until June 1, 2007. During this period of time, the special license plate review board created in RCW 46.16.705 and the department of licensing are prohibited from accepting, reviewing, processing, or approving any applications. Additionally, no special license plate may be enacted by the legislature during the moratorium, unless the proposed license plate has been approved by the board before February 15, 2005.

Sec. 8. RCW 46.16.745 and 2003 c 196 s 301 are each amended to read as follows:

(1) A sponsoring organization meeting the requirements of RCW 46.16.735, applying for the creation of a special license plate to the special license plate review board must, on an application supplied by the department, provide the minimum application requirements in subsection (2) of this section. ~~((If the sponsoring organization cannot meet the payment requirements of subsection (2) of this section, then the organization must meet the requirements of subsection (3) of this section.))~~

(2) The sponsoring organization shall:

(a) Submit prepayment of all start-up costs associated with the creation and implementation of the special license plate in an

amount determined by the department. The department shall place this money into the special license plate applicant trust account created under RCW 46.16.755~~((and))~~ (4);

(b) Provide a proposed license plate design;

(c) Provide a marketing strategy outlining short and long-term marketing plans for ~~((the))~~ each special license plate and a financial analysis outlining the anticipated revenue and the planned expenditures of the revenues derived from the sale of the special license plate;

(d) Provide a signature of a legislative sponsor and proposed legislation creating the special license plate; ~~((and))~~

(e) Provide proof of organizational qualifications as determined by the department as provided for in RCW 46.16.735;

(f) Provide signature sheets that include signatures from individuals who intend to purchase the special license plate and the number of plates each individual intends to purchase. The sheets must reflect a minimum of three thousand five hundred intended purchases of the special license plate.

~~((If the sponsoring organization is not able to meet the payment requirements of subsection (2)(a) of this section and can demonstrate this fact to the satisfaction of the department, the sponsoring organization shall:~~

~~((a) Submit an application and nonrefundable fee of two thousand dollars, for deposit in the motor vehicle account, to the department;~~

~~((b) Provide signature sheets that include signatures from individuals who intend to purchase the special license plate and the number of plates each individual intends to purchase. The sheets must reflect a minimum of two thousand intended purchases of the special license plate;~~

~~((c) Provide a proposed license plate design;~~

~~((d) Provide a marketing strategy outlining short and long-term marketing plans for the special license plate and a financial analysis outlining the anticipated revenue and the planned expenditures of the revenues derived from the sale of the special license plate;~~

~~((e) Provide a signature of a legislative sponsor and proposed legislation creating the special license plate; and~~

~~((f) Provide proof of organizational qualifications as determined by the department as provided in RCW 46.16.735.~~

~~((4))~~ After an application is approved by the special license plate review board, the application need not be reviewed again by the board for a period of three years.

NEW SECTION. Sec. 9. A new section is added to chapter 47.30 RCW to read as follows:

(1) The pedestrian and bicycle grant program account is created in the custody of the state treasurer. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

(2) Funds in the account must be disbursed subject to the following conditions and limitations:

(a) The department of transportation shall oversee the program and grants.

(b) The department of transportation shall adopt rules regarding the distribution of funds within this account. However, such rules must include the following requirements:

(i) Only a governmental subdivision may apply for and receive funds;

(ii) The entity applying for funds must supply matching funds;

(iii) Grants are limited to expansion of projects in order to take advantage of the cost saving provided by adding onto a construction project; and

(iv) Grants are limited to the creation and/or expansion of bicycle and pedestrian pathways and projects.

NEW SECTION. Sec. 10. Section 1 of this act takes effect March 1, 2007."

Senator Haugen 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 striking amendment by Senator Haugen to Senate Bill No. 5423.

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

MOTION

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

In line 1 of the title, after "plates;" strike the remainder of the title and insert "amending RCW 46.16.385, 46.16.570, 46.16.600, 46.16.690, 46.16.725, and 46.16.745; reenacting and amending RCW 46.16.316; adding a new section to chapter 46.16 RCW; adding a new section to chapter 47.30 RCW; and providing an effective date."

MOTION

On motion of Senator Haugen, the rules were suspended, Engrossed Senate Bill No. 5423 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and Swecker spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Jacobsen: "Would Senator Haugen yield to a question? I'm curious so if there is legislation to require everybody to have a special license plates would that be affected by the moratorium?"

Senator Haugen: "No, they'd have to buy the ones that are there which probably some people would like."

Senator Mulliken spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5423.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5423 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Deccio and Pridemore - 2

ENGROSSED SENATE BILL NO. 5423, 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. 5424, by Senators Haugen, Swecker, Jacobsen, Hargrove and Doumit

Authorizing the "Washington Lighthouses" special plate.

The measure was read the second time.

MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 5424 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Haugen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5424.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5424 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Deccio and Pridemore - 2

SENATE BILL NO. 5424, 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.

PERSONAL PRIVILEGE

Senator Kastama: "I'd like to take this opportunity to introduce to my colleagues to one of my daughters. She's standing up to the right of the President. Her name is Analaura. As you see she's very pretty. I would like everybody here to be nice to me today and I've already had the questions of course, why is she so smart and why is she so attractive if she's my daughter. Well, anyway, I want you to welcome her, she's a wonderful daughter. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator McCaslin: "I had the very good fortune of meeting his daughter in the wings. She's on the left of the president, Senator Kastama. See, this is left and this is right. I just wanted to straighten him out on that."

SECOND READING

SENATE BILL NO. 5832, by Senators Jacobsen, Kohl-Welles and Rasmussen

Authorizing the "Washington's National Park Fund" special license plate.

MOTIONS

On motion of Senator Jacobsen, Substitute Senate Bill No. 5832 was substituted for Senate Bill No. 5832 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Jacobsen, the rules were suspended, Substitute Senate Bill No. 5832 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Jacobsen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5832.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5832 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Pridemore - 1

SUBSTITUTE SENATE BILL NO. 5832, 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.

SECOND READING

SENATE BILL NO. 5833, by Senator Brown

Authorizing special license plates to recognize the Gonzaga University alumni association.

The measure was read the second time.

MOTION

On motion of Senator Brown, the rules were suspended, Senate Bill No. 5833 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown, Johnson and McCaslin spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Hewitt: "Thank you Senator Johnson. Where is Whitman College?"

Senator Johnson: "It's heavily in wine country in Southeast Washington I think."

The President declared the question before the Senate to be the final passage of Senate Bill No. 5833.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5833 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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

Voting nay: Senator Poulsen - 1

Excused: Senator Pridemore - 1

SENATE BILL NO. 5833, 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.

PERSONAL PRIVILEGE

Senator Kline: "Thank you Mr. President. I having my arm twisted on that last vote. I just wanted to express to fellow members my deep feeling and also having heard the William F. Buckley. Wanted to remember to allow my dearly beloved colleagues on the other side to imbibe of the water of life that we so admire here in Seattle. You may notice that one of your colleagues, Senator Pflug just voted Aye on that last vote as a result of having had a good cup of this stuff so just a reminder that your voting records will improve if you have a cup of this. They machine is in full throttle over here."

PERSONAL PRIVILEGE

Senator Deccio: "If Senator McCaslin runs out of places to put decals on his license plate he can always use his forehead."

SECOND READING

SENATE BILL NO. 5977, by Senators Oke and Regala

Authorizing the "we love our pets" license plate.

The measure was read the second time.

MOTION

On motion of Senator Oke, the rules were suspended, Senate Bill No. 5977 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Oke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5977.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5977 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 1; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Absent: Senator Carrell - 1

Excused: Senator Pridemore - 1

SENATE BILL NO. 5977, 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. 5104, by Senators Regala, Brandland, Hargrove, Weinstein, Esser, Kohl-Welles and Oke

Creating the "Keep Kids Safe" license plate series.

MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 5104 was substituted for Senate Bill No. 5104 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Regala, the rules were suspended, Substitute Senate Bill No. 5104 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Regala spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5104.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5104 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Pridemore - 1

SUBSTITUTE SENATE BILL NO. 5104, 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.

SECOND READING

SENATE BILL NO. 5623, by Senators Haugen and Esser

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.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5623 was substituted for Senate Bill No. 5623 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 5623 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and Swecker spoke in favor of passage of the bill.

Senators Honeyford and Carrell spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5623.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5623 and the bill passed the Senate by the following vote: Yeas, 34; Nays, 14; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Berkey, Brown, Deccio, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Oke, Pflug, Poulsen, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Sheldon, Shin, Spanel, Swecker, Thibaudeau and Weinstein - 34

Voting nay: Senators Benton, Brandland, Carrell, Delvin, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Parlette, Schoesler, Stevens and Zarelli - 14

Excused: Senator Pridemore - 1

SUBSTITUTE SENATE BILL NO. 5623, 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.

SECOND READING

SENATE BILL NO. 5089, by Senators Sheldon, Fraser and Kline

Limiting nuisance noise from off-road vehicles.

The measure was read the second time.

MOTION

Senator Sheldon moved that the following striking amendment by Senators Sheldon, Fraser and Poulsen be adopted:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** (1)(a) A task force on off-road vehicle noise management is established. The task force consists of the following members:

(i) Two members from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(ii) Two members from each of the two largest caucuses of the senate, appointed by the president of the senate; and

(iii) Participants invited by the legislative members, including but not limited to persons representing the following:

(A) Three county commissioners, one representing counties with a population of two hundred thousand or more people and

two representing counties with populations of fewer than two hundred thousand people;

(B) A representative of port districts;

(C) A representative of the department of natural resources, selected by the commissioner of public lands;

(D) A representative of the department of ecology, selected by the director of ecology;

(E) A representative of the interagency committee for outdoor recreation, selected by the director of the committee;

(F) A representative of the parks and recreation commission, selected by the director of the commission;

(G) A person representing manufacturers of off-road vehicles;

(H) A representative of the United States forest service;

(I) Recreational users; and

(J) Interested citizens.

(b) The committee shall choose its chair from among its membership.

(2) The committee shall review the following issues:

(a) The appropriateness and enforceability of current decibel requirements for off-road vehicles;

(b) The appropriateness of any off-road vehicle usage requirements

that would minimize nuisance noise impacts on those not operating the off-road vehicle;

(c) The applicability and consistency of local ordinances concerning noise and off-road vehicle usage; and

(d) The availability of, and barriers to, using public lands or other large ownerships to create areas where off-road vehicles can be operated with minimum noise disturbance of neighbors.

(3)(a) The committee shall be staffed by the house office of program research and senate committee services.

(b) Legislative members of the committee will be reimbursed for travel expenses in accordance with RCW 44.04.120.

(4) The committee shall report its findings and recommendations in the form of draft legislation to the legislature by December 1, 2005.

(5) This section expires July 1, 2006."

Senators Sheldon and Morton spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Sheldon, Fraser and Poulsen to Senate Bill No. 5089.

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

MOTION

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

On page 1, line 1 of the title, after "vehicles;" strike the remainder of the title and insert "creating a new section; and providing an expiration date."

MOTION

On motion of Senator Sheldon, the rules were suspended, Engrossed Senate Bill No. 5089 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Sheldon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5089.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5089 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 4; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Berkey, Brandland, 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, Prentice,

Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 44

Voting nay: Senators Benton, Brown, Poulsen and Rockefeller - 4

Excused: Senator Pridemore - 1

ENGROSSED SENATE BILL NO. 5089, 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. 5262, by Senators Haugen and Swecker

Providing administrative review before the suspension of driving privileges. Revised for 1st Substitute: Changing provisions relating to withholding of driving privileges.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5262 was substituted for Senate Bill No. 5262 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Swecker, the rules were suspended, Substitute Senate Bill No. 5262 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and Swecker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5262.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5262 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, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Pridemore - 1

SUBSTITUTE SENATE BILL NO. 5262, 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. 5121, by Senators Keiser, Swecker, Poulsen, Schmidt and Haugen

Creating the airport siting council. Revised for 1st Substitute: Assessing long-term air transportation needs.

MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 5121 was substituted for Senate Bill No. 5121 and the substitute bill was placed on the second reading and read the second time.

MOTION

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

On page 3, line 17, after "act," insert "and to the extent funds are appropriated to the department for this purpose,"

Senator Haugen 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 Haugen on page 3, line 17 to Engrossed Substitute Senate Bill No. 5121.

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

MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5121 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser, Schmidt, Haugen and Esser spoke in favor of passage of the bill.

Senators Shin and Swecker spoke against passage of the bill.

MOTION

On motion of Senator Honeyford, Senator McCaslin was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5121.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5121 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; 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, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Voting nay: Senator Shin - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5121, 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. 5518, by Senators Eide, Swecker, Spanel, Stevens, Mulliken, Rasmussen and Benson

Increasing certain fees of licensing subagents.

The measure was read the second time.

MOTION

On motion of Senator Eide, the rules were suspended, Senate Bill No. 5518 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Eide and Mulliken spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5518.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5518 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

SENATE BILL NO. 5518, 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.

PERSONAL PRIVILEGE

Senator McCaslin: "This could be the longest speech I've ever made in twenty-five years. Bare with me. One thing that I possess that no one other on this floor is twenty-fives on this floor. Senator Deccio could of caught up with me but he went home for four years to be a County Commissioner. Something bothered me last night and I didn't get to sleep until after three o'clock and I woke up about five twenty-two, you know I have one of those LED clocks and unfortunately you roll over and you can read the time. What bothered me to keep me awake because of twenty-five years not much bothers me on the floor. The majority leader pointed out and I'm not implying she's inputed our motives or impunged our motives. All I'm saying is she mentioned the fact that we put forward twenty-two amendments and we passed six. Now, I can't read her mind so I don't know why she said that. That's not too bad, I think that's about twenty-seven percent passage. Now the reason it bothered me is I've got to go back to 1981. none of you were here, Senator Deccio was here but I'm not sure that he remembers it. No pun intended Senator. This body, I don't know if the President was here as a Senator then, I don't think he was. I think you were in the House sir. We went into a committee of the whole, honest. I don't know if there is a record of it in the Journal but we went to the committee of the whole and we was in the majority so we allowed the minority to go into the committee of the whole. Now, in the committee of the whole as you all know no votes are recorded. So why did we go into the committee of the whole. We went into the committee of the whole to allow the democrats not to offer amendments but actually move new bills. Bills that had not been through the process. Aren't we kind, I mean this is serious. I don't know how many hours we spent. Motion after motion for taxes because then we were a billion dollars in the hole so after twenty-five we gain, we're now 2.2 billion in the hole. So I sat through that, never uttered a word, I was learning, I was a freshman. Senator Winestein's stays here as long as I have you'll be leaving in 2030. Just think about that Senator. Twenty-thirty, I don't know how old you'll be but you'll be twenty-five years older but anyway it bothered me that the amendments were brought up because that's the part of the minority plays. We learned from the Democrats. We had one Senator then, I think he come in a year before I did. We called him captain amendment. He was a brilliant guy, he offered amendment after amendment after amendment after amendment. I don't think we called for the previous question, we listened intently, we may not have liked it but that's the role of the minority. Is to bring up amendments. I'm sorry it bothered anyone over there. It didn't bother me because in twenty-five years I'm not sure I've offered five amendments on this floor. If I had offered five that's .5 per year so you can't blame me for offering amendments, although I offered one and it carried. I was shocked. I was absolutely shocked. I almost fell out of my chair, Senator Kastama. I just went upstairs to the fourth floor in memory lane, I looked at the 81 pictures. Fifteen have passed away, I haven't yet, you may think I have but I haven't passed away yet including our beloved President Cherberg. Terrific guy, I loved him dearly. So I think you and I are privileged, each one of us are one out of six million. Think about that. Your one out of six million. We're forty-nine out of six million. We hold a special place in state government. Each of us should be extremely proud of what we've achieved and what we're doing for a hundred or a hundred-

twenty-thousand people. We're doing the best we can, we're just trying to get there with a different philosophy and a different avenue. Now, we've had two senators last night saying we impinged or imputed their motives for them I apologize. If you really think we impinged your motives. Your motives are the same as ours, really. It's the same. You may not think so. We all want to do good for the public and for the state of Washington. So I don't think we'll impunge or impute your motives, I don't think you did Senator. Because there's a Christian love that we share in here for each of us. Right Senator? Amen to you. Anyway that bothered me, I only got a few hours sleep, I don't know why that bothered me, most things don't bother me, otherwise I wouldn't of been here so long. Don't pay any attention to the cob webs from my desk to me because I actually move around once in a while and try to think things out. But anyway, that bothered me, I didn't get any sleep, I hope it doesn't come up again, but there be other nights like that. In 81 I think we were here one night, I got to bed at 5:30 in the morning. We went to one, two, three, four, five o'clock in the morning. Why did we do that? Because the minority kept offering amendment after amendment after amendment after amendment and we voted them down. Most to the counts in 1981 were 25-24, 25-24. You folks stuck together and we stuck together and that's just the process. There's no use getting upset about it, there's no use getting made at anyone. We just have to accept it and move on. I'm delighted to be here. I really am and I hope that your all delighted and wish everyone here the best. Thank you Mr. President."

PERSONAL PRIVILEGE

Senator Deccio: "I was going to speak against the motion but I didn't have a chance to. Senator McCaslin offered, you see he's so full of himself. Senator McCaslin actually offered eight amendments and they were all defeated."

PERSONAL PRIVILEGE

Senator McAuliffe: "I like to take this opportunity Senator McCaslin to thank you for sharing the institutional memory that you have for this place. It brings a great deal of respect to the work that we do and to the institution itself. Thank you."

SECOND READING

SENATE BILL NO. 5270, by Senators Haugen, Swecker, Kastama, Oke, Spanel, Esser, Jacobsen and Shin

Assisting vessel registration enforcement.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5270 was substituted for Senate Bill No. 5270 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 5270 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Haugen spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5270.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5270 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

SUBSTITUTE SENATE BILL NO. 5270, 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.

SECOND READING

SENATE BILL NO. 5729, by Senators Rockefeller, Oke, Regala, Spanel, Sheldon, Shin, Poulsen, Jacobsen and Kohl-Welles

Considering prepurchase of multiple ferry fares. Revised for 1st Substitute: Expanding considerations in setting ferry fares.

MOTIONS

On motion of Senator Rockefeller, Substitute Senate Bill No. 5729 was substituted for Senate Bill No. 5729 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rockefeller, the rules were suspended, Substitute Senate Bill No. 5729 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rockefeller, Oke and Spanel spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5729.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5729 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

SUBSTITUTE SENATE BILL NO. 5729, 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.

SECOND READING

SENATE BILL NO. 5966, by Senators McCaslin, Haugen and Honeyford

Vehicle immobilization.

The measure was read the second time.

MOTION

Senator Haugen moved that the following amendment by Senators Haugen and McCaslin be adopted.

On page 1, after line 9, insert the following:

"(3) A violation of this section is a gross misdemeanor."

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

The President declared the question before the Senate to be the adoption of the amendment by Senators Haugen and McCaslin on page 1, after line 9 to Engrossed Senate Bill No. 5966.

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

MOTION

On motion of Senator McCaslin, the rules were suspended, Engrossed Senate Bill No. 5966 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McCaslin spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5966.

ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5966 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

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, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Kline, Poulsen and Pridemore - 3

ENGROSSED SENATE BILL NO. 5966, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

MOTION

At 10:32 a.m., on motion of Senator Eide, the Senate was declared to be at recess until 11:00 a.m.

The Senate was called to order at 11:00 a.m. by President Owen.

SECOND READING

SENATE BILL NO. 5414, by Senators Haugen and Swecker

Continuing funding of airport maintenance. Revised for 1st Substitute: Adjusting aviation fees and taxes.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5414 was substituted for Senate Bill No. 5414 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 5414 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and Pflug spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5414.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5414 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 1; Excused, 0.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, 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 - 47

Voting nay: Senator Esser - 1

Absent: Senator Doumit - 1

SUBSTITUTE SENATE BILL NO. 5414, 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.

SECOND READING

SENATE BILL NO. 5969, by Senators Swecker, Haugen, Esser and Spanel

Modifying city and town use of state fuel tax distributions.

MOTIONS

On motion of Senator Swecker, Substitute Senate Bill No. 5969 was substituted for Senate Bill No. 5969 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Swecker, the rules were suspended, Substitute Senate Bill No. 5969 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Swecker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5969.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5969 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Senators Benson, 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 - 48

Voting nay: Senator Benton - 1

SUBSTITUTE SENATE BILL NO. 5969, 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.

SECOND READING

SENATE BILL NO. 5709, by Senators Parlette, Swecker, Honeyford, Mulliken, Sheldon and Benton

Exempting vehicles in inaccessible national recreation areas from license renewal fees.

MOTIONS

On motion of Senator Parlette, Substitute Senate Bill No. 5709 was substituted for Senate Bill No. 5709 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Parlette, the rules were suspended, Substitute Senate Bill No. 5709 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette and Jacobsen spoke in favor of passage of the bill.

MOTION

On motion of Senator Regala, Senator Shin was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5709.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5709 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Voting nay: Senators Kohl-Welles and Pridemore - 2

Excused: Senator Shin - 1

SUBSTITUTE SENATE BILL NO. 5709, 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.

SECOND READING

SENATE BILL NO. 5822, by Senators Haugen, Swecker, Poulsen, Kastama, Spanel, Schmidt, Berkey, Schoesler, Hewitt, Esser, Mulliken and Jacobsen

Recovering costs for motorist information signs.

MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5822 was substituted for Senate Bill No. 5822 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 5822 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and Swecker spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5822.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5822 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, 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, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Voting nay: Senator Esser - 1

Excused: Senator Shin - 1

SUBSTITUTE SENATE BILL NO. 5822, 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.

MOTION

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

MOTION

Senator Esser moved adoption of the following resolution:

SENATE RESOLUTION
8645

By Senators Esser, Poulsen, Brown, Finkbeiner, Regala, Zarelli, Kastama, Benton, Rasmussen, Carrell, Franklin, Pridemore, Eide, Sheldon, Doumit and Benson

WHEREAS, The Ventures were the first nationally known, popular recording group to come out of Tacoma, Washington; and

WHEREAS, The Ventures have recorded over 3000 songs and released over 250 albums, including 14 top 100 singles in the 1960s; and

WHEREAS, Having sold over 90 million albums world-wide, with such hits as "Walk Don't Run," "Perfidia," "Lullaby of the Leaves," "Diamond Head," "2,000 Pound Bee," and a version of the Hawaii Five-O theme song, the Ventures have become the world's all-time #1 rock instrumental group; and

WHEREAS, Don Wilson, Bob Bogle, Nokie Edwards, Gerry McGee, and Leon Taylor, son of long-time drummer Mel Taylor, are still entertaining millions around the world with their albums, tapes, CDs, and live performances; and

WHEREAS, The Ventures are America's ambassadors of Rock and Roll to the non-English speaking world, having sold over 40 million albums in Japan alone; and

WHEREAS, While retaining their trademark sound, the Ventures' musical stylings have adapted to shifting trends in popular music, as they experimented with blues, calypso, Latin, twist, country, pop, funk, disco, reggae, swamp, garage, TV themes, and psychedelic music; and

WHEREAS, They were willing to experiment with wildly innovative concepts, such as combining different dance crazes in one of their few vocal songs: "The Twomp." *It ain't the Twist. It ain't the Stomp. It's the Twomp!*; and

WHEREAS, Generations of guitar players have been inspired by the Ventures to twiddle with the reverb and tremolo knobs on their amplifiers; and

WHEREAS, The Ventures even had a distinctive "Ventures model" guitar and bass built for them by Mosrite; and

WHEREAS, The Ventures received the coveted "Lifetime Achievement Award" from *Guitar Player Magazine*; and

WHEREAS, The Ventures have yet to be inducted into their rightful place in the Rock and Roll Hall of Fame;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the Ventures for their many contributions to Rock and Roll and hereby proclaim that the Ventures deserve a place in the Rock and Roll Hall of Fame; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the members of the Ventures and to the Rock and Roll Hall of Fame.

Senators Esser, Poulsen, Benson, Brown, Franklin, Rockefeller and Rasmussen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8645.

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

REMARKS BY THE PRESIDENT

President Owen: "the President has the great privilege and honor to being able to introduce these incredible magicians and contributed to rock and roll from right here in the state of Washington. To my left playing, Drums is Leon Taylor, Leon's dad Mel Taylor played with the Ventures for many, many years. On guitar is Don Wilson, also cared for by Senator Rasmussen's daughter at Tacoma General Hospital. All the way to my right is Nokie Edwards, he played base and lead guitar and then Bob Bogel who also played base and lead guitar if I remember

correctly. Now, I got to tell you a little story about Bob. In 1960 Bob was working on this capital building as a masonry. He was working in masonry, he was approached by some law enforcement officers. They came up to him, of course him wondering why he was being approached by law enforcement officers. They merely wanted to know if was one of the Ventures, he said 'yes he was' and they asked for autographs. One week later he was in New York and they were on American Bandstand. We just finished one-hundred million project on this beautiful building that you helped care for in the 1960's. Ladies and Gentlemen, the Ventures."

REMARKS BY DON WILSON

Don Wilson: "Well first I want to say you people are absolutely wonderful and thank you so much. It's quite an honor to be before you here today, especially knowing your busy schedule, you've taken time out to honor us today. Absolutely great. You know I always and don't worry, we're never going to do any rap, ok. We've done a lot of music trends but that's not one of them. I think it's a oxy-moron rap music, I don't think so. Anyway, there's probably a lot of people who go for rap, I don't know we just don't, we'll never do it. Anyway, you know I always tells people, we're kind of the Rodney Dangerfield's of the rock world. You know we just don't seem to get any respect but you know we have done many things and many first and as was told earlier all the things that should be recognized by the Rock and Roll Hall of Fame and we've been passed up now for about twenty-years we've been eligible. I don't know if it goes on your merits or who you know or whatever. I just don't know but obviously it's not on your merits. We're either going to get in the Rock and Roll or we're going to make them so mad, you know. But anyway, on behalf, oh and by the way I don't know if you know this, but we've known, and we call him Brad because we have deserved that, we've known each other now Ventures and Brad Owen for about fifteen years so you known each other a long time. As a matter of fact when we went out on the road when he was a state senator, he opened for us. He and his group and we got to know him that way and we've been friends ever since. But on behalf of Nokie Edwards, Bob Bogle, Leon Taylor, myself, Don Wilson thank you so much."

MOTION

At 11:48 a.m., on motion of Senator Eide, the Senate adjourned until 9:00 a.m. Monday, March 14, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate