

FIFTEENTH DAY, JANUARY 28, 2008

2008 REGULAR SESSION

## FIFTEENTH DAY

## NOON SESSION

Senate Chamber, Olympia, Monday, January 28, 2008

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

## MOTION

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

## MOTION

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

## REPORTS OF STANDING COMMITTEE

January 24, 2008

SB 5179 Prime Sponsor, Senator Kastama: Regarding the operation of snowmobiles. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5179 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Benton; Berkey; Delvin; Eide; Holmquist; Jacobsen; Kastama; Kauffman; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

January 24, 2008

SB 6243 Prime Sponsor, Senator Carrell: Addressing court discretion to order community custody. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 6243 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Marr.

Passed to Committee on Ways & Means.

January 24, 2008

SB 6250 Prime Sponsor, Senator Haugen: Protecting the confidentiality and privacy of personal information in connection with drivers' licenses and identicards. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Benton; Berkey; Delvin; Eide; Holmquist; Jacobsen; Kastama; Kauffman; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6269 Prime Sponsor, Senator Jacobsen: Concerning the rights of airline passengers. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6269 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman,

Vice Chair; Honeyford; Delvin; Haugen; Jacobsen; Kilmer; McCaslin and Tom.

Passed to Committee on Ways & Means.

January 24, 2008

SB 6273 Prime Sponsor, Senator Haugen: Addressing the nondivisible gross weight limit of farm implements on public highways. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6273 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Benton; Berkey; Delvin; Eide; Holmquist; Jacobsen; Kastama; Kauffman; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6309 Prime Sponsor, Senator Rockefeller: Requiring disclosure of greenhouse gas tailpipe emissions. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6309 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford; Delvin; Fraser; Hatfield; Oemig; Pridemore and Regala.

MINORITY recommendation: Do not pass. Signed by Senators Holmquist and Morton.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6322 Prime Sponsor, Senator Kohl-Welles: Revising the definition of a weapon. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6322 be substituted therefor, and the substitute bill do pass. Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell; McDermott and Weinstein.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator and Roach.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6332 Prime Sponsor, Senator Kauffman: Increasing the debt limit of the housing finance commission. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: Do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Honeyford; Delvin; Haugen; Jacobsen; Kilmer; McCaslin and Tom.

Passed to Committee on Rules for second reading.

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SB 6341 Prime Sponsor, Senator Kauffman: Concerning electronic data recorders in motor vehicles. Reported by Committee on Consumer Protection & Housing

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MAJORITY recommendation: That Substitute Senate Bill No. 6341 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Delvin; Haugen; Jacobsen; Kilmer and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator and Honeyford.

Passed to Committee on Rules for second reading.

January 24, 2008

SB 6355 Prime Sponsor, Senator Haugen: Concerning the imposition of tolls. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 6355 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Marr, Vice Chair; Swecker; Berkey; Delvin; Eide; Jacobsen; Kauffman; Kilmer and Spanel.

MINORITY recommendation: Do not Pass. Signed Benton, Holmquist, Kastama, King, Pflug and Sheldon

MINORITY recommendation: That it be referred without recommendation. Signed by Senator Murray, Vice Chair.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6381 Prime Sponsor, Senator Weinstein: Establishing fiduciary duties for mortgage brokers. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: Do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Haugen; Jacobsen; Kilmer and Tom.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and Delvin.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6385 Prime Sponsor, Senator Weinstein: Concerning real property. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6385 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Haugen; Jacobsen and Tom.

MINORITY recommendation: Do not pass. Signed by Senators Honeyford and Delvin.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator and Kilmer.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6437 Prime Sponsor, Senator Carrell: Modifying provisions relating to bail bond and bail bond recovery agents. Reported by Committee on Judiciary

MAJORITY recommendation: That Substitute Senate Bill No. 6437 be substituted therefor, and the substitute bill do

pass. Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell; McDermott; Roach and Weinstein.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6452 Prime Sponsor, Senator Tom: Requiring certain borrower disclosures of yield spread premiums. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: That Substitute Senate Bill No. 6452 be substituted therefor, and the substitute bill do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Delvin; Haugen; Jacobsen; Kilmer and Tom.

MINORITY recommendation: That it be referred without recommendation. Signed by Senator and Honeyford.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6471 Prime Sponsor, Senator Weinstein: Protecting consumers by regulating loans under the consumer loan act and mortgage broker practices act. Reported by Committee on Consumer Protection & Housing

MAJORITY recommendation: Do pass. Signed by Senators Weinstein, Chair; Kauffman, Vice Chair; Honeyford; Delvin; Haugen; Jacobsen; Kilmer; McCaslin and Tom.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6475 Prime Sponsor, Senator Oemig: Allowing joint use dock appeals before the shorelines hearings board to be heard by a short board. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: Do pass. Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford; Delvin; Fraser; Hatfield; Holmquist; Morton; Oemig; Pridemore and Regala.

Passed to Committee on Rules for second reading.

January 24, 2008

SB 6492 Prime Sponsor, Senator McAuliffe: Regarding public disclosure of civil confinement facility information. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens; Brandland; Carrell and Marr.

Passed to Committee on Rules for second reading.

January 25, 2008

SB 6508 Prime Sponsor, Senator Eide: Authorizing the creation of beach management districts. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: That Substitute Senate Bill No. 6508 be substituted therefor, and the substitute bill do pass. Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Fraser; Hatfield; Pridemore and Regala.

MINORITY recommendation: Do not pass. Signed by Senators Delvin; Holmquist and Morton.

Passed to Committee on Rules for second reading.

BARBARA BAKER, Chief Clerk

January 24, 2008

SB 6719 Prime Sponsor, Senator Keiser: Increasing public utility district bid limits. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Kohl-Welles, Chair; Keiser, Vice Chair; Holmquist; Franklin; Hewitt; King; Murray and Prentice.

Passed to Committee on Water, Energy & Telecommunications.

January 25, 2008

SB 6733 Prime Sponsor, Senator Regala: Extending the sales and use tax exemptions to machinery and equipment used to produce electricity using certain organic materials and byproducts of pulping or wood manufacturing processes. Reported by Committee on Water, Energy & Telecommunications

MAJORITY recommendation: That it be referred without recommendation. Signed by Senators Rockefeller, Chair; Murray, Vice Chair; Honeyford; Delvin; Fraser; Hatfield; Holmquist; Morton; Oemig; Pridemore and Regala.

Passed to Committee on Ways & Means.

REPORTS OF STANDING COMMITTEES  
GUBERNATORIAL APPOINTMENTS

January 24, 2008

SGA 9343 PHILIP A PARKER, appointed on November 1, 2007, for the term ending June 30, 2013, as Member of the Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Haugen, Chair; Marr, Vice Chair; Murray, Vice Chair; Swecker; Benton; Berkey; Delvin; Holmquist; Jacobsen; Kastama; Kauffman; Kilmer; King; Pflug; Sheldon and Spanel.

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6243 which was referred to the Committee on Ways & Means and Senate Bill No. 6471 which was referred to the Committee on Rules.

MOTION

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

MESSAGE FROM THE HOUSE

January 25, 2008

MR. PRESIDENT:

The House has passed the following bills:  
SUBSTITUTE HOUSE BILL NO. 1346,  
SUBSTITUTE HOUSE BILL NO. 1625,  
and the same are herewith transmitted.

MESSAGE FROM THE HOUSE

January 25, 2008

MR. PRESIDENT:

The House has passed the following bills:  
ENGROSSED HOUSE BILL NO. 1551,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1623,  
and the same are herewith transmitted.

BARBARA BAKER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SB 6838 by Senators Hargrove, Morton, Hatfield, Schoesler, Shin, McAuliffe, Hobbs, Berkey and Rasmussen

AN ACT Relating to adding a representative from a labor organization representing workers in the timber industry to the forest practices board; and amending RCW 76.09.030.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 6839 by Senators Marr and Kohl-Welles

AN ACT Relating to workers' compensation coverage for work performed outside the state of Washington; and amending RCW 51.12.120.

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

SB 6840 by Senators Weinstein and Kline

AN ACT Relating to authorizing county prosecutors and city attorneys to enforce certain provisions of the consumer protection act; and amending RCW 19.86.080 and 19.86.110.

Referred to Committee on Consumer Protection & Housing.

SB 6841 by Senators Murray, Jacobsen, Kline, Shin and Kohl-Welles

AN ACT Relating to restricting possession of weapons at institutions of higher education; adding a new section to chapter 9.41 RCW; and prescribing penalties.

Referred to Committee on Higher Education.

SB 6842 by Senator Hargrove

AN ACT Relating to providing greater clarification and uniformity in community custody and sentencing law by reorganizing provisions, simplifying the application of current laws to crimes committed after the effective date of the offender accountability act through nonsubstantive amendments, and applying the provisions of current law, to the extent constitutionally permissible, to crimes committed prior to the effective date of the offender accountability act;

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amending RCW 9.94A.737, 9.94A.740, 9.94A.501, 9.94A.505, 9.94A.610, 9.94A.612, 9.94A.625, 9.94A.650, 9.94A.670, 9.94A.690, 9.94A.728, 9.94A.760, 9.94A.775, 9.94A.780, 9.94A.820, 4.24.556, 9.95.017, 9.95.064, 9.95.110, 9.95.123, 9.95.420, 9.95.440, 46.61.524, 72.09.015, 72.09.270, 72.09.345, and 72.09.580; reenacting and amending RCW 9.94A.030, 9.94A.525, 9.94A.660, and 9.94A.712; adding new sections to chapter 9.94A RCW; adding a new section to chapter 9.95 RCW; adding new sections to chapter 72.09 RCW; adding a new chapter to Title 9 RCW; creating new sections; recodifying RCW 9.94A.628, 9.94A.634, 9.94A.700, 9.94A.705, 9.94A.710, 9.94A.610, 9.94A.612, 9.94A.614, 9.94A.616, 9.94A.618, and 9.94A.620; repealing RCW 9.94A.545, 9.94A.713, 9.94A.715, 9.94A.720, 9.94A.800, 9.94A.830, and 79A.60.070; and providing an effective date.

Referred to Committee on Human Services & Corrections.

SB 6843 by Senators Hargrove and Rasmussen

AN ACT Relating to youth placements; amending RCW 74.15.240; and adding a new section to chapter 74.15 RCW.

Referred to Committee on Human Services & Corrections.

SB 6844 by Senators Spanel, Brandland and Rasmussen

AN ACT Relating to the taxation of grocery distribution cooperatives; and amending RCW 82.04.298.

Referred to Committee on Ways & Means.

SB 6845 by Senators Hobbs and Benton

AN ACT Relating to exchange facilitators; reenacting and amending RCW 42.56.270; adding a new chapter to Title 19 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

SB 6846 by Senators Sheldon, Kline, Tom, Swecker, Hatfield and Rasmussen

AN ACT Relating to metal property transactions; and amending RCW 19.290.090.

Referred to Committee on Judiciary.

SB 6847 by Senators Weinstein, Delvin, Haugen and Shin

AN ACT Relating to real estate settlement services; amending RCW 48.29.010 and 48.29.140; adding new sections to chapter 48.29 RCW; adding a new section to chapter 18.85 RCW; adding a new section to chapter 18.44 RCW; and adding a new section to chapter 19.146 RCW.

Referred to Committee on Consumer Protection & Housing.

SB 6848 by Senators Prentice, Delvin, Kohl-Welles, Brandland, McAuliffe, Murray, Regala and Shin

AN ACT Relating to financing stadium facilities at a state research university in a county with a population of one million or more; amending RCW 67.28.180, 82.14.049, and

82.14.360; adding a new section to chapter 82.32 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6849 by Senators Oemig, Weinstein, Tom, Delvin, Shin, Kilmer, Schoesler and Kohl-Welles

AN ACT Relating to classification as a resident student; amending RCW 28B.15.012; and providing an effective date.

Referred to Committee on Higher Education.

SB 6850 by Senators Prentice, Brandland, Kline, Berkey and Rasmussen

AN ACT Relating to creating the financial fraud and identity theft crimes investigation and prosecution program; amending RCW 62A.9A-525; adding a new section to chapter 43.330 RCW; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6851 by Senators Prentice and Haugen

AN ACT Relating to the documentation required in order to obtain a real estate excise tax exemption at the time of inheritance; and adding a new section to chapter 82.45 RCW.

Referred to Committee on Ways & Means.

SB 6852 by Senators Kohl-Welles, Keiser, Weinstein, Fairley, Franklin, Kline and Rockefeller

AN ACT Relating to the presence of toxins in households or dwellings; amending RCW 59.18.060; adding a new section to chapter 43.70 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Health & Long-Term Care.

SB 6853 by Senators Fraser, Brandland, Franklin, Kilmer and McAuliffe

AN ACT Relating to public works projects; amending RCW 43.155.010, 43.155.020, 43.155.050, 43.155.050, 43.155.060, 43.155.065, and 43.155.068; reenacting and amending RCW 43.155.070; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 6854 by Senators Brandland, Fraser, Franklin, Kilmer, Kohl-Welles and Rasmussen

AN ACT Relating to assistance to nonprofit organizations; and amending RCW 43.63A.125.

Referred to Committee on Ways & Means.

SB 6855 by Senators Kilmer, Brandland, Hatfield and McAuliffe

AN ACT Relating to revisions to existing state economic development programs; amending RCW 43.160.060; repealing RCW 43.160.230, 43.160.240, and 44.28.801; repealing 2005 c 425 s 4; and providing an effective date.

Referred to Committee on Economic Development, Trade & Management.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

SHB 1346 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Conway and Moeller)

AN ACT Relating to the exclusion of certain persons from licensed gambling premises; adding a new section to chapter 9.46 RCW; and prescribing penalties.

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

SHB 1625 by House Committee on Transportation (originally sponsored by Representatives DeBolt, Blake, Hinkle, Warnick, Seaquist, Kagi, Kirby, Hunt, Wood, Dickerson, Conway, Lovick, Roach, Chase, Dunn, Flannigan, McCune, Priest, McDermott, Santos, Williams, McDonald, Newhouse, Alexander, Strow, Kretz, Condotta, Roberts, Ormsby, Haigh, Rolfes and Moeller)

AN ACT Relating to motorcycles at traffic signals; adding a new section to chapter 46.61 RCW; and providing an effective date.

Referred to Committee on Transportation.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 6850 which was referred to the Committee on Ways & Means.

MOTION

At 12:03 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 a.m. Tuesday, January 29, 2008.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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