Senate Chamber, Olympia, January 19, 2005
The Senate was called to order at 12:00 noon by Vice President Pro Tempore. 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

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

MESSAGE FROM THE SECRETARY OF STATE

January 18, 2005

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature Number 330, originally filed with this office on June 17, 2004. On December 28, 2004, the sponsor of the proposed initiative filed 18,854 petition sheets in support of the measure. We have completed our preliminary canvass of these petition sheets and have determined that they contain 319,169 signatures.

Accordingly, pursuant to the provisions of Article II, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature Number 330 to you at this time. We expect to complete verification of signatures no later than February 4, 2005, and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 18th day of January, 2005.

(Signature)

SAM REED, Secretary of State

Referred to the Committee on Health & Long-Term Care.

MESSAGE FROM THE SECRETARY OF STATE

January 18, 2005

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature Number 336, originally filed with this office on August 30, 2004. On December 30, 2004, the sponsor of the proposed initiative filed 17,609 petition sheets in support of the measure. We have completed our preliminary canvass of these petition sheets and have determined that they contain 300,776 signatures.

Accordingly, pursuant to the provisions of Article II, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature Number 336 to you at this time. We expect to complete verification of signatures no later than February 4, 2005, and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 18th day of January, 2005.

(Signature)

SAM REED, Secretary of State

Referred to the Committee on Health & Long-Term Care.

MESSAGE FROM THE SECRETARY OF STATE

January 18, 2005

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature Number 330, originally filed with this office on June 17, 2004. On December 28, 2004, the sponsor of the proposed initiative filed 18,854 petition sheets in support of the measure. We have completed our preliminary canvass of these petition sheets and have determined that they contain 319,169 signatures.

Accordingly, pursuant to the provisions of Article II, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature Number 330 to you at this time. We expect to complete verification of signatures no later than February 4, 2005, and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 18th day of January, 2005.

(Signature)

SAM REED, Secretary of State

Referred to the Committee on Health & Long-Term Care.

MOTION

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

MESSAGE FROM THE SECRETARY OF STATE

January 18, 2005

The Honorable President of the Senate
Legislature of the State of Washington
Olympia, Washington 98504

MR. PRESIDENT:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature Number 336, originally filed with this office on August 30, 2004. On December 30, 2004, the sponsor of the proposed initiative filed 17,609 petition sheets in support of the measure. We have completed our preliminary canvass of these petition sheets and have determined that they contain 300,776 signatures.

Accordingly, pursuant to the provisions of Article II, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature Number 336 to you at this time. We expect to complete verification of signatures no later than February 4, 2005, and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the state of Washington, this 18th day of January, 2005.

(Signature)

SAM REED, Secretary of State

Referred to the Committee on Health & Long-Term Care.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5252 by Senators Fraser, Kastama, Swecker and McAuliffe

AN ACT Relating to establishing a commemorative works account for the department of general administration; reenacting and amending RCW 43.79A.040; and adding a new section to chapter 43.19 RCW.

Referred to Committee on Ways & Means.

SB 5253 by Senators Berkey, Benton, Fairley, Benson and Prentice

AN ACT Relating to establishing mortgage broker branch offices; and amending RCW 19.146.265.

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

SB 5254 by Senators Jacobsen, Rasmussen, Franklin, McAuliffe and Kohl-Welles

AN ACT Relating to a legislative youth advisory council; and adding a new section to chapter 44.04 RCW.

Referred to Committee on Government Operations & Elections.

SB 5255 by Senators Oke and Franklin

AN ACT Relating to the sales and use taxation of dietary supplements; amending RCW 82.08.0293 and 82.12.0293; and repealing RCW 82.08.925 and 82.12.925.

Referred to Committee on Ways & Means.

SB 5256 by Senators Hargrove and Stevens

AN ACT Relating to misdemeanors and gross misdemeanors; amending RCW 9.94A.501, 9.92.060, 9.95.204, and 9.95.210; and declaring an emergency.
AN ACT Relating to interruptive military service credit within the public employees' retirement system, the school employees' retirement system, the teachers' retirement system, the law enforcement officers' and fire fighters' retirement system plan 2, the Washington state patrol retirement system, and the public safety employees' retirement system; amending RCW 41.40.170, 41.40.710, 41.40.805, 41.35.470, 41.35.650, 41.32.260, 41.32.810, 41.32.865, 41.26.520, 43.43.260, and 41.37.260; and providing an effective date.

SB 5269 by Senators Fraser, Parlette, Regala, Schmidt, Rasmussen, Shin and Kohl-Welles

AN ACT Relating to reporting drug overdoses; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Judiciary.

SB 5266 by Senators Fairley, Benson, Prentice and Benton

AN ACT Relating to reserving state authority to regulate the customer transactions of financial service providers under the jurisdiction of the department of financial institutions; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5267 by Senators Haugen, Esser, Rasmussen, Delvin and McAuliffe

AN ACT Relating to clarifying the ability of Washington state patrol officers to engage in private law enforcement off-duty employment in plainclothes for private benefit; and amending RCW 43.43.112.

Referred to Committee on Transportation.

SB 5268 by Senators Esser and Kastama

AN ACT Relating to assumption by a code city with a population greater than one hundred thousand of a water-sewer district with fewer than two hundred fifty customers; and adding a new section to chapter 35.13A RCW.

Referred to Committee on Government Operations & Elections.

SB 5269 by Senators Kohl-Welles, Hargrove, Stevens, Regala and Oke

AN ACT Relating to maintaining the residential parenting program at the women's correctional center; amending RCW 72.09.010, 72.09.015, and 72.09.450; adding new sections to chapter 72.09 RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.
AN ACT Relating to vessel registration enforcement; adding a new section to chapter 82.49 RCW; adding a new section to chapter 88.02 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

SB 5271 by Senators Jacobsen, Oke, Rockefeller, Morton, Swecker, Doumit, Rasmussen and Shin

AN ACT Relating to the purchase of tidelands and shorelands and authorizing the sale of nontribal state-owned filled tidelands or shorelands, that are currently upland in nature and no longer provide the ecological functions and public benefits normally intrinsic to functioning aquatic lands as described in RCW 79.90.450 and 79.90.455; amending RCW 79.90.010, 79.94.090, 79.94.150, and 79.90.245; reenacting and amending RCW 43.79A.040; adding new sections to chapter 79.94 RCW; adding a new section to chapter 79.90 RCW; creating a new section; repealing RCW 79.90.250; and making an appropriation.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5272 by Senators Jacobsen, Oke, Doumit and Morton


Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5273 by Senators Jacobsen, Oke, Rockefeller, Morton, Swecker and Doumit

AN ACT Relating to the department of natural resources’ authority to create a single pilot mitigation bank on state-owned aquatic lands; reenacting and amending RCW 43.79A.040; and adding a new chapter to Title 79 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5274 by Senators Keiser, Parlette, Franklin, Hewitt, Prentice and Mulliken

AN ACT Relating to real estate appraisers; amending RCW 18.140.005, 18.140.010, 18.140.020, 18.140.030, 18.140.060, 18.140.070, 18.140.100, 18.140.110, 18.140.120, 18.140.130, 18.140.140, 18.140.150, 18.140.155, 18.140.160, 18.140.170, 18.140.200, 18.140.202, 18.140.220, 18.140.230, 18.140.260, and 43.84.092; reenacting and amending RCW 43.84.092; adding a new section to chapter 18.40 RCW; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Labor, Commerce, Research & Development.
SB 5275  by Senators Fairley, Benton, Regala, Kline, Franklin and Mulliken

AN ACT Relating to prohibiting the use of consumer credit histories for personal insurance renewal decisions; amending RCW 48.18.545; and adding a new section to chapter 48.18 RCW.

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

SB 5276  by Senator Benton

AN ACT Relating to collection of delinquent water-sewer district charges; and amending RCW 57.08.081.

Referred to Committee on Government Operations & Elections.

SB 5277  by Senators Hargrove and Regala

AN ACT Relating to coverage for hearing aids; adding a new section to chapter 41.05 RCW; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; and adding a new section to chapter 48.46 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5278  by Senators Jacobsen, Kline and Fraser

AN ACT Relating to the ocean policy review commission; adding a new section to chapter 43.143 RCW; and creating new sections.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5279  by Senator Jacobsen


Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5280  by Senators Weinstein, Jacobsen, Finkbeiner, Schmidt, Haugen and Shin

AN ACT Relating to motorcycle safety training curriculum; and amending RCW 28A.220.080 and 46.62.420.

Referred to Committee on Transportation.

SB 5281  by Senators Spanel, Hewitt, Fraser and Swecker

AN ACT Relating to real estate excise tax fees and electronic processing of affidavits; amending RCW 82.45.180; creating a new section; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5282  by Senators Kline, Hargrove, Mulliken, Fairley and Thibaudeau

AN ACT Relating to a clarification of the earned release time provisions for offenders held in city or county jails; amending RCW 9.92.151 and 70.48.210; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Human Services & Corrections.

SB 5283  by Senators Kline, Mulliken, Keiser, Carrell, Shin, Stevens, Regala, Doumit, Rasmussen, Oke and Benton

AN ACT Relating to driving while under the influence of alcohol or any drug; amending RCW 46.61.502, 46.61.504, 46.61.5055, 46.61.524, and 9.94A.030; reenacting and amending RCW 9.94A.515 and 9.94A.525; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

SB 5284  by Senators Kline, Thibaudeau and Fairley

AN ACT Relating to persistent offenders; amending RCW 9.94A.030; adding a new section to chapter 9.94A RCW; prescribing penalties; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

SB 5285  by Senators Poulson, Morton, Rockefeller, Honeyford, Kline, Mulliken and Oke

AN ACT Relating to updating the water quality joint development act to provide local government flexibility for improving drinking water and treatment services; amending RCW 70.150.010, 70.150.020, 70.150.040, 70.150.070, and 90.48.285; and reenacting and amending RCW 39.10.020 and 39.10.902.

Referred to Committee on Water, Energy & Environment.

SB 5286  by Senators Kastama, Prentice and Doumit

AN ACT Relating to postretirement employment for members of the public employees’ retirement system plan 1 and the teachers’ retirement system plan 1; amending RCW 41.32.570 and 41.40.037; reenacting and amending RCW 41.40.037; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5287  by Senator Prentice

AN ACT Relating to the taxation of social card games; amending RCW 9.46.110; adding a new chapter to Title 82 RCW; providing an effective date; and declaring an emergency.

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

SB 5288  by Senators McAuliffe, Hargrove, Stevens, Regala, Thibaudeau and Carrell

AN ACT Relating to juveniles in the custody of law enforcement officers; and adding a new section to chapter 13.40 RCW.

Referred to Committee on Human Services & Corrections.

SB 5289  by Senators McAuliffe, Hargrove, Stevens, Regala, Mulliken and Benton
AN ACT Relating to the running start program; and amending RCW 28A.600.310.
Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5290 by Senators Delvin, Rasmussen, Schoesler, Shin, Morton, Jacobsen and Mulliken

AN ACT Relating to theft of livestock; amending RCW 9A.56.080 and 4.24.320; and prescribing penalties.
Referred to Committee on Agriculture & Rural Economic Development.

SB 5291 by Senators Poulsen, Morton, Fraser, Mulliken and Kohl-Welles

AN ACT Relating to construction and operation of renewable energy projects by joint operating agencies; and adding a new section to chapter 43.52 RCW.
Referred to Committee on Water, Energy & Environment.

SB 5292 by Senators Poulsen and Morton

AN ACT Relating to nuclear power plant audits; and amending RCW 43.52.378.
Referred to Committee on Water, Energy & Environment.

SB 5293 by Senators Mulliken, Hargrove, Stevens and Delvin

AN ACT Relating to detection and investigation of fraud by the department of social and health services; and adding a new section to chapter 43.20A RCW.
Referred to Committee on Human Services & Corrections.

SB 5294 by Senators Mulliken and Stevens

AN ACT Relating to signature upon penalty of perjury on license applications for agencies providing care for children, expectant mothers, or persons with developmental disabilities; and amending RCW 74.15.100.
Referred to Committee on Human Services & Corrections.

SB 5295 by Senators Mulliken, Hargrove and Stevens

AN ACT Relating to unique identifying numbers for agencies providing care for children, expectant mothers, or persons with developmental disabilities; and reenacting and amending RCW 74.15.030.
Referred to Committee on Human Services & Corrections.

SB 5296 by Senators Mulliken, Hargrove, Stevens and Rasmussen

AN ACT Relating to verification of the identity of persons providing care to children, expectant mothers, and persons with developmental disabilities; and reenacting and amending RCW 74.15.030.
Referred to Committee on Human Services & Corrections.

SB 5297 by Senator Mulliken

AN ACT Relating to a unique identifying number for each child eligible for state-subsidized child care; and amending RCW 74.12.340.
Referred to Committee on Human Services & Corrections.

SB 5298 by Senators Carrell, Kastama, Stevens, Berkey, Rockefeller, Rasmussen, Oke, Swecker, Delvin, Schmidt, Morton, Parlette, Benson and Mulliken

AN ACT Relating to the property taxation of qualified historic property; amending RCW 84.26.010, 84.26.020, 84.26.110, and 84.26.130; adding new sections to chapter 84.26 RCW; and creating a new section.
Referred to Committee on Government Operations & Elections.

SB 5299 by Senators Carrell, Swecker and Zarelli

AN ACT Relating to property tax statistics; and adding a new section to chapter 84.52 RCW.
Referred to Committee on Government Operations & Elections.

SB 5300 by Senators Carrell, Zarelli, Schmidt, Stevens, Esser, Delvin, Swecker, Pflug, Honeyford and Mulliken

AN ACT Relating to defenses in civil actions; adding a new section to chapter 4.24 RCW; and creating a new section.
Referred to Committee on Judiciary.

SB 5301 by Senators Carrell, Swecker, Johnson, Schoesler, Benson, Honeyford, Stevens and Mulliken

AN ACT Relating to law libraries; and adding a new section to chapter 27.24 RCW.
Referred to Committee on Judiciary.

SB 5302 by Senators Jacobsen, Poulsen, Schmidt and Kohl-Welles

AN ACT Relating to compensation for school district boards of directors; and adding a new section to chapter 28A.320 RCW.
Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5303 by Senators Jacobsen, Poulsen, Kline and Franklin

AN ACT Relating to financial aid portability; amending RCW 28B.10.790 and 28B.92.030; adding new sections to chapter 28B.76 RCW; creating a new section; and providing expiration dates.
Referred to Committee on Early Learning, K-12 & Higher Education.

SB 5304 by Senators Jacobsen, Poulsen and Kline

AN ACT Relating to faculty salary increments for community and technical colleges; adding new sections to chapter 28B.50 RCW; and creating a new section.
Referred to Committee on Labor, Commerce, Research & Development.

**SB 5305** by Senators Rasmussen, Benton, Roach, Swecker, Zarelli, Regala, Stevens, Shin, Delvin, Franklin and Mulliken

AN ACT Relating to the use of mercury-containing vaccines; and adding a new section to chapter 70.95M RCW.

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

**SB 5306** by Senators Weinstein, Rockefeller, Pridemore, McAuliffe, Shin, Fairley, Prentice, Keiser, Regala, Brown, Kline and Kohl-Welles

AN ACT Relating to sexual health education; adding a new section to chapter 70.24 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

**SB 5307** by Senators Keiser, Eide and Kohl-Welles

AN ACT Relating to amusement rides; amending RCW 67.42.010, 67.42.020, 67.42.025, 67.42.030, 67.42.040, 67.42.050, 67.42.060, 67.42.070, 67.42.080, 67.42.090, and 19.28.351; adding a new section to chapter 67.42 RCW; and prescribing penalties.

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

**SB 5308** by Senators Kohl-Welles, Hargrove and Oke

AN ACT Relating to mandatory reporting of child abuse or neglect; and amending RCW 26.44.030.

Referred to Committee on Human Services & Corrections.

**SB 5309** by Senators Kohl-Welles, Benton and Kline

AN ACT Relating to abuse of a supervisory position; and amending RCW 9A.44.010.

Referred to Committee on Human Services & Corrections.

**SB 5310** by Senators Johnson, Roach, Swecker, Schoesler, Stevens and Hewitt

AN ACT Relating to prohibiting the employment security department from asking claimants about household spending; and amending RCW 50.38.060.

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

**SCR 8401** by Senators Jacobsen, Prentice, Poulsen, Fairley, Kline and Schmidt

Creating a joint select committee concerning Latino accessibility to higher education.

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

**MOTION**

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

**MOTION**

At 12:02 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Thursday, January 20, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate