THIRTY EIGHTH DAY, FEBRUARY 15, 2006

FIFTY NINTH LEGISLATURE - REGULAR SESSION

THIRTY EIGHTH DAY

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Umeo Ugwoaba and Martha Lee. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Pastor Sandra Kreis, St. Christopher's Episcopal Church.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

RESOLUTIONS

HOUSE RESOLUTION NO. 2006-4694, By Representatives Quall, P. Sullivan, Talcott, Hunter and Tom Eickmeyer

WHEREAS, Providing all Washington state children a public education is the paramount duty of the state; and
WHEREAS, It is impossible to provide our children a quality public education if they cannot get to school, if they are hungry during the school day, or if the schools they attend are neglected, cold, and unsafe; and
WHEREAS, Classified employees are the bus drivers who are safely transporting, in sometimes dangerous road conditions, over 474,514 students each day in 9,035 buses over 500,000 miles; the child nutrition employees providing breakfast for 113,518 students and lunches for over 440,000 students each day; the custodian, maintenance, and security employees ensuring that the 2,174 school buildings where our children are receiving their education are functional, warm, clean, and safe; and
WHEREAS, Classified employees are the secretaries who make sure that all parents, staff, and, most importantly, all children receive the necessary support and services while at the same time providing love and attention to each student’s special needs, even if all that is needed is a Band-Aid, a friendly ear, or a reminder; and
WHEREAS, Classified employees are the instructional assistants who are increasingly depended upon to provide individualized attention to students in the classroom to ensure they meet the higher academic standards, as well as provide such specialized services as nursing and interpreting for deaf and disabled children and students who speak other languages; and
WHEREAS, Classified employees are normally the first employees called upon when there is a threat to our children's safety and security; and
WHEREAS, It is necessary to employ over 50,000 classified employees to provide these essential support services to the nearly one million students receiving public education; and
WHEREAS, Washington state students have had their education significantly enhanced by the services of classified school employees; and
WHEREAS, Washington state citizens seldom reflect on the critical role classified employees play in providing our children a quality education; and
WHEREAS, Classified school employees across the state are celebrating March 13 through 17, 2006, as Classified School Employee Week;
NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor classified school employees during Classified School Employee Week, March 13 through 17, 2006, and urge all citizens to join in honoring and recognizing the dedication and hard work of all classified school employees; and
BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Public School Employees of Washington.

Representative Quall moved the adoption of the resolution.

Representatives Quall, Buri, Eickmeyer spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4694 was adopted.

HOUSE RESOLUTION NO. 2006-4702, By Representatives Linville and Ericksen

WHEREAS, Jack B. and Ramona S. Cole led the state's oldest grocery company, Brown & Cole Stores, for over 30 years; and
WHEREAS, Both contributed to their community in many ways and were so honored, in part, by having been named Living Treasures by the city of Bellingham; and
WHEREAS, Jack and Ramona served their country during World War II: Jack in active duty in the European theatre, and Ramona in the war efforts at home; and
WHEREAS, They raised a family that carries on their legacy of service; and
WHEREAS, Their business, Brown & Cole Stores, now in its 97th year, is an outstanding example of corporate citizenship; and
WHEREAS, They lived their values of integrity, hard work, customer satisfaction, equality for all, and the importance of education; and
WHEREAS, Jack became an English-as-a-second-language tutor following his retirement, continuing to serve his community; and
WHEREAS, Both Jack and Ramona were much beloved by all who knew them for their warmth and humor; and
WHEREAS, After 65 years of marriage, Jack B. Cole passed away on November 4, 2005, and Ramona S. Cole passed away on January 22, 2006;
NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives commend the life, work, and dedication of Jack and Ramona Cole and their commitment and service to Whatcom County, Washington State, and the United States of America; and
BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the family of Jack and Ramona Cole.

Representative Linville moved the adoption of the resolution.

Representative Linville spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4702 was adopted.

MESSAGES FROM THE SENATE
February 14, 2006
Mr. Speaker:

The Senate has passed:

ESB 5048 by Senators Oke, Brown, Keiser, Swecker, Kline, Morton, Rockefeller, Decio, Thibaudeau, Finkbeiner, McAuliffe, Sheldon, Rasmussen, Spanel, Berkey, Eide, Doumit, Regala, Kohl-Welles, Jacobsen, Franklin, Haugen, Fraser, Kastama and Weinistein

AN ACT Relating to protecting the health of minors by prohibiting tobacco product sampling; amending RCW 70.155.010, 70.155.050, 70.155.090, 70.155.100, 82.24.120, and 82.24.230; creating a new section; repealing RCW 70.155.060 and 82.24.270; and prescribing penalties.
Referred to Committee on Health Care.

SSB 5236 by Senate Committee on Ways & Means (originally sponsored by Senators Kohl-Welles, Parlette, Keiser, Fraser, Honeyford and Kline; by request of Department of Labor & Industries)

AN ACT Relating to providing additional funding to the prevailing wage program of the department of labor and industries by discontinuing the transfer of monies from the public works administration account to the general fund-state account; amending RCW 39.12.070 and 39.12.080; and providing an effective date.
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Referred to Committee on Commerce & Labor.

2SSB 5333 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Regala, Esser, Prentice, Hewitt, Pridemore and McCaslin)

AN ACT Relating to voter-approved regular property tax levies; and amending RCW 84.55.050.

Referred to Committee on Finance.

SB 5439 by Senators Roach, Swecker, Delvin, Sheldon, Parlette, Kohl-Welles and McCaslin; by request of Washington State Patrol

AN ACT Relating to background checks on gubernatorial appointees; and adding a new section to chapter 43.06 RCW.

Referred to Committee on State Government Operations & Accountability.

ESB 5462 by Senators McCaslin and Kastama

AN ACT Relating to terms of members of ethics boards; and amending RCW 42.52.350 and 42.52.310.

Referred to Committee on State Government Operations & Accountability.

ESB 5609 by Senators Shin, Mulliken, Keiser, Carrell, Kohl-Welles and Benson

AN ACT Relating to increasing the operating fee waiver authority for Central Washington University; amending RCW 28B.15.910; and providing an effective date.

Referred to Committee on Higher Education & Workforce Education.

2SSB 5717 by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Rockefeller, Benton, Fairley, Oke, Keiser, Zarelli, Shin, Rasmussen and Kohl-Welles)

AN ACT Relating to K-12 skill centers; and creating new sections.

Referred to Committee on Education.

ESSB 6151 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Schoesler, Poulson, Mulliken, Rasmussen, Jacobsen, Morton and Delvin)

AN ACT Relating to water policy in regions with regulated reductions in aquifer levels; adding a new section to chapter 90.44 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Economic Development, Agriculture & Trade.

SSB 6171 by Senate Committee on Ways & Means (originally sponsored by Senators McAuliffe, Schmidt, Rasmussen and Kohl-Welles)

AN ACT Relating to preparing bilingual and special education teachers; amending RCW 28A.660.050 and 28B.102.080; and creating new sections.

Referred to Committee on Higher Education & Workforce Education.

2SSB 6172 by Senate Committee on Ways & Means (originally sponsored by Senators McAuliffe, Hargrove, Thibaudau, Shin, Weinstein, Rockefeller, Keiser, Regala, Eide, Rasmussen and Benton)

AN ACT Relating to increasing penalties for the crimes of possession of depictions of a minor engaged in sexually explicit conduct; voyeurism; and communication with a minor for an immoral purpose; amending RCW 9.68A.070, 9.94A.030, and 9.94A.030; reenacting and amending RCW 9.68A.090, 9.94A.515, and 9.94A.670; creating a new section; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Criminal Justice & Corrections.

2SSB 6195 by Senate Committee on Ways & Means (originally sponsored by Senators Franklin, Regala, Keiser, Eide, Prentice, Jacobsen, McAuliffe, Fraser, Kline and Shin)

AN ACT Relating to health impact assessments; amending RCW 43.20.025; adding a new section to chapter 43.20 RCW; and creating a new section.

Referred to Committee on Health Care.

ESSB 6255 by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Eide and McAuliffe)

AN ACT Relating to improving student performance through student-centered planning; creating new sections; and providing an expiration date.

Referred to Committee on Education.
SSB 6330  by Senate Committee on International Trade & Economic Development (originally sponsored by Senators Shin, Kastama, Sheldon, Rasmussen, Doumit, Weinstein, Fraser, Swecker, McAuliffe, Oke, Eide, Honeyford, Franklin, Mulliken, Prentice, Pflug, Kohl-Welles, Jacobsen and Roach)

AN ACT Relating to the establishment of the Washington trade corps fellowship program; adding new sections to chapter 43.31 RCW; and creating new sections.

Referred to Committee on Economic Development, Agriculture & Trade.

ESB 6342  by Senators Kline, Esser and Pflug; by request of Board For Judicial Administration

AN ACT Relating to municipal court judges and commissioners; amending RCW 3.50.040, 3.50.050, 3.50.057, and 3.50.075; and repealing RCW 3.50.055 and 3.50.070.

Referred to Committee on Judiciary.

SB 6364  by Senators Roach, Rasmussen, Kastama, Haugen and Kline

AN ACT Relating to the regulation of recreational vessels; adding a new section to chapter 79A.60 RCW; and prescribing penalties.

Referred to Committee on Natural Resources, Ecology & Parks.

ESSB 6366  by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Thibaudeau and Kline)

AN ACT Relating to preparation and response to pandemic influenza; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care.

SSB 6369  by Senate Committee on Ways & Means (originally sponsored by Senators Haugen, Mulliken and Rasmussen)

AN ACT Relating to excise tax exemptions for water services provided by small water systems; adding a new section to chapter 82.04 RCW; adding a new section to chapter 82.16 RCW; adding a new section to chapter 82.32 RCW; and declaring an emergency.

Referred to Committee on Finance.

SB 6373  by Senators Keiser, Deccio, Zarelli and Spangel

AN ACT Relating to reporting to the legislature of holding a boarding home medicaid eligible resident's room or unit; and amending RCW 18.20.290.

Referred to Committee on Health Care.

ESSB 6391  by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Deccio, Thibaudeau and Fairley)

AN ACT Relating to the provision of services for nonresident individuals residing in long-term care settings; amending RCW 18.20.020 and 18.135.040; and adding a new section to chapter 18.135 RCW.

Referred to Committee on Health Care.

SB 6411  by Senators Doumit, Parlette, Pridemore, Delvin, Fraser, McAuliffe, Shin and Kohl-Welles

AN ACT Relating to collective bargaining agreements; and amending RCW 41.56.070.

Referred to Committee on Commerce & Labor.

SB 6415  by Senators Pridemore, McAuliffe, Mulliken and Kohl-Welles

AN ACT Relating to the appointment of interpreters for driver's license examinations; and amending RCW 46.20.130.

Referred to Committee on Transportation.

SB 6416  by Senators Keiser, Hewitt, Rockefeller, Kohl-Welles, Prentice, Finkbeiner, Parlette, Sheldon, Deccio, Shin, Esser and Rasmussen

AN ACT Relating to prohibiting pyramid promotional schemes; adding a new chapter to Title 19 RCW; and repealing RCW 19.102.010 and 19.102.020.

Referred to Committee on Commerce & Labor.
ESSB 6427 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kastama, Mulliken, Morton and Rasmussen; by request of Department of Community, Trade, and Economic Development)

AN ACT Relating to schedules for the review of comprehensive plans and development regulations for certain cities and counties; reenacting and amending RCW 36.70A.130; and creating a new section.

Referred to Committee on Local Government.

ESSB 6433 by Senators Kastama, Jacobsen, Poulsen, Pridemore, Rockefeller, Shin, Haugen, Rasmussen, Keiser, Regala, Thibaudeau, Franklin, McAuliffe and Kohl-Welles

AN ACT Relating to establishing the emergency management, preparedness, and assistance account; adding new sections to chapter 38.52 RCW; creating new sections; and providing an expiration date.

Referred to Committee on State Government Operations & Accountability.

SB 6454 by Senators Mulliken, Pridemore, Fraser, Rockefeller, Franklin, Spanel, Shin and Roach; by request of Select Committee on Pension Policy

AN ACT Relating to public employees' retirement system, plan 1 and teachers' retirement system, plan 1 age and retirement requirements for receipt of the annual increase amount; amending RCW 41.40.197 and 41.32.489; and providing an effective date.

Referred to Committee on Appropriations.

E2SSB 6459 by Senate Committee on Ways & Means (originally sponsored by Senators Keiser, Brandland, Thibaudeau, Spanel, Rasmussen, Kline, Parlette and Kohl-Welles)

AN ACT Relating to community-based health care solutions; creating new sections; and providing an expiration date.

Referred to Committee on Health Care.

SSB 6473 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Poulsen, Morton and Rockefeller)

AN ACT Relating to eliminating the requirement that telecommunications companies file price lists; amending RCW 80.36.100, 80.36.110, 80.36.320, and 80.36.330; and adding new sections to chapter 80.36 RCW.

Referred to Committee on Technology, Energy & Communications.

2SSB 6497 by Senate Committee on Ways & Means (originally sponsored by Senators Kline, Franklin and Hargrove)

AN ACT Relating to felony sentences; amending RCW 9.94A.510, 9.94A.535, 9.94A.537, 9.94A.190, and 9.94A.850; creating a new section; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

ESSB 6501 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Rockefeller, Poulsen, Morton, Honeyford, Fraser, Regala, Kohl-Welles, Rasmussen, Kline and Keiser; by request of Governor Gregoire)

AN ACT Relating to the creation of the Washington bioenergy assistance program; amending RCW 42.56.270; reenacting and amending RCW 43.84.092; adding a new chapter to Title 15 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Technology, Energy & Communications.

SB 6504 by Senators Berkey and Mulliken

AN ACT Relating to prohibiting employees of public hospital districts from serving as commissioners; and amending RCW 70.44.040.

Referred to Committee on Local Government.

SB 6539 by Senators Kohl-Welles, Parlette and Keiser; by request of Liquor Control Board

AN ACT Relating to the limit on spirits, beer, and wine restaurant licenses; and amending RCW 66.24.420.

Referred to Committee on Commerce & Labor.

SB 6541 by Senators Prentice and Zarelli

AN ACT Relating to appeal bond requirements involving judgments against signatories of the tobacco master settlement agreement; adding a new section to chapter 43.340 RCW; creating new sections; and declaring an emergency.
Referred to Committee on Appropriations.

SSB 6555 by Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Haugen, Mulliken, Berkey, Kastama and Rasmussen)

AN ACT Relating to research and services for special purpose districts; amending RCW 66.08.190; and adding new sections to chapter 43.110 RCW.

Referred to Committee on Local Government.

SB 6568 by Senators Regala, Carrell and Oke

AN ACT Relating to animal fighting; amending RCW 16.52.117; and prescribing penalties.

Referred to Committee on Judiciary.

SSB 6579 by Senate Committee on Human Services & Corrections (originally sponsored by Senators McAuliffe, Eide, Weinstein, Schmidt, Berkey, Rasmussen, Franklin, Keiser and Shin)

AN ACT Relating to juvenile interrogation; adding a new section to chapter 13.40 RCW; and creating a new section.

Referred to Committee on Juvenile Justice & Family Law.

SSB 6597 by Senate Committee on Judiciary (originally sponsored by Senators Johnson, Kline, Weinstein and Esser)


Referred to Committee on Judiciary.

ESB 6606 by Senators Fraser, Oke, Fairley, Deccio, Berkey, McAuliffe, Keiser, Kline, Regala, Honeyford, Thibaudeau, Mulliken, Pridemore, Rockefeller, Delvin, Rasmussen and Kohl-Welles

AN ACT Relating to standards for educational interpreters for students who are deaf or hard of hearing; adding a new section to chapter 28A.155 RCW; and creating a new section.

Referred to Committee on Education.

ESSB 6660 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senator Spanel)

AN ACT Relating to implementing the compensation and fringe benefit provisions in the master collective bargaining agreement; and amending RCW 41.80.010.

Referred to Committee on Appropriations.

SSB 6676 by Senate Committee on Judiciary (originally sponsored by Senators Roach, Kline, Mulliken, Fairley and Rasmussen)

AN ACT Relating to fraudulent filing of vehicle report of sale; amending RCW 46.12.102; reenacting and amending RCW 46.12.101; adding a new section to chapter 9.45 RCW; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

SSB 6677 by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Berkey, Schmidt, Shin, Haugen, McAuliffe, Kohl-Welles and Rasmussen)

AN ACT Relating to establishing a state priority and state objectives for access, enrollment, delivery, and degree achievements in the fields of engineering, technology, biotechnology, science, computer science, and mathematics in higher education; and adding new sections to chapter 28B.10 RCW.

Referred to Committee on Higher Education & Workforce Education.

SSB 6699 by Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators Pridemore, Schmidt, Zarelli, McAuliffe, Spanel and Delvin)

AN ACT Relating to cost savings on course materials for students at state universities, regional universities, and The Evergreen State College; adding a new section to chapter 28B.10 RCW; and creating a new section.

Referred to Committee on Higher Education & Workforce Education.

SSB 6717 by Senate Committee on Human Services & Corrections (originally sponsored by Senators Kohl-Welles, Brandland, McAuliffe, Hargrove, Rockefeller, Shin, Rasmussen, Schmidt and Stevens)
AN ACT Relating to the joint task force on criminal background check processes; reenacting and amending 2005 c 452 s 1 (uncodified); and providing an expiration date.

Referred to Committee on Criminal Justice & Corrections.

SB 6723 by Senators Eide, Delvin, Keiser, Kohl-Welles and Rasmussen; by request of LEOFF Plan 2 Retirement Board

AN ACT Relating to the retirement allowance of a member who is killed in the course of employment; amending RCW 41.26.510; amending 2001 c 165 s 6 (uncodified); and creating a new section.

Referred to Committee on Appropriations.

SB 6731 by Senators Fraser, Kohl-Welles, Deccio, Fairley, Mulliken, Prentice, Roach, Honeyford, McAuliffe, Keiser, Regala, Delvin, Franklin, Shin, Sheldon, Berkey, Rasmussen, Haugen, Thibaudeau, Kline and Parlette

AN ACT Relating to prohibiting sellers of travel from promoting travel for sex tourism; adding a new section to chapter 9A.88 RCW; adding a new section to chapter 19.138 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Labor.

SSB 6791 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Poulseen, 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 amending RCW 66.24.320.

Referred to Committee on Commerce & Labor.

SB 6826 by Senator Benton

AN ACT Relating to public utility taxes imposed on fees and charges for public transit services; and amending RCW 82.16.050.

Referred to Committee on Finance.

SSB 6840 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Morton and Poulseen)


Referred to Committee on Technology, Energy & Communications.

SSB 6851 by Senate Committee on Financial Institutions, Housing & Consumer Protection (originally sponsored by Senators Prentice and Fairley)

AN ACT Relating to closure of mobile home parks and manufactured housing communities; and amending RCW 59.21.030 and 59.20.060.

Referred to Committee on Housing.

SB 6861 by Senators Delvin, Poulseen, Mulliken, Morton and Honeyford

AN ACT Relating to studying the competing interests of domestic water users and other water users in regards to limited water supplies where a curtailment of domestic water right use has been enacted; and creating a new section.

Referred to Committee on Economic Development, Agriculture & Trade.

ESSB 6885 by Senate Committee on Labor, Commerce, Research & Development (originally sponsored by Senators Kohl-Welles, McAuliffe, Thibaudeau, Keiser and Fairley)

AN ACT Relating to unemployment insurance; amending RCW 50.20.120, 50.24.010, 50.29.025, 50.29.041, 50.16.030, 50.29.021, and 50.20.050; creating new sections; repealing 2005 c 133 s 10 (uncodified); and declaring an emergency.

Referred to Committee on Commerce & Labor.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

SIGNED BY THE SPEAKER

The Speaker signed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2860,

There being no objection, the House advanced to the eighth order of business.

There being no objection, the Committee on Local Government was relieved of further consideration on SENATE BILL NO. 6221 and the bill was referred to the Committee on State Government, Operations and Accountability.

There being no objection, the House advanced to the eleventh order of business.
There being no objection, the House adjourned until 9:55 a.m., February 16, 2006, the 39th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk
THIRTY EIGHTH DAY, FEBRUARY 15, 2006

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