

SIXTEENTH DAY

NOON SESSION

Senate Chamber, Olympia, January 24, 2006

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

MOTION

On motion of Senator Rockefeller, 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 23, 2006

SB 6206 Prime Sponsor, Jacobsen: Allowing the parks and recreation commission to deny or revoke the issuance of a park pass in certain circumstances. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Do pass. Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Fraser, Hargrove, Morton, Oke, Spanel and Stevens

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6235 Prime Sponsor, Kastama: Making technical changes to election laws. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6235 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Benton, Fairley, Haugen, McCaslin, Pridemore and Roach

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6263 Prime Sponsor, Kohl-Welles: Authorizing the department to request and superior court to grant warrants pursuant to chapter 49.17 RCW. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That Substitute Senate Bill No. 6263 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Honeyford, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6267 Prime Sponsor, Kastama: Requiring information regarding certain public facilities and services to be made available. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Fairley, Haugen, McCaslin, Pridemore and Roach

MINORITY recommendation: Without recommendation. Signed by Senator Benton

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6382 Prime Sponsor, Hewitt: Authorizing the Washington horse racing commission to expend a statutorily limited amount of its operating funds for the development of the equine industry, improvement of racing facilities, and equine health research. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That Substitute Senate Bill No. 6382 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Honeyford, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

January 19, 2006

SB 6441 Prime Sponsor, Johnson: Changing the law related to judicial orders concerning distraint of personal property. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6441 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Weinstein, Vice Chair; Carrell, Esser, Hargrove, Johnson, McCaslin, Rasmussen and Thibaudeau

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6511 Prime Sponsor, Pridemore: Modifying disbursement of the metropolitan park district fund. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Benton, Fairley, Haugen, McCaslin, Pridemore and Roach

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6537 Prime Sponsor, Kohl-Welles: Modifying requirements for the direct sale of wine to Washington state consumers. Reported by Committee on Labor, Commerce, Research & Development

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

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6538 Prime Sponsor, Kohl-Welles: Regulating flavored malt beverage. Reported by Committee on Labor, Commerce, Research & Development

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

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6540 Prime Sponsor, Kohl-Welles: Concerning the processing of liquor licenses. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That Substitute Senate Bill No. 6540 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

January 23, 2006

SB 6586 Prime Sponsor, Haugen: Allowing second class cities and towns to pay claims by check or warrant. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Benton, Fairley, Haugen, McCaslin, Pridemore and Roach

Passed to Committee on Rules for second reading.

REPORTS OF STANDING COMMITTEES GUBERNATORIAL APPOINTMENTS

January 23, 2006

SGA 9362 JOHN LEE, appointed November 1, 2005, for the term ending at the governor's pleasure, as a Director of the Department of Veterans Affairs. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kastama, Chair; Benton, Fairley, Haugen, McCaslin, Pridemore and Roach

Passed to Committee on Rules for second reading.

January 23, 2006

SGA 9369 JANE NOLAND, appointed December 31, 2005, for the term ending December 31, 2010, as Member of the Public Disclosure Commission. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Kastama, Chair; Fairley, Haugen, McCaslin, Pridemore and Roach

MINORITY recommendation: That said appointment not be confirmed. Signed by Senator Benton

Passed to Committee on Rules for second reading.

MOTION

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

MOTION

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

MESSAGES FROM THE STATE OFFICES

January 24, 2006

STATE OF WASHINGTON

Olympia, Washington 98504-5000

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

Dear Mr. Hoemann:

Enclosed is Washington State Noxious Weed Control Board Weed Audit Report. This report is mandated under Chapter 16-750 WAC.

If you have any questions about the report, please call 360-902-2053.

Sincerely,

Steve McGonigal, Executive Secretary
The Washington State Noxious Weed Control Board Weed Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

January 24, 2006

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 the Washington State Superintendent of Public Instruction Report. This report is mandated under Chapter 494, Laws of 2005.

Sincerely,

Terry Bergeson, State Superintendent of Public Instruction
The Washington State Superintendent of Public Instruction Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

January 20, 2006

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 Central WA University Athletic Dept. Audit Report.

If you have any questions about the report, please call 360-902-0370.

Sincerely,

Brian Sonntag, State Auditor
The Central WA University Athletic Dept. Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

January 20, 2006

STATE OF WASHINGTON

SIXTEENTH DAY, JANUARY 24, 2006
Olympia, Washington 98504-5000

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

Dear Mr. Hoemann:

Enclosed is Central WA University Audit Report.

If you have any questions about the report, please call 360-902-0370.

Sincerely,
Brian Sonntag, State Auditor

The Central WA University Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

January 20, 2006

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 the Dept. of Personnel Accountability Audit Report. This report is mandated under RCW 43.09.310.

If you have any questions about the report, please call 360-902-0370.

Sincerely,
Brian Sonntag, State Auditor

The Dept. of Personnel Accountability Audit Report is on file in the Office of the Secretary of the Senate.

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 passed the following bill(s):

SECOND SUBSTITUTE HOUSE BILL NO. 2292,
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MESSAGE FROM THE HOUSE

January 23, 2006

MR. PRESIDENT:

The House has passed the following bill:

SECOND ENGROSSED SECOND SUBSTITUTE HOUSE
BILL NO. 1291,
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

2006 REGULAR SESSION

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

INTRODUCTION AND FIRST READING

SB 6791 by Senators Poulsen, Kohl-Welles and Rockefeller

AN ACT Relating to liquor licenses issued to entities providing concession services on vessels owned by the Washington state ferries; and adding a new section to chapter 66.24 RCW.

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

SB 6792 by Senators Kastama, Fraser, Pridemore and Rasmussen

AN ACT Relating to organizing the department of retirement systems; and amending RCW 41.50.050.

Referred to Committee on Government Operations & Elections.

SB 6793 by Senators Hargrove, Brown, Brandland, McAuliffe, Thibaudeau, Rockefeller and Rasmussen

AN ACT Relating to specifying roles and responsibilities with respect to the treatment of persons with mental disorders; amending RCW 71.24.045, 71.24.300, 71.24.320, 71.24.3201, 71.24.330, 71.05.300, 72.23.010, and 72.23.025; reenacting and amending RCW 71.24.035; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SB 6794 by Senators Haugen, Esser, Jacobsen, Mulliken and Spanel

AN ACT Relating to collective bargaining by state ferry employees; amending RCW 47.64.011, 47.64.120, 47.64.130, 47.64.140, 47.64.170, 47.64.200, 47.64.210, 47.64.220, 47.64.220, 47.64.230, 47.64.270, and 47.64.280; adding new sections to chapter 47.64 RCW; creating a new section; repealing RCW 47.64.180, 47.64.190, and 47.64.240; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

SB 6795 by Senators Fraser and Rasmussen

AN ACT Relating to public pensions that replaces gain-sharing provisions with certain changes in benefits for the teachers' retirement system, the school employees' retirement system, and the public employees' retirement system; amending RCW 41.32.835, 41.32.840, 41.34.040, 41.34.040, 41.34.060, 41.34.110, 41.35.610, 41.35.620, 41.40.010, 41.40.790, 41.45.061, and 41.45.070; reenacting and amending RCW 41.32.010; adding new sections to chapter 41.32 RCW; adding new sections to chapter 41.35 RCW; adding a new section to chapter 41.40 RCW; creating new sections; repealing RCW 41.31.010, 41.31.020, 41.31.030, 41.31A.010, 41.31A.020, 41.31A.030, and 41.31A.040; and providing effective dates.

SIXTEENTH DAY, JANUARY 24, 2006

2006 REGULAR SESSION

Referred to Committee on Ways & Means.

SB 6796 by Senators Eide, Honeyford, Mulliken and Rasmussen

AN ACT Relating to sales and use tax exemptions for amenities purchased by lodging businesses for use by lodging guests; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6797 by Senator Jacobsen

AN ACT Relating to creating the Washington state employee disaster recovery task force; and creating new sections.

Referred to Committee on Government Operations & Elections.

SB 6798 by Senators Schoesler and Kastama

AN ACT Relating to concerning the time period during which state officials may accept campaign contributions; and amending RCW 42.17.710.

Referred to Committee on Government Operations & Elections.

SB 6799 by Senators Kohl-Welles and Franklin

AN ACT Relating to the shipment of wine and beer from wine and beer manufacturers directly to Washington retailers; amending RCW 66.24.206, 66.24.210, 66.24.270, and 66.24.290; reenacting and amending RCW 66.28.070; creating a new section; and declaring an emergency.

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

SB 6800 by Senators Haugen, Jacobsen and Rockefeller

AN ACT Relating to streamlining state transportation governance; amending RCW 47.01.011, 47.01.031, 47.01.051, 47.01.061, 47.01.071, 47.01.075, 47.01.091, 47.01.101, 47.01.250, 47.01.280, 47.05.021, 47.05.030, 47.05.035, 47.05.051, 36.57A.191, 36.78.121, 36.79.120, 36.79.130, 36.120.020, 36.120.060, 43.10.101, 46.44.042, 46.44.080, 46.44.090, 46.44.092, 46.44.096, 46.61.450, 46.68.113, 47.68.410, 47.28.010, 47.28.170, 47.38.060, 47.52.133, 47.52.145, 47.52.210, 47.60.330, 47.68.390, 47.68.400, 81.112.086, 35.58.2795, 36.56.121, 36.57A.070, 47.29.010, 47.29.020, 47.29.030, 47.29.090, 47.29.100, 47.29.120, 47.29.160, 47.29.170, 47.29.180, 47.29.250, 47.10.861, 47.10.862, 47.10.843, 47.10.844, 47.10.834, 47.10.835, 47.10.819, 47.10.820, 47.02.120, 47.02.140, and 46.68.290; adding new sections to chapter 47.29 RCW; creating a new section; repealing RCW 44.75.010, 44.75.020, 44.75.030, 44.75.040, 44.75.050, 44.75.060, 44.75.070, 44.75.080, 44.75.090, 44.75.100, 44.75.110, 44.75.120, 44.75.800, 44.75.900, 44.75.901, 47.01.012, and 47.01.330; making an appropriation; and providing an effective date.

Referred to Committee on Transportation.

SB 6801 by Senators Benton, Schmidt, Schoesler, Swecker, Stevens, Roach and Esser

AN ACT Relating to robbery in the first degree; amending RCW 9A.56.200; and prescribing penalties.

Referred to Committee on Judiciary.

SB 6802 by Senator Brown

AN ACT Relating to the board of directors of single county air pollution control authorities; and amending RCW 70.94.100 and 70.94.110.

Referred to Committee on Water, Energy & Environment.

SB 6803 by Senator Benson

AN ACT Relating to hunter education; and amending RCW 77.32.155.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6804 by Senator Benson

AN ACT Relating to providing a mechanism to encourage volunteers to teach hunter education programs in Washington; and amending RCW 77.32.155 and 77.32.450.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6805 by Senator Benson

AN ACT Relating to certificated employees; and amending RCW 28A.645.010 and 28A.405.320.

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

SJM 8034 by Senators Benton and McCaslin

Requesting Washington's congressional delegation to support federal tax reform.

Referred to Committee on Ways & Means.

SJR 8223 by Senators Esser, Benton, Mulliken, Roach, Stevens, McCaslin and Oke

Amending the Constitution to require voter approval of property taxes.

Referred to Committee on Ways & Means.

SCR 8417 by Senators Kohl-Welles, Prentice, Parlette, Kline and Rasmussen

Establishing a committee on gambling policy setting.

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

2E2SHB 1291 by House Committee on Appropriations (originally sponsored by Representatives Cody, Bailey, Morrell, Hinkle, Green, Moeller, Kessler, Haigh, Linville, Kagi, Santos and Ormsby)

SIXTEENTH DAY, JANUARY 24, 2006

2006 REGULAR SESSION

At 12:03 p.m., on motion of Senator Rockefeller, the Senate adjourned until 10:00 a.m. Wednesday, January 25, 2006.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

AN ACT Relating to improving health care professional and health care facility patient safety practices; amending RCW 43.70.110 and 43.70.250; adding new sections to chapter 43.70 RCW; adding a new section to chapter 7.70 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

2SHB 2292 by House Committee on Judiciary (originally sponsored by Representatives Lantz, Cody, Campbell, Kirby, Flannigan, Williams, Linville, Springer, Clibborn, Wood, Fromhold, Morrell, Hunt, Moeller, Green, Kilmer, Conway, O'Brien, Sells, Kenney, Kessler, Chase, Upthegrove, Ormsby, Lovick, McCoy and Santos)

AN ACT Relating to improving health care by increasing patient safety, reducing medical errors, reforming medical malpractice insurance, and resolving medical malpractice claims fairly without imposing mandatory limits on damage awards or fees; amending RCW 5.64.010, 4.24.260, 18.71.015, 18.130.160, 18.130.172, 43.70.510, 48.18.290, 48.18.2901, 48.18.100, 48.18.103, 48.19.043, 48.19.060, 4.16.190, 7.04.010, and 7.70.080; reenacting and amending RCW 69.41.010; reenacting RCW 4.16.350; adding new sections to chapter 18.130 RCW; adding new sections to chapter 7.70 RCW; adding a new section to chapter 42.17 RCW; adding a new section to chapter 48.19 RCW; adding a new section to chapter 48.18 RCW; adding a new chapter to Title 70 RCW; adding a new chapter to Title 48 RCW; adding a new chapter to Title 7 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Health & Long-Term Care.

SHJR 4205 by House Committee on Education (originally sponsored by Representatives Schual-Berke, Haigh, Jarrett, Quall, Tom, Hunter, Hunt, Fromhold, Chase, Appleton, Darneille, Williams, Clibborn, McDermott, Simpson, P. Sullivan, Dickerson, O'Brien, Wood, Sells, Roberts, Green, Conway, Hudgins, Kirby, Kenney, McIntire, Dunshee, Hasegawa, Linville, Santos, Kagi, Ormsby, Lantz, Moeller and Blake)

Amending the Constitution to provide for a simple majority of voters voting to authorize a school levy.

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

SUPPLEMENTAL INTRODUCTION AND FIRST READING

SB 6806 by Senators Esser, Hargrove, Brandland, Johnson and Rasmussen

AN ACT Relating to domestic violence; creating new sections; and providing an expiration date.

Referred to Committee on Judiciary.

MOTION

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

MOTION

SIXTEENTH DAY, JANUARY 24, 2006

1291-S2
 Introduction & 1st Reading 5
 Messages 3

2292-S2
 Introduction & 1st Reading 5
 Messages 3

4205-S
 Introduction & 1st Reading 5

6206
 Committee Report 1

6235
 Committee Report 1

6263
 Committee Report 1

6267
 Committee Report 1

6382
 Committee Report 1

6441
 Committee Report 1

6511
 Committee Report 1

6537
 Committee Report 1

6538
 Committee Report 1

6540
 Committee Report 2

6586
 Committee Report 2

6791
 Introduction & 1st Reading 3

6792
 Introduction & 1st Reading 3

6793
 Introduction & 1st Reading 3

6794
 Introduction & 1st Reading 3

6795
 Introduction & 1st Reading 3

6796
 Introduction & 1st Reading 4

6797
 Introduction & 1st Reading 4

6798
 Introduction & 1st Reading 4

6799
 Introduction & 1st Reading 4

6800
 Introduction & 1st Reading 4

6801
 Introduction & 1st Reading 4

6802
 Introduction & 1st Reading 4

6803
 Introduction & 1st Reading 4

6804
 Introduction & 1st Reading 4

6805
 Introduction & 1st Reading 4

6806
 Introduction & 1st Reading 5

8034
 Introduction & 1st Reading 4

8223
 Introduction & 1st Reading 4

8417
 Introduction & 1st Reading 4

9362
 Committee Report 2

9369
 Committee Report 2

MESSAGE FROM STATE OFFICES
 Central WA University Audit Report 2, 3
 Dept. of Personnel Accountability Audit Report 3

WA Noxious Weed Control Audit Report 2
 WA. Superintendent of Public Instruction 2