

**FIFTEENTH DAY**

---

NOON SESSION

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Senate Chamber, Olympia, January 23, 2006

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

MOTION

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

MOTION

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

REPORTS OF STANDING COMMITTEES

January 19, 2006

SB 6156 Prime Sponsor, Fairley: Requiring inspections of remodels to single-family residences. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 6156 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Finkbeiner, Franklin, Keiser and Spanel

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6167 Prime Sponsor, Fairley: Extending the mortgage lending fraud prosecution account. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Finkbeiner, Franklin, Keiser and Spanel

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6169 Prime Sponsor, Kohl-Welles: Authorizing removal of discriminatory provisions in the governing documents of homeowners' associations. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Finkbeiner, Franklin, Keiser and Spanel

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6170 Prime Sponsor, Rasmussen: Extending the date when counties which have authorized facilities for agriculture promotion must allow a credit for city lodging taxes. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Morton, Schoesler and Sheldon

Passed to Committee on Ways & Means.

January 20, 2006

SB 6171 Prime Sponsor, McAuliffe: Creating a demonstration project to help prepare bilingual and special education teachers. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Weinstein, Vice Chair, Early Learning & K-12; Benton, Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

Passed to Committee on Ways & Means.

January 19, 2006

SB 6183 Prime Sponsor, Kastama: Creating provisions relating to the hepatitis C virus. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6183 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Benson, Brandland, Deccio, Franklin, Kastama, Kline, Parlette and Poulsen

Passed to Committee on Ways & Means.

January 19, 2006

SB 6190 Prime Sponsor, Keiser: Establishing a COPEs pilot project. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: That Substitute Senate Bill No. 6190 be substituted therefor, and the substitute bill do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Benson, Deccio, Franklin, Kastama, Kline and Poulsen

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6194 Prime Sponsor, Franklin: Requiring multicultural education for health professionals. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Franklin, Kastama, Kline and Poulsen

Passed to Committee on Ways & Means.

January 20, 2006

SB 6294 Prime Sponsor, Pflug: Stabilizing distributions to the education legacy trust account. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Without recommendation. Signed by Senators McAuliffe, Chair; Weinstein, Vice Chair, Early Learning & K-12; Benton, Berkey, Delvin,

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Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

Passed to Committee on Ways & Means.

January 19, 2006

SB 6334 Prime Sponsor, Fairley: Increasing the debt limit of the housing finance commission. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Finkbeiner, Franklin, Keiser and Spanel

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6375 Prime Sponsor, Rasmussen: Creating an advisory committee to evaluate animal identification programs. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6375 be substituted therefor, and the substitute bill do pass. Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Jacobsen, Morton, Schoesler and Sheldon

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6376 Prime Sponsor, Rasmussen: Changing livestock inspection fee provisions. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Jacobsen, Morton and Sheldon

MINORITY recommendation: Without recommendation. Signed by Senator Schoesler

Passed to Committee on Rules for second reading.

January 20, 2006

SB 6436 Prime Sponsor, McAuliffe: Transferring duties of the reconstituted state board of education. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6436 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Weinstein, Vice Chair, Early Learning & K-12; Benton, Berkey, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

MINORITY recommendation: Do not pass. Signed by Senator Carrell

Passed to Committee on Ways & Means.

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SB 6440 Prime Sponsor, Kline: Providing procedures for judicial orders concerning distraint of personal property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by

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Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

January 20, 2006

SB 6475 Prime Sponsor, McAuliffe: Authorizing alternative methods of assessment and appeal processes for the certificate of academic achievement. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6475 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Weinstein, Vice Chair, Early Learning & K-12; Benton, Berkey, Delvin, Eide, Kohl-Welles, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

MINORITY recommendation: Do not pass. Signed by Senators Carrell and Pflug

Passed to Committee on Ways & Means.

January 19, 2006

SB 6528 Prime Sponsor, Mulliken: Permitting roadside tire chain businesses. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6528 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Benson, Benton, Berkey, Eide, Esser, Finkbeiner, Kastama, Mulliken, Sheldon, Spanel and Weinstein

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6553 Prime Sponsor, Haugen: Changing the department of transportation's regions. Reported by Committee on Transportation

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

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6673 Prime Sponsor, Benton: Modifying the valuation of motor vehicles for use taxation. Reported by Committee on Transportation

MAJORITY recommendation: Without recommendation. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Benton, Berkey, Eide, Esser, Finkbeiner, Kastama, Mulliken, Sheldon, Spanel, Swecker and Weinstein

Passed to Committee on Ways & Means.

MOTION

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

MOTION

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MOTION

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

MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

January 23, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JULIE DAVIDSON, appointed March 1, 2006, for the term ending September 30, 2010, as Member, Board of Trustees, Cascadia Community College District No. 30.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

January 23, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

LENELL NUSSBAUM, reappointed October 24, 2005, for the term ending August 2, 2008, as Member of the Sentencing Guidelines Commission.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Judiciary.

MOTION

On motion of Senator Rockefeller, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

January 23, 2006

MR. PRESIDENT:

The House has adopted:  
SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4205,  
And the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MESSAGE FROM THE HOUSE

January 20, 2006

MR. PRESIDENT:

The House has passed the following bill{s}:  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2661,  
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

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

INTRODUCTION AND FIRST READING

SB 6766 by Senators Schmidt, McAuliffe and Rasmussen

AN ACT Relating to the national guard conditional scholarship; and amending RCW 28B.103.010 and 28B.103.020.

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

SB 6767 by Senators Regala, Rockefeller, Kastama and Rasmussen

AN ACT Relating to government performance and accountability; amending RCW 43.09.430, 43.09.435, 43.09.450, 43.09.455, and 43.09.460; adding new sections to chapter 43.41 RCW; adding a new section to chapter 44.28 RCW; creating a new section; recodifying RCW 43.09.430, 43.09.435, 43.09.455, 43.09.460, and 43.09.450; and repealing RCW 43.09.440, 43.09.445, and 43.88.162.

Referred to Committee on Government Operations & Elections.

SB 6768 by Senators Kline, Esser, Rasmussen, Johnson, Thibaudeau, Franklin and Delvin

AN ACT Relating to minors with alcoholic beverages; amending RCW 66.44.270 and 66.44.290; adding a new section to chapter 46.20 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SB 6769 by Senators Fraser, Brandland, Kastama, Rasmussen, Keiser and Kohl-Welles

AN ACT Relating to notification about sex offenders placed or living in long-term care facilities; reenacting and amending RCW 4.24.550 and 4.24.550; adding a new section to chapter 18.51 RCW; adding a new section to chapter 18.20 RCW; adding a new section to chapter 70.128 RCW; adding a new section to chapter 72.36 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 6770 by Senators Fraser, Zarelli, Pridemore, Benton, Kastama, Sheldon and Rasmussen

AN ACT Relating to the population threshold for counties eligible to use the design-build procedure; reenacting and amending RCW 39.10.051; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

SB 6771 by Senators Prentice and Johnson

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AN ACT Relating to limitations on asbestos-related liabilities relating to certain mergers or consolidations occurring before 1972; adding a new chapter to Title 23 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

SB 6772 by Senators Rasmussen and Honeyford

AN ACT Relating to the regulation of heating, ventilating, air conditioning, and refrigeration contractors; amending RCW 18.106.010, 18.106.020, 18.106.030, 18.106.040, 18.106.050, 18.106.070, 18.106.080, 18.106.090, 18.106.110, 18.106.130, 18.106.150, 18.106.155, 18.106.170, 18.106.180, 18.106.250, 18.106.270, 18.106.320, and 19.28.041; adding a new section to chapter 18.106 RCW; and providing an effective date.

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

SB 6773 by Senators Zarelli, Doumit, Rockefeller, Brandland, Parlette, Pridemore, Rasmussen and Schoesler

AN ACT Relating to extended warranties for tangible personal property exempt from sales and use taxation; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Ways & Means.

SB 6774 by Senators Rockefeller, Zarelli, Brandland, Parlette, Shin, Regala, Rasmussen, McAuliffe and Mulliken

AN ACT Relating to the business and occupation tax credit for high technology research and development spending; and amending RCW 82.04.4452.

Referred to Committee on Ways & Means.

SB 6775 by Senators Hargrove, Stevens, Rasmussen and McAuliffe

AN ACT Relating to criminal trespass against children by sex offenders; reenacting and amending RCW 9.94A.515; adding new sections to chapter 9A.44 RCW; creating a new section; prescribing penalties; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SB 6776 by Senators Finkbeiner, Poulsen, Weinstein, Esser, Rasmussen, Keiser, Oke, Kline and Kohl-Welles

AN ACT Relating to prohibiting the unauthorized sale of cell phone numbers; adding a new section to chapter 9.26A RCW; and prescribing penalties.

Referred to Committee on Water, Energy & Environment.

SB 6777 by Senator Swecker

AN ACT Relating to voter registration; and amending RCW 29A.08.140 and 29A.08.145.

Referred to Committee on Government Operations & Elections.

SB 6778 by Senator Morton

AN ACT Relating to grey wolf management; and creating a new section.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6779 by Senators Morton and Rasmussen

AN ACT Relating to a state public utility tax credit for providing special needs transportation services; adding a new section to chapter 82.16 RCW; creating a new section; and providing an effective date.

Referred to Committee on Water, Energy & Environment.

SB 6780 by Senators Kohl-Welles, Carrell, McAuliffe, Weinstein, Esser, Pridemore, Berkey, Delvin, Rasmussen and Keiser

AN ACT Relating to mathematics and science education; amending RCW 28A.230.090; reenacting and amending RCW 43.79A.040; adding a new section to chapter 28A.655 RCW; adding a new chapter to Title 28B RCW; creating a new section; and declaring an emergency.

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

SB 6781 by Senators Prentice, Pflug, Fraser, Parlette, Shin and Schoesler

AN ACT Relating to environmental remediation; amending RCW 82.04.190; reenacting and amending RCW 82.04.050; adding a new section to chapter 82.04 RCW; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6782 by Senator Fraser

AN ACT Relating to authorizing state employees to express their professional opinions and use their independent professional judgments; adding new sections to chapter 42.52 RCW; and creating a new section.

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

SB 6783 by Senators Shin, Pflug, Schmidt, McAuliffe, Berkey, Rockefeller, Eide, Delvin, Rasmussen and Kohl-Welles

AN ACT Relating to creating a scholarship for students entering mathematics and science professions; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 28B RCW.

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

SB 6784 by Senators Benson and Kohl-Welles

AN ACT Relating to sales and use tax exemptions for prescribed durable medical equipment used in the home and prescribed mobility enhancing equipment; amending RCW 82.08.0283, 82.12.0277, 82.08.803, 82.12.803, 82.08.945, and 82.12.945; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

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Referred to Committee on Ways & Means.

SB 6785 by Senators Jacobsen, Swecker, Haugen and Benson

AN ACT Relating to the administration of fuel taxes; amending RCW 82.36.010, 82.36.020, 82.36.026, 82.36.027, 82.36.029, 82.36.031, 82.36.035, 82.36.045, 82.36.060, 82.36.080, 82.36.160, 82.36.180, 82.36.275, 82.36.280, 82.36.285, 82.36.290, 82.36.320, 82.36.340, 82.36.370, 82.36.380, 82.36.450, 82.38.020, 82.38.030, 82.38.032, 82.38.035, 82.38.050, 82.38.090, 82.38.100, 82.38.110, 82.38.140, 82.38.150, 82.38.160, 82.38.180, 82.38.270, 82.38.310, and 82.38.320; adding new sections to chapter 82.36 RCW; adding a new section to chapter 82.38 RCW; adding a new section to chapter 47.01 RCW; repealing RCW 82.36.042, 82.36.044, 82.36.273, 82.36.305, 82.36.360, 82.36.373, 82.36.407, 82.38.070, 82.38.071, 82.38.081, 82.38.165, 82.38.185, and 82.38.285; prescribing penalties; and declaring an emergency.

Referred to Committee on Transportation.

SB 6786 by Senators Jacobsen, Benson, Kastama, Esser, Haugen and Prentice

AN ACT Relating to city transportation authority dissolution; amending RCW 4.96.010, 4.96.020, 36.93.090, 43.21C.227, 35.95A.050, 35.95A.080, and 35.95A.110; adding new sections to chapter 35.95A RCW; repealing RCW 35.95A.020, 35.95A.030, 35.95A.040, 35.95A.070, 35.95A.090, 35.95A.100, 35.95A.120, 35.95A.140, 35.95A.010, 35.95A.050, 35.95A.060, 35.95A.080, 35.95A.110, and 35.95A.130; and providing an effective date.

Referred to Committee on Transportation.

SB 6787 by Senators Rockefeller, Poulsen, Haugen and Oke

AN ACT Relating to local government passenger ferry service funding; amending RCW 47.60.645; adding a new section to chapter 47.60 RCW; adding a new section to chapter 47.66 RCW; and creating new sections.

Referred to Committee on Transportation.

SB 6788 by Senators Kastama and Rasmussen

AN ACT Relating to assistance to financially distressed counties.

Referred to Committee on Government Operations & Elections.

SB 6789 by Senators Brown, Doumit, Morton and Rasmussen

AN ACT Relating to the authorized uses of county sales and use taxes imposed under RCW 82.14.450; and amending RCW 82.14.450.

Referred to Committee on Ways & Means.

SB 6790 by Senators Roach, McAuliffe, Schmidt and Rasmussen

AN ACT Relating to first aid classes for high school students; and creating a new section.

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

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 2661 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Murray, Hankins, Pettigrew, Jarrett, McDermott, Grant, Lovick, Haigh, Moeller, Shabro, Santos, Kessler, Upthegrove, Tom, Hunter, Hasegawa, Walsh, Fromhold, Springer, Appleton, McCoy, Chase, Hudgins, Kenney, Lantz, Hunt, Darneille, Quall, Takko, Sommers, Williams, Sells, Green, Schual-Berke, Simpson, Clibborn, Conway, Linville, Cody, Kagi, B. Sullivan, McIntire, Dickerson, Miloscia, Roberts and Ormsby)

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

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

#### MOTION

On motion of Senator Rockefeller, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6670 which was referred to the Committee on Government Operations & Elections.

#### MOTION

At 12:06 p.m., on motion of Senator Rockefeller, the Senate adjourned until 12:00 noon, Tuesday, January 24, 2006.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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