The Senate was called to order at 10:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present with the exception of Senators Haugen, Holmquist, Honeyford, Kline, Parlette, and Rouch.

The Sergeant at Arms Color Guard consisting of Pages Alec Stewart and Emily Schalka, presented the Colors. Pastor Betty Hatter of the City of Truth Ministries Church offered the prayer.

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 COMMITTEES

February 1, 2007

SB 5010 Prime Sponsor, Honeyford: Creating a state park foster home pass. Reported by Committee on Natural Resources, Ocean & Recreation

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

Passed to Committee on Ways & Means.

February 1, 2007

SB 5015 Prime Sponsor, Jacobsen: Designating the state ornithologist. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 5015 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

January 31, 2007

SB 5039 Prime Sponsor, Eide: Providing for the state investment board to administer scholarship endowment funds. Revised for 1st Substitute: Providing for the state investment board to manage scholarship endowment funds. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5039 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton, Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Rules for second reading.

February 1, 2007

SB 5097 Prime Sponsor, Rockefeller: Changing requirements for safe school plans. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Clements, Eide, Hewitt, Hobbs, Kauffman, Oemig, Rasmussen, Weinstein and Zarelli

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

Passed to Committee on Ways & Means.

SB 5135 Prime Sponsor, Eide: Equalizing school district salary allocations. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5135 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Eide, Hobbs, Kauffman, Oemig, Rasmussen and Weinstein

MINORITY recommendation: Do not pass. Signed by Senators Brandland, Clements, Hewitt and Holmquist

Passed to Committee on Ways & Means.

January 31, 2007

SB 5235 Prime Sponsor, Prentice: Modifying provisions relating to the business and occupation taxation of mortgage brokers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5235 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Ways & Means.

February 1, 2007

SB 5259 Prime Sponsor, Jacobsen: Modifying provisions governing the sale of unneeded park land. Reported by Committee on Natural Resources, Ocean & Recreation

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

Passed to Committee on Rules for second reading.

February 1, 2007

SB 5260 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; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

January 31, 2007

SB 5262 Prime Sponsor, Franklin: Establishing certain capital and surplus requirements necessary to transact insurance. Reported by Committee on Financial Institutions & Insurance
MAJORITY recommendation: Do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton, Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Rules for second reading.

February 1, 2007

SB 5263 Prime Sponsor, Franklin: Modifying medical malpractice closed claim reporting requirements. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: That Substitute Senate Bill No. 5263 be substituted therefor, and the substitute bill do pass. Signed by Senators Berkey, Chair; Hobbs, Vice Chair; Benton, Franklin, Hatfield, Parlette and Schoesler

Passed to Committee on Rules for second reading.

January 31, 2007

SB 5267 Prime Sponsor, McAuliffe: Providing for the use of the school district capital projects funds for technology. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That Substitute Senate Bill No. 5267 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Tom. Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig, Rasmussen and Weinstein

Passed to Committee on Rules for second reading.

February 1, 2007

REPORTS OF STANDING COMMITTEES

GUBERNATORIAL APPOINTMENTS

February 1, 2007

SGA 9087 RONNIE BEHNKE, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Renton Technical College District No. 27. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

February 1, 2007

SGA 9124 JERRY R. HENDRICKSON, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Walla Walla Community College District No. 20. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

February 1, 2007

SGA 9148 JANIS MACHALA, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Technical College District No. 26 (Lake Washington). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

February 1, 2007

SGA 9188 BRIAN VANCE, appointed October 1, 2005, for the term ending September 30, 2010, as Member, Board of Trustees, South Puget Sound Community College District No. 24. Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

February 1, 2007

SGA 9201 SUSAN COLE, appointed October 1, 2005, for the term ending September 30, 2010, as Member, Board of Trustees, Community College District No. 21 (Whatcom Community College). Reported by Committee on Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

February 1, 2007

SGA 9216 JOHN DRISCOLL, reappointed December 7, 2006, for the term ending July 1, 2011, as Member, Board of Trustees, State School for the Blind. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hewitt, Hobbs, Holmquist, Kauffman, Oemig, Rasmussen and Weinstein

Passed to Committee on Rules for second reading.

February 1, 2007

SGA 9229 FRED. A. SHIOSAKI, reappointed March 14, 2005, for the term ending December 31, 2010, as Member of the Fish and Wildlife Commission. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators Jacobsen, Chair; Rockefeller, Vice Chair; Fraser, Hargrove, Morton, Poulsen, Spanel, Stevens and Swecker

Passed to Committee on Rules for second reading.

February 1, 2007

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. 5235 which was referred to the Committee on Ways & Means.

MOTION

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

MESSAGES FROM THE STATE OFFICES

January 26, 2007

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 Patrol 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 Washington State Patrol Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

STATE OF WASHINGTON

January 26, 2007

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 Criminal Justice Training Commission 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 Washington State Criminal Justice Training Commission Accountability Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

STATE OF WASHINGTON

January 30, 2007

Olympia, Washington 98504-5000

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

Dear Mr. Hoemann:

Enclosed is Department of Social & Health Services, Child Protective Services Report. This report is mandated under Chapter 95 Laws of 2006. If you have any questions about the report, please call 360-902-7822.

The Department of Social & Health Services Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

STATE OF WASHINGTON

February 1, 2007

Olympia, Washington 98504-5000

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

Dear Mr. Hoemann:

Enclosed is Medicaid Audit Report. If you have any questions about the report, please call 360-902-0370.

Sincerely,
Brian Sonntag, State Auditor

The Medicaid Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

STATE OF WASHINGTON

January 31, 2007

Olympia, Washington 98504-5000

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

Dear Mr. Hoemann:

Enclosed is Department of Social & Health Services, Child Protective Services Report. This report is mandated under Chapter 95 Laws of 2006. If you have any questions about the report, please call 360-902-7822.

The Department of Social & Health Services Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

STATE OF WASHINGTON

January 31, 2007

Olympia, Washington 98504-5000

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

Dear Mr. Hoemann:

Enclosed is Clover Park Technical College 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 Clover Park Technical College Audit Report is on file in the Office of the Secretary of the Senate.

MESSAGES FROM THE STATE OFFICES

STATE OF WASHINGTON

February 1, 2007

Olympia, Washington 98504-5000

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

Dear Mr. Hoemann:

Enclosed is Medicaid Audit Report. If you have any questions about the report, please call 360-902-0370.

Sincerely,
Brian Sonntag, State Auditor

The Medicaid Audit Report is on file in the Office of the Secretary of the Senate.
Dear Mr. Hoemann:

Enclosed is Washington State Health Care Authority, Disease Management. This report is mandated under RCW 41.05.13.

If you have any questions about the report, please call 360-923-2823.

Sincerely,
Steve Hill, Administrator
The Washington State Health Care Authority, Disease Management Report is on file in the Office of the Secretary of the Senate.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5823 by Senators Fairley, Kline and Kohl-Welles

AN ACT Relating to discrimination based on lawful source of income; and amending RCW 49.60.030, 49.60.040, 49.60.222, 49.60.223, 49.60.224, and 49.60.225.

Referred to Committee on Consumer Protection & Housing.

SB 5824 by Senators Tom, Weinstein, Kauffman, Marr, Murray, Eide and Berkey

AN ACT Relating to recovery of costs of studded tire damage to highways; amending RCW 46.37.420; and creating a new section.

Referred to Committee on Transportation.

SB 5825 by Senators Tom, Kohl-Welles, Oemig, Berkey, Kauffman, Rockefeller, Prentice, Fairley, Fraser, Keiser, Hobbs, Regula, Murray, Kline and Shin

AN ACT Relating to foods of minimal nutritional value sold and served on public school campuses; and creating a new section.

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

SB 5826 by Senators Berkey, Benton, Roach, Zarelli, Kauffman, Marr, Kilmer, Carrell, Hobbs, Schoesler, Franklin, Haugen and Shin

AN ACT Relating to consumer credit reports; amending RCW 19.182.170; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

SB 5827 by Senators Hobbs, Weinstein, Oemig, Fairley, Pridemore, Keiser, Regula, Kohl-Welles, Prentice, Kline and Rasmussen

AN ACT Relating to consumer privacy; and amending RCW 19.182.020.

Referred to Committee on Consumer Protection & Housing.
TWENTY-SIXTH DAY, FEBRUARY 2, 2007

SB 5835  by Senators Berkley, Delvin and Hewitt

AN ACT Relating to excluding self-service laundry from the definition of retail sale for excise tax purposes; reenacting and amending RCW 82.04.050; creating a new section; and providing a contingent effective date.

Referred to Committee on Ways & Means.

SB 5836  by Senators Fairley, Roach, Kline and Pridemore

AN ACT Relating to the timing of accrual of property tax revenues; and amending RCW 35.13.270, 35A.14.801, and 84.09.030.

Referred to Committee on Government Operations & Elections.

SB 5837  by Senators Kohl-Welles, Keiser, Fraser, Rockefeller, Hobbs, Delvin, Tom, Prentice, McAuliffe, Jacobsen and Kline

AN ACT Relating to monitoring compliance with sexual equality laws; amending RCW 28A.640.030; and creating a new section.

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

SB 5838  by Senators Kohl-Welles, Clements and Delvin

AN ACT Relating to spirits, beer, and wine restaurant licenses; and reenacting and amending RCW 66.24.420 and 66.24.320.

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

SB 5839  by Senators Benton, Stevens and Hargrove

AN ACT Relating to nonmandatory reports of child abuse or neglect; and amending RCW 26.44.030.

Referred to Committee on Human Services & Corrections.

SB 5840  by Senator Benton

AN ACT Relating to temporary permits for salvage vehicles awaiting inspection; and amending RCW 46.12.030.

Referred to Committee on Transportation.

SB 5841  by Senators Hobbs, McAuliffe, Rockefeller, Tom, Oemig, Kauffman, Regala, Kohl-Welles and Rasmussen

AN ACT Relating to enhancing student learning opportunities and student achievement; amending RCW 28A.150.210 and 28A.505.210; adding new sections to chapter 28A.150 RCW; adding new sections to chapter 28A.630 RCW; creating a new section; and providing expiration dates.

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

SB 5842  by Senators Oemig, McAuliffe, Zarelli, Tom, Weinstein, Kauffman, Rockefeller, Hobbs and Kohl-Welles

AN ACT Relating to education system benchmarks and monitoring; adding a new section to chapter 28A.300 RCW; adding new sections to chapter 43.41 RCW; and creating a new section.

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

SB 5843  by Senators Oemig, Tom, Rockefeller, Zarelli and Keiser

AN ACT Relating to educational data and data systems; amending RCW 28A.410.070; adding new sections to chapter 28A.320 RCW; adding new sections to chapter 28A.300 RCW; adding a new section to chapter 28A.410 RCW; and creating a new section.

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

SB 5844  by Senators Roach, Jacobsen, Rockefeller, Rasmussen and Sheldon

AN ACT Relating to specialized forest products and specialty wood; amending RCW 76.48.010, 76.48.020, 76.48.030, 76.48.050, 76.48.060, 76.48.070, 76.48.075, 76.48.094, 76.48.096, 76.48.098, 76.48.100, 76.48.110, 76.48.120, 76.48.150, and 76.48.200; adding new sections to chapter 76.48 RCW; and prescribing penalties.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5845  by Senators Keiser, Clements, Kohl-Welles, Franklin, Delvin and Prentice

AN ACT Relating to security guard training; amending RCW 18.170.010; adding a new section to chapter 18.170 RCW; and repealing RCW 18.170.100.

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

SB 5846  by Senators Hargrove, Hatfield, Sheldon, Delvin and Shin

AN ACT Relating to authorizing the use of hotel and motel tax proceeds for public safety activities directed toward certain tourism areas; amending RCW 67.28.1815; and creating a new section.

Referred to Committee on Economic Development, Trade & Management.

SB 5847  by Senators Kline and Brandland

AN ACT Relating to overpayments received by courts; and amending RCW 63.29.130.

Referred to Committee on Judiciary.

SB 5848  by Senators Kohl-Welles, Franklin, Murray, Keiser, Rasmussen, Kline and McAuliffe

AN ACT Relating to revising the mandatory overtime prohibition applicable to nurses, but only with respect to increasing the types of health care facilities that are subject
TWENTY-SIXTH DAY, FEBRUARY 2, 2007

JOURNAL OF THE SENATE

2007 REGULAR SESSION

Gubernatorial Appointment No. 9199, Jone Bosworth as Director of the Washington State Department of Early Learning and the appointment was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 1; Excused, 6.


Absent: Senator Keiser - 1

Excused: Senators Haugen, Holmquist, Honeyford, Kline, Parlette and Roach - 6

Gubernatorial Appointment No. 9199, Jone Bosworth, having received the constitutional majority was declared confirmed as Director of the Washington State Department of Early Learning.

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Brown moved that Gubernatorial Appointment No. 9119, William Gates, as a member of the Board of Regents, University of Washington, be confirmed.

Senator Brown spoke in favor of the motion.

MOTION

On motion of Senator Regala, Senator Keiser was excused.

APPOINTMENT OF WILLIAM GATES

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9119, William Gates as a member of the Board of Regents, University of Washington.

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9119, William Gates as a member of the Board of Regents, University of Washington and the appointment was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.


Excused: Senators Haugen, Keiser, Parlette and Roach - 4

Gubernatorial Appointment No. 9119, William Gates, having received the constitutional majority was declared confirmed as a member of the Board of Regents, University of Washington.

SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

Senator Brown moved that Gubernatorial Appointment No. 9090, Kristianne Blake, as a member of the Board of Regents, University of Washington, be confirmed.
Senator Brown spoke in favor of the motion.

APPOINTMENT OF KRISTIANNE BLAKE

The President declared the question before the Senate to be the confirmation of Gubernatorial Appointment No. 9090, Kristianne Blake as a member of the Board of Regents, University of Washington.

The Secretary called the roll on the confirmation of Gubernatorial Appointment No. 9090, Kristianne Blake as a member of the Board of Regents, University of Washington and the appointment was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.


Excused: Senator Haugen - 1

Gubernatorial Appointment No. 9090, Kristianne Blake, having received the constitutional majority was declared confirmed as a member of the Board of Regents, University of Washington.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced University of Washington, Board of Regents, Mr. William Gates and Ms. Kristianne Blake who were seated in the gallery.

MOTION

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

MOTION

Senator Brown moved adoption of the following resolution:

SENATE RESOLUTION 8619

By Senators Hewitt and Brown

WHEREAS, The Senate adopted permanent rules for the 2007-09 biennium under Senate Floor Resolution 8601 in 2007; and

WHEREAS, The notice requirements set forth in Senate Rule 35 have been satisfied; and

WHEREAS, The Senate desires to add one (1) additional member to the Committee on Labor, Commerce, Research and Development, bringing its total membership up to eight (8) members;

NOW, THEREFORE, BE IT RESOLVED, That Rule 41 is amended as follows:

"Rule 41. The president shall appoint all conference, special, joint and standing committees on the part of the senate. The appointment of the conference, special, joint and standing committees shall be confirmed by the senate.

In the event the senate shall refuse to confirm any conference, special, joint or standing committee or committees, such committee or committees shall be elected by the senate.

The following standing committees shall constitute the standing committees of the senate:

<table>
<thead>
<tr>
<th>Standing Committee</th>
<th>Total Membership</th>
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<tbody>
<tr>
<td>Agriculture and Rural Economic Development</td>
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<td>Consumer Protection and Housing</td>
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<td>Early Learning and K-12 Education</td>
<td>13</td>
</tr>
<tr>
<td>Economic Development, Trade and Management</td>
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<td>Health and Long-Term Care</td>
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<td>Higher Education</td>
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<td>Labor, Commerce, Research and Development</td>
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<tr>
<td>Natural Resources, Ocean and Recreation</td>
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<tr>
<td>Rules</td>
<td>18 (plus the Lieutenant Governor)</td>
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<tr>
<td>Transportation</td>
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<td>Water, Energy and Telecommunications</td>
<td>11</td>
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<tr>
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</table>

Senator Brown spoke in favor of adoption of the resolution. The President declared the question before the Senate to be the adoption of Senate Resolution No. 8619. The motion by Senator Brown carried and the resolution was adopted by voice vote.

STANDING COMMITTEE ASSIGNMENT

The President announced the following change to the 2007 Senate Standing Committee assignment.

Senator Hewitt appointed to the Committee on Labor, Commerce Research & Development.

MOTION
The Senate was called to order at 11:24 a.m. by President Owen.

**MOTION**

On motion of Senator Eide, the Senate reverted to the sixth order of business.

**SECOND READING**

SENEATE BILL NO. 5089, by Senators Regala, Zarelli, Eide, Shin, Franklin, Keiser, Rockefeller, Weinstein, Pridemore, Marr, Hobbs, Rasmussen, Murray, Prentice, Fairley, Fraser, Spanel, Berkey, Kohl-Welles, McAuliffe and Kline

Conforming Washington's tax structure to the streamlined sales and use tax agreement.

**MOTIONS**

On motion of Senator Regala, Substitute Senate Bill No. 5089 was substituted for Senate Bill No. 5089 and the substitute bill was placed on the second reading and read the second time.

Senator Regala spoke in favor of the substitute bill.

On motion of Senator Regala, the rules were suspended, Substitute Senate Bill No. 5089 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Zarelli, Regala and Sheldon spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5089.

**ROLL CALL**
TWENTY-SIXTH DAY, FEBRUARY 2, 2007

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5089 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 3; Absent, 0; Excused, 1.


Voting nay: Senators Holmquist, Morton and Stevens - 3

Excused: Senator Haugen - 1

SUBSTITUTE SENATE BILL NO. 5089, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5058, by Senators Marr, McCaslin, Brown, Parlette, Haugen, Shin, Murray and Roach

Establishing the eastern Washington state veterans' cemetery.

The measure was read the second time.

MOTION

On motion of Senator Marr, the rules were suspended, Senate Bill No. 5058 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Marr and Roach spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5058.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5058 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.


Excused: Senator Haugen - 1

SENATE BILL NO. 5058, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was ordered to stand as the title of the act.

INTRODUCTION OF SPECIAL GUESTS

The President recognized Ken & Barbara Miller and Steven & Alice Miller were seated in the gallery.

SECOND READING

SENATE BILL NO. 5002, by Senators Hewitt, Pflug, Honeyford, Swecker, Morton, Stevens, Parlette, Delvin, McCaslin, Schoesler and Sheldon

Changing tuition waivers for families of fallen veterans and national guard members.

MOTIONS

On motion of Senator Hewitt, Substitute Senate Bill No. 5002 was substituted for Senate Bill No. 5002 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hewitt, the rules were suspended, Substitute Senate Bill No. 5002 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.
ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5002 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.


Excused: Senator Haugen - 1

PERSONAL PRIVILEGE

Senator Pridemore: “Thank you Mr. President. I just wanted, to rise, Mr. President, to welcome the esteemed Senator from the twenty-sixth district. Maybe tell the Senators a few things about him. As you may know he refers himself as Doctor Senator, Senator Doctor that’s because he has a quite an educational pedigree having attended Princeton University and Oxford University. I got to tell you all he is not that kind of a doctor, he’s a PhD. That’s why, should I ever fall on a massive coronary on the floor of this body, that’s the second reason why I don’t want him to give me CPR. This is, of course, the first reputable public office that this young man has held and he worked very hard to get it. He door bell on one-hundred, thirty-seven thousand homes, He hadn’t intended to do door bell that many but he wasn’t really sure what the district boundaries were so he just kept going. He put up a lot of yard signs. He studied the issued late at night. He arrived in the Senate and the first thing that happens is he’s assigned to the committee chaired by the esteemed Senator from Mercer Island. Hopefully, the next four years will go better for him and perhaps it can begin with an appropriate gift to the members of this body right now.”

PERSONAL PRIVILEGE

Senator Schoesler: “Mr. President, sometimes when someone makes their first address, we’re told to keep things clean and within decorum. I really think we’re pushing it when we talk about pedigrees. That’s usually a little bit about race horses or other stock and I won’t go there. I think what we want to examine is what this young man will bring to the body. I particularly hoping that there’ll be something related to pheasants and pheasant hunting in the not too distant future. I also have a great hope that since I venture into that area every fall during a silver season that they’ll be a token for each one of us to cross a new bridge in that vicinity. So, I hope when the appropriate gift is made it will include that token for that particular bridge. Thank you.”

PERSONAL PRIVILEGE

Senator Kilmer: “Thank you Mr. President. I guess first a question. Is it too late to go back to the House?”

REMARKS BY THE PRESIDENT

President Owen: “The senators do have the legal authority to seat any member. They can unseat a member, too, I suppose.”

PERSONAL PRIVILEGE

Senator Kilmer: “Well, thank you for those kind comments. As the good gentleman indicated, I did actually knock on quite a number of doors to get here and it was a constant reminder to be humble. On the first that I went knocking on door in the city of Bremerton in my district. I knocked on the door of an elderly gentleman, and he came to the door and yelled through the door,
‘I already have a religion,’ and I said, ‘No sir, I’m Derek Kilmer. I’m your State Representative,’ and He said, ‘I don’t care who the heck you are, I already have a religion.’ That’s how my campaign to come here began and I can see from today that we’re off on the same trajectory. I have come bearing gifts and apologies. As Senator Roach indicated, first is a bag of tea called Bremerton Ferry Tea. That has nothing to do with the rumors about people being asleep over here, though it is highly caffeinated. I brought gourmet tuna fish from the city of Gig Harbor, the Maritime City. Some one asked me whether gourmet tuna fish was like gourmet cheese but it’s actually really good tuna fish, so I hope you enjoy it. And then finally actually talked to the mayor of Port Orchard and said, ‘what would you like me to bring from Port Orchard?’ and she reminded me of the annual seagull calling competition that takes place each year in the city of Port Orchard and as part of that annual effort, The Candy Shoppe, in Port Orchard makes, in fact, Seagull Plop candy and I want to say that that gift has absolutely nothing to do with my feelings about the speeches made previously. Thank you.”

POINT OF INQUIRY

Senator Prentice: “Would Senator Kilmer yield to a question? What is your definition of elderly?”

Senator Kilmer: “I’ll get back to you.”

PERSONAL PRIVILEGE

Senator McCaslin: “I used to do this for years. Obviously I did a terrific job because I’ve been replaced by six people. It’s astounding to me really. Anyway, you keep digging these guys. You’re welcome to go back to the other body if we can get up to eighteen. If we’re going to stay at seventeen, you might as well stay you know.”

PERSONAL PRIVILEGE

Senator Primmer: “Mr. President, thank you. We have another distinguished Senator, new member who has spoken this morning, from the Sixth district, I wanted to introduce him to this body. He is a man who got his San Francisco values the old fashioned way. He grew up and went to college there. History is going to show that he was a car salesman who joined the Legislature and actually lowered the ethical standards of both bodies. While he mostly sold new cars, he never sold near so many used cars as the Attorney General alleges. There have been allegations, there have been investigations and, yes, there have been court cases, but there have been no convictions. Remember this, the Senator from the Sixth district has no convictions. He is going to be a giant in our elementary schools and our day care centers but he may come up a little short in our universities.”

REMARKS BY THE PRESIDENT

President Owen: “You’re treading on awful thin ice.”

PERSONAL PRIVILEGE

Senator Primmer: “Mr. President, I remember my first speech in this body and I was nervous and all that. I can imagine if I were as young a man as our new Senator is, just how terrified I would be but one thing I didn’t do in my first speech was refer to my first bill by the wrong number. Let history show that the esteemed Senator from the Sixth district referred to his own bill as Senate Bill No. 5055, not Senate Bill No. 5058 earlier today. Mr. President, I want to welcome the Senator to the Washington State Senate. Even the Lieutenant Governor can stand a little taller today.”

REPLY BY THE PRESIDENT

President Owen: “You’re getting harder to see all the time.”

PERSONAL PRIVILEGE

Senator Schoesler: “Mr. President, it appears after the passage of that bill there’s a young man risen, in some ways, to the stature of myself or the Lieutenant Governor. We had an intelligence report prepared. Came from a car dealership in north Idaho about the competition little opposition research. In the spirit of the institution, we’re not going to bring up that opinion research from Kellogg, Idaho. We’ll leave that lay, but it has been a proven fact that, after being a regent a WSU, the San Francisco education and values were improved as a regent at a land grant university and now we have some nice shoes to fill, it not particularly large, at WSU. Welcome to the institution.”

PERSONAL PRIVILEGE

Senator Poulsen: “Thank you Mr. President. Well, cars have come up quite a bit and I think it’s worth noting that Senator Marr gets and gives himself quite a bit of credit for breaking ranks with the car dealers and helping to pass the clean car legislation two years ago. The truth, ladies and gentlemen, the truth, car dealer, is that we started out with twenty-three votes on that bill and after his so called ‘lobbying,’ he had whittled it down to sixteen, fifteen, and we blame that solely on your self confidence. He is so self-confident, nay, arrogant, that he has become affectionately known in our caucus as ‘Little Lord Fauntleroy.’ Now, I didn’t really know that reference when I first heard it so I looked it up Wikipedia and Mr. President may I read something? I’ll spare you the plot introduction but something that jumped out at me is Little Lord Fauntleroy’s impact on fashion. The Fauntleroy suit, so well described by the books author created a major fad for formal dress for American middle class children.’ What the Earl saw was a graceful, childless figure in a black velvet suit, with a lace collar and with love locks waving about the handsome, manly little face, whose eyes met his with a look of innocent good-fellowship. Mr. President, I rest my case.”

PERSONAL PRIVILEGE

Senator Brown: “Thank you. Well, I’m happy to have Senator Marr joining us in the body but I have to point out a few things. He no doubt would quickly point out, where he’s standing up and speaking right now, that he is, in fact, the tallest senator from Spokane and if we’re going to go down that road I think I might just add a few other criteria, just so you know. He’s not only the tallest senator; he’s the oldest senator from the city of Spokane. In fact, he has a lovely wife, Kristine, and children. He and Kristine have been married for thirty years and Senator Holmquist and I calculated that she would have been in diapers when you married your wife. He is, as Senator Poulsen indicated, the most confident senator from Spokane and he is the most affluent senator from Spokane. How many Senators are able to purchase a brand new residence before their first speech in the Senate in the lovely city of Olympia? Except for Senator
Fraser, although I know, I think it might be coming a trend with some of my new members. Anyway, Senator Marr, you did a pretty good job of bumping the bill and all your hard work on it has paid off with its passage. Welcome to the Senate.”

PERSONAL PRIVILEGE

Senator Marr: “Well, the bill that I had the honor to introduce today had to do with Veterans issues so it’s really not surprising that someone confused me with my shorter Japanese American colleague from the Forty-fourth district. He is a soldier of great distinction but has been pointed out has quite a few faults. However, once you see that I’m capable of making a very brief speech, you’ll understand I’m no Steve Hobbs. My humble beginning’s as a car salesman have been mentioned and it is hard to believe that just a year ago I was leaning against a gently used 1975 Chrysler Cordoba on East Sprague with a toothpick in my mouth contemplating how I might be able to make it even greater contribution to society. Since that was not possible, I chose to run for the Washington State Senate. Now, Mr. President, like you, when I think about the high honor that’s been bestowed upon me to sit in this chamber I feel six feet tall. The comments I’ve heard from a lot of you here make me yearn for the day when I become a committee chair and I can get even. In the meanwhile, I look forward to Senator McCaslin’s bill to divide the state in half again. Until then I offer as my tribute several small gifts that reflect my district in Spokane County. Since I do live in an apple maggot quarantine area, I won’t be able to bring the apples that many of you asked me to bring and I was unable to find any two-year old promotional tee shirts to hand out. However, I do offer a small sample of Spokane’s own Spokcandy, a coin commemorating our one-hundred twenty-fifth anniversary as a city and a key chain from Whitworth College which whose Division III football team had an undefeated season and made it to the second round of the NCA tournament. Thank you Mr. President.”

MOTION

At 12:16 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Monday, February 5, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate
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