

SEVENTY-SECOND DAY, MARCH 20, 2007

2007 REGULAR SESSION

SEVENTY-SECOND DAY

 NOON SESSION

Senate Chamber, Olympia, Tuesday, March 20, 2007

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 COMMITTEES

March 19, 2007

HB 1064 Prime Sponsor, Seaquist: Addressing veterans' benefits. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

Passed to Committee on Rules for second reading.

March 19, 2007

HB 1224 Prime Sponsor, Kelley: Regarding cost savings on course materials for community and technical college students. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

March 19, 2007

SHB 1246 Prime Sponsor, Committee on Human Services: Concerning residential services and support enforcement standards. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Fairley, Kastama, Kohl-Welles, Marr, Parlette and Pflug

MINORITY recommendation: Without recommendation. Signed by Senator Carrell

Passed to Committee on Rules for second reading.

March 19, 2007

HB 1247 Prime Sponsor, Morrell: Concerning eligibility for long-term care services. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles, Marr, Parlette and Pflug

Passed to Committee on Rules for second reading.

March 15, 2007

SHB 1279 Prime Sponsor, Committee on State Government & Tribal Affairs: Establishing the poet laureate program. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline and Pridemore

MINORITY recommendation: Without recommendation. Signed by Senator Swecker

Passed to Committee on Rules for second reading.

March 19, 2007

ESHB 1289 Prime Sponsor, Committee on Transportation: Authorizing the issuance of enhanced drivers' licenses and identicards to facilitate crossing the Canadian border. Reported by Committee on Transportation

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

MINORITY recommendation: Without recommendation. Signed by Senator Clements

Passed to Committee on Rules for second reading.

March 19, 2007

SHB 1323 Prime Sponsor, Committee on Finance: Providing excise tax relief for certain limited purpose public corporations, commissions, and authorities. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Without recommendation. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

Passed to Committee on Ways & Means.

March 19, 2007

HB 1376 Prime Sponsor, Ericks: Providing a sales and use tax exemption for the nonhighway use of propane by farmers. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

March 19, 2007

HB 1391 Prime Sponsor, Eddy: Clarifying that councilmembers are eligible to be appointed to the office of mayor. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

Passed to Committee on Rules for second reading.

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SHB 1394 Prime Sponsor, Committee on Higher Education: Requiring a plan to encourage medical students to work with patients with developmental disabilities. Revised for 1st Substitute: Authorizing incentive grants to support medical research and products to improve services to persons with developmental disabilities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

March 19, 2007

HB 1443 Prime Sponsor, Grant: Creating a public utility tax deduction for the transportation of agricultural commodities. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

March 19, 2007

EHB 1460 Prime Sponsor, Schual-Berke: Extending existing mental health parity requirements to individual and small group plans. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Fairley, Kastama, Kohl-Welles, Marr, Parlette and Pflug

MINORITY recommendation: Do not pass. Signed by Senator Carrell

Passed to Committee on Rules for second reading.

March 15, 2007

HB 1475 Prime Sponsor, Hurst: Adding members to the state board for volunteer firefighters and reserve officers. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

Passed to Committee on Rules for second reading.

March 19, 2007

SHB 1507 Prime Sponsor, Committee on State Government & Tribal Affairs: Creating the uniformed service shared leave pool. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

Passed to Committee on Rules for second reading.

March 19, 2007

HB 1549 Prime Sponsor, Linville: Exempting wholesale sales of bulk unprocessed milk from the business and

occupation tax. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

March 19, 2007

HB 1666 Prime Sponsor, Green: Repealing the expiration provision in the act authorizing nurse practitioners to treat those covered by industrial insurance. Reported by Committee on Labor, Commerce, Research & Development

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

Passed to Committee on Rules for second reading.

March 19, 2007

SHB 1734 Prime Sponsor, Committee on State Government & Tribal Affairs: Recodifying campaign funding and disclosure laws. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline and Pridemore

Passed to Committee on Rules for second reading.

March 19, 2007

SHB 1826 Prime Sponsor, Committee on Health Care & Wellness: Modifying provisions affecting medical benefits. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Franklin, Vice Chair; Carrell, Fairley, Kastama, Kohl-Welles, Marr, Parlette and Pflug

Passed to Committee on Rules for second reading.

March 19, 2007

HB 1870 Prime Sponsor, Pedersen: Recognizing Juneteenth as a day of remembrance. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

Passed to Committee on Rules for second reading.

March 19, 2007

SHB 1975 Prime Sponsor, Committee on Commerce & Labor: Addressing spirits, beer, and wine restaurant licenses. Reported by Committee on Labor, Commerce, Research & Development

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

Passed to Committee on Rules for second reading.

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HB 2032 Prime Sponsor, Takko: Concerning the tax deferral application process for fruit and vegetable processing and storage. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Hatfield, Vice Chair; Morton, Schoesler and Shin

Passed to Committee on Ways & Means.

March 15, 2007

HB 2161 Prime Sponsor, Simpson: Providing for consistency between code cities and noncode cities in the apportionment of investment funds. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Oemig, Vice Chair; Kline, Pridemore and Swecker

Passed to Committee on Rules for second reading.

March 19, 2007

ESHB 2171 Prime Sponsor, Committee on Commerce & Labor: Regarding crane safety. Reported by Committee on Labor, Commerce, Research & Development

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

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

Passed to Committee on Rules for second reading.

March 19, 2007

SHB 2300 Prime Sponsor, Committee on Higher Education: Concerning college textbooks. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

March 19, 2007

HB 2319 Prime Sponsor, Kagi: Supporting early learning and parenting education opportunities at community colleges. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Senators Shin, Chair; Kilmer, Vice Chair; Berkey, Delvin and Schoesler

Passed to Committee on Rules for second reading.

March 19, 2007

ESHJM 4011 Prime Sponsor, Committee on Agriculture & Natural Resources: Requesting federal legislation to preserve the use and access of pack and saddle stock animals on public lands. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Without recommendation. Signed by Senators Rockefeller, Vice Chair; Fraser, Morton, Spanel, Stevens and Swecker

Passed to Committee on Agriculture & Rural Economic Development.

REPORTS OF STANDING COMMITTEES
GUBERNATORIAL APPOINTMENTS

March 19, 2007

SGA 9258 DON DENNIS, appointed January 20, 2007, for the term ending September 30, 2011, as Member, Board of Trustees, Tacoma Community College District No. 22 . 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.

March 19, 2007

SGA 9260 EARL HALE, appointed February 6, 2007, for the term ending June 30, 2008, as Member of the Higher Education Coordinating Board. 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.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Substitute House Bill No. 1246 and Substitute House Bill No. 1507 which were 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

March 20, 2007

MR. PRESIDENT:
The Speaker has signed:
SUBSTITUTE SENATE BILL NO. 5089,
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

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

INTRODUCTION AND FIRST READING

SJM 8021 by Senators McCaslin, Prentice, Haugen, Spanel, Jacobsen, Sheldon, Franklin, Kohl-Welles, Schoesler, Parlette, Clements and Honeyford

Requesting the Clinton ferry terminal be named the "Jack Metcalf Ferry Terminal."

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MOTION

On motion of Senator Eide, the rules were suspended and Senate Joint Memorial No. 8021 was placed on the second reading calendar.

MOTION

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

MOTION

Senator Honeyford moved adoption of the following resolution:

SENATE RESOLUTION
8616

By Senator Honeyford

WHEREAS, National History Day began in 1974 and was hailed as a revolutionary way to teach history, and it quickly expanded into the nation's largest and most respected history education program with more than 700,000 students participating annually; and

WHEREAS, Washington History Day began in 1982 and since then has been an important component of history education statewide; and

WHEREAS, More than 3,500 students encouraged and guided by more than 125 teachers participate in the Washington History Day program; and

WHEREAS, For more than 25 years, National History Day students have gone on to careers in communications, business, law, medicine, and countless other disciplines where they put into practice the skills and knowledge learned through the program; and

WHEREAS, National History Day has developed one of the nation's premier professional development models to teach educators how to improve and reform the way history is taught in America's schools; and

WHEREAS, National History Day research and products can fulfill required classroom-based assessments in social studies in the state of Washington; and

WHEREAS, The Presidential Committee on Arts and Humanities report, *Creative America*, highlighted the National History Day program and named it an "exemplary program"; and

WHEREAS, National History Day received the Charles Frankel Prize for public programming in humanities from the National Endowment for the Humanities; and

WHEREAS, National History Day was selected by President George W. Bush and the Archivist of the United States to be a key partner in the national Our Documents initiative in history and civics; and

WHEREAS, The Washington History Day and National History Day programs will continue to highlight student achievement through a state student contest to be held every May in Washington State and a national student contest to be held every June at the University of Maryland; and

WHEREAS, The work of the National History Day program has made a significant difference in the lives of millions of children;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate acknowledge the achievements of Washington History Day in 25 years of advancing historical literacy and American citizenship and support the goals and programs of Washington History Day and National History Day; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to David Nicandri, Director of the Washington State Historical Society, Lauren Danner, State Coordinator for Washington History Day, and Randy Schnabel, Chair of the Washington History Day advisory committee.

Senator Honeyford spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8616.

The motion by Senator Honeyford carried and the resolution was adopted by voice vote.

MOTION

Senator Brandland moved adoption of the following resolution:

SENATE RESOLUTION
8641

By Senator Brandland

WHEREAS, British Columbia and Washington state share a border, many natural resources, and geological and geographic similarities; and

WHEREAS, British Columbia and Washington state often work together to achieve our mutual goals, including British Columbia working together with Whatcom County officials to secure and streamline the border crossings and transportation throughout the region for the 2010 Winter Olympics in British Columbia; and

WHEREAS, The primary purpose of the Washington state Constitution is to educate our youth and prepare them to lead us into the future; and

WHEREAS, British Columbia also recognizes the importance and value of quality civic education; and

WHEREAS, Washington state and British Columbia sponsor nationally renowned legislative internship programs; and

WHEREAS, Washington state undergraduate interns spend their winter quarter or spring semester working in Olympia with staff and members of the Washington state House of Representatives or Senate; and

WHEREAS, In addition to their office work, interns participate in weekly academic seminars and workshops learning about the process of a representative democracy with a bicameral legislature; and

WHEREAS, British Columbia parliamentary internships offer opportunities to university graduates to supplement their academic training by observing the daily workings of the legislature firsthand; and

WHEREAS, Interns acquire skills and knowledge they can apply in their chosen careers and future life experiences that will further contribute to a greater public understanding and appreciation of parliamentary government; and

WHEREAS, For the third year the British Columbia and Washington state legislative interns have participated in an exchange program to explore and learn about each other's history and government process; and

WHEREAS, We welcome the British Columbia parliamentary interns to the Washington state legislature and commend their numerous academic achievements;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor the hard work and dedication it takes to put each of these programs together by also honoring Karen Aitken, the British Columbia Legislative Intern Program Director, and extending our deepest gratitude to our own legislative intern coordinators, Judi Best and Samantha Barrera, for putting together such excellent programs; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Karen Aitken, Judi Best, and Samantha Barrera.

Senators Brandland and Eide spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8641.

The motion by Senator Brandland carried and the resolution was adopted by voice vote.

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MOTION

Senator Marr moved adoption of the following resolution:

SENATE RESOLUTION
8652

By Senator Marr

WHEREAS, The high level of competition and enduring tradition of boys high school basketball is well established in the state of Washington; and

WHEREAS, The state high school boys' AAAA basketball championship tournament completed March 3, 2007, demonstrated with spirited play and exemplary sportsmanship the appeal of the sport among players, students, parents, and fans of Washington state; and

WHEREAS, the most difficult accomplishment in the world of sports is to live up to the high expectations and to reach the ultimate goal of a tournament championship; and

WHEREAS, The Joel E. Ferris High School Saxons boys basketball team triumphed on March 3 in the Class AAAA championship game, and, by winning 68-61 over a worthy opponent from Kentridge High School, became the Class AAAA Champions; and

WHEREAS, The members of the Joel E. Ferris High School Saxons boys basketball team are Evan Ewing, Jeff Minnerly, Erick Cheadle, Tyler Lynn, Shawn Stockton, Jared Karstetter, Andre Jennings, DeAngelo Casto, Morgan Hyslop, Pat Maher, Beau Brett, and Casey Ager; and

WHEREAS, Shawn Stockton was distinguished by being named tournament Most Valuable Player, and each of the Ferris Saxons distinguished themselves with their sportsmanship and determination, team members and fans alike; and

WHEREAS, The Joel E. Ferris High School Saxons under the leadership of Coach Don Van Lierop and Assistant Coaches Jason Gilman, Mike McLaughlin, Cliff Poffenroth, Dave Rath, and Rob Servine, have brought distinction and pride to Ferris High School, its students, its supporters, and the entire Spokane community;

NOW, THEREFORE, BE IT RESOLVED, That in recognition of the outstanding accomplishments of the team members and the coaching staff, the Senate honor and congratulate the Joel E. Ferris High School Boys Basketball Team; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the School District 81 School Board, the administration of Joel E. Ferris High School, and each of the players and coaches.

Senator Marr spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8652.

The motion by Senator Marr carried and the resolution was adopted by voice vote.

MOTION

Senator Marr moved adoption of the following resolution:

SENATE RESOLUTION
8653

By Senator Marr

WHEREAS, The high level of competition and enduring tradition of girls high school basketball is well established in the state of Washington; and

WHEREAS, The state high school girls AAAA basketball championship tournament completed March 3, 2007, demonstrated with spirited play and exemplary sportsmanship

the appeal of the sport among players, students, parents, and fans of Washington state; and

WHEREAS, The most difficult accomplishment in the world of sports is to live up to the high expectations and to reach the ultimate goal of a tournament championship; and

WHEREAS, The Lewis & Clark High School Tigers girls basketball team triumphed on March 3 in the Class AAAA championship game, and, by winning 39-34 over a worthy opponent from University High School, became the Class AAAA Champions; and

WHEREAS, The members of the Lewis & Clark High School Tigers girls basketball team are Daisy Burke, Katrina Bech, Katelan Redmon, Kiki January, Jeneva Anderson, Ula Tauala, Emily Travis, Brittany Kennedy, Lyndi Seidensticker, Kelsey Baker, Cambrie Marks, Ashley Woodruff, and Sarah Kliewer; and

WHEREAS, Each of the Lewis & Clark Tigers distinguished themselves with their sportsmanship and determination, team members and fans alike; and

WHEREAS, The Lewis & Clark High School Tigers under the leadership of Coach Jim Redmon, and assistant coaches Nicole Duvernay, Kara Piippo, Kari Ike, Tim Ike, Michelle Spohr, Michelle Grafos, Jennifer Kennedy, and Stephanie Korling, have brought distinction and pride to Lewis & Clark High School, its students, its supporters, and the entire Spokane community;

NOW, THEREFORE, BE IT RESOLVED, That in recognition of the outstanding accomplishments of the team members and the coaching staff, the Senate honor and congratulate the Lewis & Clark High School girls basketball team; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the School District 81 School Board, the administration of Lewis & Clark High School, and each of the players and coaches.

Senator Marr spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8653.

The motion by Senator Marr carried and the resolution was adopted by voice vote.

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Mrs. Mitzi Marr, the mother of Senator Marr, who was seated at the rostrum.

PERSONAL PRIVILEGE

Senator Brandland: "I'm looking around the room and I'm seeing a lot of empty desks. I'd would like to assure Senator Marr's mother that that is not a reflection upon her son. Everybody didn't leave because he was speaking. I can assure you of that. He's very well respected and very well liked here."

REPLY BY THE PRESIDENT

President Owen: "Senator Brandland, the President did inform her that today is a pro forma day and the members are not on the floor because of that and because I did not want to have that same reflection on her son who is an excellent Senator."

MOTION

At 12:14 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Wednesday, March 21, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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