

**FIFTY-NINTH DAY****MORNING SESSION**

Senate Chamber, Olympia, Wednesday, March 9, 2005

The Senate was called to order at 9:00 a.m. by President Owen. The Secretary called the roll and announced to the President that all Senators were present.

The Sergeant at Arms Color Guard consisting of Pages Sarah Brady and Agnes Shin, presented the Colors. Pastor Dwayne Deskins of the New Life Fellowship 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**

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

**SECOND READING****CONFIRMATION OF GUBERNATORIAL APPOINTMENTS****MOTION**

On motion of Senator Regala, Gubernatorial Appointment No. 9094, Derek Miller, as a member of the Board of Trustees, Tacoma Community College District No. 22, be confirmed.

Senator Regala spoke in favor of the motion.

**MOTIONS**

On motion of Senator Regala, Senator Rockefeller was excused.

On motion of Senator Hewitt, Senator Oke was excused.

**APPOINTMENT OF DEREK MILLER**

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 40; Nays, 0; Absent, 7; Excused, 2.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Prentice, Pridemore, Regala, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau and Zarelli - 39

Absent: Senators Benson, Doumit, Mulliken, Poulsen, Rasmussen, Swecker and Weinstein - 7

Excused: Senators Oke and Rockefeller - 2

**MOTION**

On motion of Senator Regala, Senator Rasmussen was excused.

**SECOND READING****CONFIRMATION OF GUBERNATORIAL APPOINTMENTS****MOTION**

On motion of Senator Kohl-Welles, Gubernatorial Appointment No. 9078, Dorthy Hollingsworth, as a member of the Board of Trustees, Seattle, So. Seattle and No. Seattle Community College District No. 6, be confirmed.

Senators Kohl-Welles and Jacobsen spoke in favor of passage of the motion.

**MOTION**

On motion of Senator Hewitt, Senator Swecker was excused.

**APPOINTMENT OF DORTHY HOLLINGSWORTH**

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 45

Excused: Senators Oke, Rasmussen, Rockefeller and Swecker - 4

**SECOND READING****CONFIRMATION OF GUBERNATORIAL APPOINTMENTS****MOTION**

On motion of Senator Fairley, Gubernatorial Appointment No. 9008, Isabel Bedolla, as a member of the Housing Finance Commission, be confirmed.

Senator Fairley spoke in favor of the motion.

**APPOINTMENT OF ISABEL BEDOLLA**

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 45

Excused: Senators Oke, Rasmussen, Rockefeller and Swecker - 4

**MOTION**

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

**SECOND READING**

**SENATE BILL NO. 5274**, by Senators Keiser, Parlette, Franklin, Hewitt, Prentice and Mulliken

Establishing a trainee real estate appraiser classification.

The measure was read the second time.

**MOTION**

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5274 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Parlette 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. 5274.

**ROLL CALL**

The Secretary called the roll on the final passage of Senate

Bill No. 5274 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Oke, Rockefeller and Swecker - 3

SENATE BILL NO. 5274, 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. 5181, by Senators Rasmussen, Esser, Kastama and Benson

Ensuring proper ownership to vehicle parts used in reconstruction.

The measure was read the second time.

#### MOTION

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 5181 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rasmussen and Swecker 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. 5181.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5181 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 45

Voting nay: Senators Benton and Morton - 2

Excused: Senators Oke and Rockefeller - 2

SENATE BILL NO. 5181, 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. 5176, by Senators Shin, Doumit, Rasmussen, Eide, Roach and Berkey

Regarding department of community, trade, and economic development programs.

#### MOTIONS

On motion of Senator Shin, Substitute Senate Bill No. 5176 was substituted for Senate Bill No. 5176 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Shin, the rules were suspended, Substitute Senate Bill No. 5176 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shin and Pflug 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. 5176.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5176 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5176, 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.

#### MOTION

At 9:41 a.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 11:00 a.m. by President Owen.

#### SECOND READING

SENATE BILL NO. 5358, by Senators Keiser and Parlette

Regarding speech-language pathologists and audiologists.

The measure was read the second time.

#### MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5358 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Deccio 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. 5358.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5358 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SENATE BILL NO. 5358, 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. 5794, by Senators Prentice, Swecker, Regala, Franklin, Kohl-Welles, McAuliffe and Rasmussen

Authorizing the governor to enter into a cigarette tax agreement with the Puyallup Tribe of Indians.

The measure was read the second time.

#### MOTION

Senator Mulliken moved that the following amendment by Senator Mulliken be adopted.

On page 2, beginning on line 29, after "tax of" strike "eleven dollars and seventy-five" and insert "fourteen dollars and twenty-five"

Senator Mulliken spoke in favor of adoption of the amendment.

Senator Prentice spoke against adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Mulliken on page 2, line 29 to Senate Bill No. 5794.

The motion by Senator Mulliken failed and the amendment was not adopted by voice vote.

#### PARLIAMENTARY INQUIRY

Senator Schoesler: "Thank you Mr. President. I respectfully submit to the body that this major would raise state revenue and therefore pursuant to Initiative 601 requires two-thirds vote of this body for passage. Codified and RCW 43.135.035 is very clear. Any action or combination of actions by the Legislature that raises revenue maybe taken only approved by a two-thirds vote of each House. Since 1999 you've held Mr. President the bills which result in revenue increases fall under this provision and takes a two-thirds vote of this body. In 2002 Mr. President you made a ruling on a similar bill, SB 6591 which dealt with the application of tobacco taxes to persons who purchase tobacco taxes from exempt tribes for resale. You ruled that the major took a two-thirds vote for passage noting that the fiscal note for the bill indicated an expected revenue increase of almost 2.5 million for that biennium. The bill before us would authorize the Governor enter into a contract with the Puyallup tribe and impose a tax of \$11.75 per carton of cigarettes in lew of state and local taxes. The state will receive 30 percent of this tax. This new tribal tax is actually tied to the state cigarette tax such that is the state rate raises the tribal rate enhances the state revenue will also increase. The fiscal note for the measure before us indicates that the state is expected to receive 19.5 million for this biennium. An ongoing revenue in excess of 17 million through at least the 2009-11 biennium. Because this bill raises state revenue I respectfully submit for your consideration that it will take two-thirds vote of this body for final passage and ask for a ruling thereon."

#### REPLY BY THE PRESIDENT

President Owen: "Senator Schoesler, I'm going to you're your point of order until after Senator Prentice has the opportunity to move this bill to third reading and then I'll bring it up immediately."

#### MOTION

On motion of Senator Prentice, the rules were suspended, Senate Bill No. 5794 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Prentice spoke in favor of passage of the bill.

#### REMARKS BY THE PRESIDENT

President Owen: "Senator Schoesler raised the point of order that the Senate Bill No. 5794 would in fact raise revenue that would cause it to require a two-thirds vote of both Houses by the Initiative 601."

#### REMARKS BY SENATOR Prentice

Senator Prentice: "Thank you Mr. President. This bill is a donation from another government, another severest nation. It is not a tax, the state is not imposing any tax. It's a tribal tax on cigarettes and they are donating the money to the state. I believe that this is not a good argument. Thank you."

#### MOTION

On motion of Senator Eide, Senate Bill No. 5794 was deferred and the bill held its place on the third reading calendar.

#### SECOND READING

SENATE BILL NO. 5354, by Senators Doumit and Zarelli

Revising administration of flood control zone districts.

The measure was read the second time.

#### MOTION

On motion of Senator Doumit, the rules were suspended, Senate Bill No. 5354 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Doumit 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. 5354.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5354 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SENATE BILL NO. 5354, 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. 5308, by Senators Kohl-Welles, Hargrove and Oke

Changing provisions relating to mandatory reporting of child abuse or neglect.

#### MOTION

On motion of Senator Hargrove, Substitute Senate Bill No. 5308 was substituted for Senate Bill No. 5308 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Hargrove moved that the following striking amendment by Senators Kohl-Welles, Hargrove and Stevens be adopted.

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 26.44.030 and 2003 c 207 s 4 are each amended to read as follows:

(1)(a) When any practitioner, county coroner or medical examiner, law enforcement officer, professional school personnel, registered or licensed nurse, social service counselor, psychologist, pharmacist, licensed or certified child care providers or their employees, employee of the department, juvenile probation officer, placement and liaison specialist, responsible living skills program staff, HOPE center staff, or state family and children's ombudsman or any volunteer in the ombudsman's office has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

(b) When any person, in his or her official supervisory capacity with a nonprofit or for-profit organization, has reasonable cause to believe that a child has suffered abuse or neglect caused by a person over whom he or she regularly exercises supervisory authority, he or she shall report such incident, or cause a report to be made, to the proper law enforcement agency, provided that the person alleged to have caused the abuse or neglect is employed by, contracted by, or volunteers with the organization and coaches, trains, educates, or counsels a child or children or regularly has unsupervised access to a child or children as part of the employment, contract, or voluntary service. No one shall be required to report under this section when he or she obtains the information solely as a result of a privileged communication as provided in RCW 5.60.060.

Nothing in this subsection (1)(b) shall limit a person's duty to report under (a) of this subsection.

For the purposes of this subsection, the following definitions apply:

(i) "Official supervisory capacity" means a position, status, or role created, recognized, or designated by any nonprofit or for-profit organization, either for financial gain or without financial gain, whose scope includes, but is not limited to, overseeing, directing, or managing another person who is employed by, contracted by, or volunteers with the nonprofit or for-profit organization.

(ii) "Regularly exercises supervisory authority" means to act in his or her official supervisory capacity on an ongoing or continuing basis with regards to a particular person.

(c) The reporting requirement also applies to department of corrections personnel who, in the course of their employment, observe offenders or the children with whom the offenders are in contact. If, as a result of observations or information received in the course of his or her employment, any department of corrections personnel has reasonable cause to believe that a child has suffered abuse or neglect, he or she shall report the incident, or cause a report to be made, to the proper law enforcement agency or to the department as provided in RCW 26.44.040.

~~((+))~~ (d) The reporting requirement shall also apply to any adult who has reasonable cause to believe that a child who resides with them, has suffered severe abuse, and is able or capable of making a report. For the purposes of this subsection, "severe abuse" means any of the following: Any single act of abuse that causes physical trauma of sufficient severity that, if left untreated, could cause death; any single act of sexual abuse that causes significant bleeding, deep bruising, or significant external or internal swelling; or more than one act of physical abuse, each of which causes bleeding, deep bruising, significant external or internal swelling, bone fracture, or unconsciousness.

~~((+))~~ (e) The report must be made at the first opportunity, but in no case longer than forty-eight hours after there is reasonable

cause to believe that the child has suffered abuse or neglect. The report must include the identity of the accused if known.

(2) The reporting requirement of subsection (1) of this section does not apply to the discovery of abuse or neglect that occurred during childhood if it is discovered after the child has become an adult. However, if there is reasonable cause to believe other children are or may be at risk of abuse or neglect by the accused, the reporting requirement of subsection (1) of this section does apply.

(3) Any other person who has reasonable cause to believe that a child has suffered abuse or neglect may report such incident to the proper law enforcement agency or to the department of social and health services as provided in RCW 26.44.040.

(4) The department, upon receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means or who has been subjected to alleged sexual abuse, shall report such incident to the proper law enforcement agency. In emergency cases, where the child's welfare is endangered, the department shall notify the proper law enforcement agency within twenty-four hours after a report is received by the department. In all other cases, the department shall notify the law enforcement agency within seventy-two hours after a report is received by the department. If the department makes an oral report, a written report must also be made to the proper law enforcement agency within five days thereafter.

(5) Any law enforcement agency receiving a report of an incident of alleged abuse or neglect pursuant to this chapter, involving a child who has died or has had physical injury or injuries inflicted upon him or her other than by accidental means, or who has been subjected to alleged sexual abuse, shall report such incident in writing as provided in RCW 26.44.040 to the proper county prosecutor or city attorney for appropriate action whenever the law enforcement agency's investigation reveals that a crime may have been committed. The law enforcement agency shall also notify the department of all reports received and the law enforcement agency's disposition of them. In emergency cases, where the child's welfare is endangered, the law enforcement agency shall notify the department within twenty-four hours. In all other cases, the law enforcement agency shall notify the department within seventy-two hours after a report is received by the law enforcement agency.

(6) Any county prosecutor or city attorney receiving a report under subsection (5) of this section shall notify the victim, any persons the victim requests, and the local office of the department, of the decision to charge or decline to charge a crime, within five days of making the decision.

(7) The department may conduct ongoing case planning and consultation with those persons or agencies required to report under this section, with consultants designated by the department, and with designated representatives of Washington Indian tribes if the client information exchanged is pertinent to cases currently receiving child protective services. Upon request, the department shall conduct such planning and consultation with those persons required to report under this section if the department determines it is in the best interests of the child. Information considered privileged by statute and not directly related to reports required by this section must not be divulged without a valid written waiver of the privilege.

(8) Any case referred to the department by a physician licensed under chapter 18.57 or 18.71 RCW on the basis of an expert medical opinion that child abuse, neglect, or sexual assault has occurred and that the child's safety will be seriously endangered if returned home, the department shall file a dependency petition unless a second licensed physician of the parents' choice believes that such expert medical opinion is incorrect. If the parents fail to designate a second physician, the department may make the selection. If a physician finds that a child has suffered abuse or neglect but that such abuse or neglect

does not constitute imminent danger to the child's health or safety, and the department agrees with the physician's assessment, the child may be left in the parents' home while the department proceeds with reasonable efforts to remedy parenting deficiencies.

(9) Persons or agencies exchanging information under subsection (7) of this section shall not further disseminate or release the information except as authorized by state or federal statute. Violation of this subsection is a misdemeanor.

(10) Upon receiving reports of alleged abuse or neglect, the department or law enforcement agency may interview children. The interviews may be conducted on school premises, at day-care facilities, at the child's home, or at other suitable locations outside of the presence of parents. Parental notification of the interview must occur at the earliest possible point in the investigation that will not jeopardize the safety or protection of the child or the course of the investigation. Prior to commencing the interview the department or law enforcement agency shall determine whether the child wishes a third party to be present for the interview and, if so, shall make reasonable efforts to accommodate the child's wishes. Unless the child objects, the department or law enforcement agency shall make reasonable efforts to include a third party in any interview so long as the presence of the third party will not jeopardize the course of the investigation.

(11) Upon receiving a report of alleged child abuse and neglect, the department or investigating law enforcement agency shall have access to all relevant records of the child in the possession of mandated reporters and their employees.

(12) The department shall maintain investigation records and conduct timely and periodic reviews of all cases constituting abuse and neglect. The department shall maintain a log of screened-out nonabusive cases.

(13) The department shall use a risk assessment process when investigating alleged child abuse and neglect referrals. The department shall present the risk factors at all hearings in which the placement of a dependent child is an issue. Substance abuse must be a risk factor. The department shall, within funds appropriated for this purpose, offer enhanced community-based services to persons who are determined not to require further state intervention.

(14) Upon receipt of a report of alleged abuse or neglect the law enforcement agency may arrange to interview the person making the report and any collateral sources to determine if any malice is involved in the reporting.

(15) The department shall make reasonable efforts to learn the name, address, and telephone number of each person making a report of abuse or neglect under this section. The department shall provide assurances of appropriate confidentiality of the identification of persons reporting under this section. If the department is unable to learn the information required under this subsection, the department shall only investigate cases in which: (a) The department believes there is a serious threat of substantial harm to the child; (b) the report indicates conduct involving a criminal offense that has, or is about to occur, in which the child is the victim; or (c) the department has, after investigation, a report of abuse or neglect that has been founded with regard to a member of the household within three years of receipt of the referral.

**NEW SECTION. Sec. 2.** If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected."

Senator Hargrove spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Kohl-Welles, Hargrove and Stevens to Substitute Senate Bill No. 5308.

The motion by Senator Hargrove carried and the striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 1 of the title, after "neglect;" strike the remainder of the title and insert "and amending RCW 26.44.030."

#### MOTION

On motion of Senator Hargrove, the rules were suspended, Engrossed Substitute Senate Bill No. 5308 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Stevens spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Mulliken, Senator Deccio was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5308.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5308 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Deccio, Oke and Rockefeller - 3

ENGROSSED SUBSTITUTE SENATE BILL NO. 5308, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### MOTION

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

#### MOTION

Senator Kastama moved adoption of the following resolution:

#### SENATE RESOLUTION 8618

By Senators Kastama, Rasmussen, Carrell, Regala, Eide, Roach and Franklin

WHEREAS, The annual Puyallup Valley Daffodil Festival is a cherished tradition for the people of Pierce County and the Northwest; and

WHEREAS, The mission of the Daffodil Festival is to focus national and regional attention on our local area as a place to live and visit, to give citizens of Pierce County a civic endeavor where "dreams come alive," fostering civic pride, to give young people and organizations of the local area an opportunity to display their talents and abilities, to give vent to citizens' enthusiasm in

parades, pageantry, and events, and to stimulate the business economy through expenditures by and for the Festival and by visitors attracted during Festival Week; and

WHEREAS, 2005 marks the seventy-second annual Puyallup Valley Daffodil Festival; and

WHEREAS, The Festival began in 1926 as a modest garden party in Sumner and grew steadily each year until 1934, when flowers, which previously had been largely discarded in favor of daffodil bulbs, were used to decorate cars and bicycles for a short parade through Tacoma; and

WHEREAS, The Festival's 2005 events are ongoing and will culminate with the April 16, 2005, Grand Floral Street Parade, winding its way from downtown Tacoma through the communities of Puyallup, Sumner, and Orting; and

WHEREAS, This year's Festival royalty includes princesses Cydney Anderson, Emerald Ridge High School; Katherine Barry, Franklin Pierce High School; Megan Bushnell, Orting High School; Jessica Dewitt, Mt. Tahoma High School; Denise Fernandez, Washington High School; Natalie Hanni, Sumner High School; Grace Hanson, Bethel High School; Laura Kelly, Fife High School; Bonney Lozada, Wilson High School; Karly McKee, Eatonville High School; Whitney Miller, Lakes High School; Serena Mitchell, Curtis High School; Vi Nguyen, Lincoln High School; Margaret Nivison, Stadium High School; Natasha Ratliff, Henry Foss High School; Brittany Schneider, Puyallup High School; Megan Slater, Spanaway Lake High School; Caseyie Talania, Clover Park High School; Chya Thompson, Chief Leschi High School; and Kellie Thompson, Rogers High School;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington recognize and honor the many contributions made to our state by the Puyallup Valley Daffodil Festival and its organizers for the past seventy-two years, and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the 2005 Puyallup Valley Daffodil Festival Officers and to the members of the Festival Royalty.

Senators Kastama, Regala, Rasmussen, Roach and Franklin spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8618.

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

#### INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Cindy Anderson, the Daffodil Princess, who was seated at the rostrum.

With permission of the Senate, business was suspended to allow Princess Cindy Anderson to address the Senate.

#### REMARKS BY PRINCESS CINDY ANDERSON

Princess Cindy Anderson: "As Mr. President said. I'm Cindy Anderson, I attend Emerald Ridge High School in Puyallup. On behalf on my nineteen other princesses I would like to thank you very much for having us here today. It's such an honor and especially to Senator Kastama for hosting us today. This festival is in its 74<sup>th</sup> year and we are very excited. This is our first full court appearance so we're very excited to be all together today. I would like to announce Festival dates and invite you to join us and each and every one of them. The first one will be on Friday, April 1, 2005 and which this is our queens coriation where one of us will be selected the festival queen. It is at the Church for all Nations in Tacoma at 7:00 p.m. The following day we will be judging a magnificent mud show at the Pierce County Fair Grounds in Graham Washington at 10:00 a.m. Next it will be at April 9 in the Proctor District of Tacoma, our Junior Parade and we invite you to come, it's very fun, the little kids love it. The following weekend, April 16 is our Grand Floral Parade which Senator Kastama spoke about and it starts in Tacoma at 10:00 a.m. will continue to Puyallup at 1:00 p.m. We'll go through Sumner at

3:00 p.m. and we will finally end up in Orting at 5:00 p.m. and if your not able to join us we'll be on TV through Puyallup at 1:00 p.m. on Channel 11. And finally Sunday following which is April 17 is the Marina Gouda on Rustyn Way in Tacoma and we'd love for you to join us there as well. Again, thank you very much for having us. This is such an honor and thank you for the kind words that you had for us. Thank you again."

#### MOTION

At 11:46 a.m., on motion of Senator Eide, the Senate was declared to be at recess until 1:30 p.m.

The Senate was called to order at 1:30 p.m. by President Owen.

#### MOTION

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

#### SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

On motion of Senator Fairley, Gubernatorial Appointment No. 9019, Debbie Brookman, as a member of the Investment Board, be confirmed.

Senator Fairley spoke in favor of the motion.

#### APPOINTMENT OF DEBBIE BROOKMAN

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 39; Nays, 0; Absent, 7; Excused, 3.

Voting yea: Senators Benton, Berkey, Brandland, Carrell, Delvin, Eide, Esser, Fairley, Franklin, Fraser, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Morton, Mulliken, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 39

Absent: Senators Benson, Brown, Doumit, Finkbeiner, Hargrove, McCaslin and Poulsen - 7

Excused: Senators Deccio, Oke and Rockefeller - 3

#### SECOND READING CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

#### MOTION

On motion of Senator Prentice, Gubernatorial Appointment No. 9130, Richard McIver, as a member of the Housing Finance Commission, be confirmed.

Senator Prentice spoke in favor of the motion.

#### MOTION

On motion of Senator Esser, Senator McCaslin was excused.

#### APPOINTMENT OF RICHARD MCIVER

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 39; Nays, 0; Absent, 5; Excused, 5.

Voting yea: Senators Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, Morton, Mulliken, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler,

Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau and Weinstein - 39

Absent: Senators Doumit, Hargrove, McAuliffe, Poulsen and Zarelli - 5

Excused: Senators Benson, Deccio, McCaslin, Oke and Rockefeller - 5

MOTION

On motion of Senator Regala, Senators Poulsen, Hargrove and Doumit were excused.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Pridemore, Gubernatorial Appointment No. 9033, Carol Coar, as a member of the Professional Educator Standards Board, be confirmed.

Senator Pridemore spoke in favor of the motion.

MOTION

On motion of Senator Hewitt, Senator Zarelli was excused.

APPOINTMENT OF CAROL COAR

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 43; Nays, 0; Absent, 2; Excused, 4.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Haugen, Hewitt, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau and Weinstein - 43

Absent: Senators Honeyford and Swecker - 2

Excused: Senators Hargrove, Oke, Rockefeller and Zarelli - 4

MOTION

On motion of Senator Hewitt, Senator Honeyford was excused.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Pridemore, Gubernatorial Appointment No. 9040, Bonita K. Decker, as a member of the Board of Trustees, State School for the Deaf, be confirmed.

Senator Pridemore spoke in favor of the motion.

APPOINTMENT OF BONITA K. DECKER

The Secretary called the roll. The reappointee was confirmed by the following vote: Yeas, 45; Nays, 0; Absent, 1; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 45

Absent: Senator McAuliffe - 1

Excused: Senators Honeyford, Oke and Rockefeller - 3

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Hewitt, Gubernatorial Appointment No. 9070, Mary Grant Tompkins, as a member of the Board of Trustees, Walla Walla Community College District No. 20, be confirmed.

Senator Hewitt spoke in favor of the motion.

APPOINTMENT OF MARY GRANT TOMPKINS

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Honeyford, Oke and Rockefeller - 3

MOTION

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

SECOND READING

SENATE BILL NO. 5406, by Senators Franklin, Parlette and Keiser

Modifying medicare supplemental insurance policy provisions to conform to federal law.

MOTIONS

On motion of Senator Franklin, Substitute Senate Bill No. 5406 was substituted for Senate Bill No. 5406 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Franklin, the rules were suspended, Substitute Senate Bill No. 5406 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Franklin and Deccio 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. 5406.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5406 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 1; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Absent: Senator Finkbeiner - 1

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5406, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5701, by Senators Hewitt and Delvin

Revising provisions relating to regional law libraries.

The measure was read the second time.

#### MOTION

On motion of Senator Kastama, the rules were suspended, Senate Bill No. 5701 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hewitt 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. 5701.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5701 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SENATE BILL NO. 5701, 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. 5682, by Senators Keiser, Deccio, Rasmussen and Kohl-Welles

Regulating beer and wine sampling.

#### MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5682 was substituted for Senate Bill No. 5682 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kohl-Welles, the rules were suspended, Substitute Senate Bill No. 5682 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Keiser spoke in favor of passage of the bill.

#### POINT OF INQUIRY

Senator Franklin: "Would Senator Hewitt yield to a question? I got a very interesting question from one of my constituents. After seeing this bill asks me and I would like to get an answer from you. Will they within there retails stores, when they go shopping and this is taking place, will they be seeing shoppers

coming out singing 'show me the way to go home'. I'm drunk and I want to go to bed."

Senator Hewitt: "Well since they only sample up to eight ounces I'm sure they'll still be able to find there way home."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5682.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5682 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 14; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Finkbeiner, Franklin, Hewitt, Honeyford, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, Pflug, Poulsen, Prentice, Pridemore, Regala, Schmidt, Schoesler, Sheldon, Spanel, Stevens, Thibaudeau, Weinstein and Zarelli - 33

Voting nay: Senators Fairley, Fraser, Hargrove, Haugen, Johnson, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Rasmussen, Roach, Shin and Swecker - 14

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5682, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5150, by Senators Haugen, Swecker and Jacobsen

Changing provisions concerning marine pilot licensing qualifications and procedures.

#### MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5150 was substituted for Senate Bill No. 5150 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Haugen, the rules were suspended, Substitute Senate Bill No. 5150 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Haugen and Swecker 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. 5150.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5150 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5150, having received the constitutional majority, was declared passed. There being no



objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5708, by Senators Finkbeiner, Thibaudeau, Keiser, McAuliffe and Kohl-Welles

Regarding the administration of epinephrine by emergency medical technicians.

#### MOTIONS

On motion of Senator Finkbeiner, Substitute Senate Bill No. 5708 was substituted for Senate Bill No. 5708 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Finkbeiner, the rules were suspended, Substitute Senate Bill No. 5708 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Finkbeiner, Keiser and Deccio 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. 5708.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5708 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5708, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5636, by Senators Keiser, Benson, Franklin, Parlette, Kline, Thibaudeau and Kastama

Revising provision for imposition of sanctions on health professionals.

The measure was read the second time.

#### MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5636 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Deccio 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. 5636.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate

Bill No. 5636 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SENATE BILL NO. 5636, 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. 5558, by Senators Brown, Swecker, Fraser, Keiser, Benson, Brandland, Weinstein, Roach, Rasmussen, McAuliffe, Pridemore, Shin, Rockefeller and Kohl-Welles

Establishing a prescription drug assistance foundation.

#### MOTIONS

On motion of Senator Brown, Substitute Senate Bill No. 5558 was substituted for Senate Bill No. 5558 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brown, the rules were suspended, Substitute Senate Bill No. 5558 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brown and Parlette spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Regala, Senator Pridemore was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5558.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5558 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Oke, Pridemore and Rockefeller - 3

SUBSTITUTE SENATE BILL NO. 5558, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5497, by Senators Delvin, Hewitt, Honeyford, Schoesler, McCaslin, Deccio, Mulliken, Morton, Roach, Swecker and Pflug

Allowing terminally ill members to remove themselves from their retirement plan.

#### MOTIONS

On motion of Senator Delvin, Substitute Senate Bill No. 5497 was substituted for Senate Bill No. 5497 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Delvin, the rules were suspended, Substitute Senate Bill No. 5497 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Delvin 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. 5497.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5497 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5497, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5442, by Senators Poulsen, Keiser, Pflug, Fraser, Shin, Haugen, Franklin, Parlette, Rasmussen, McAuliffe and Kohl-Welles

Establishing a joint legislative and executive task force on long-term care financing and chronic care management.

#### MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5442 was substituted for Senate Bill No. 5442 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Keiser, the rules were suspended, Substitute Senate Bill No. 5442 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Keiser and Pflug 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. 5442.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5442 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt,

Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5442, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5202, by Senators Parlette, Hewitt, Zarelli, Brandland, Schoesler, Delvin, Mulliken, Johnson, Rasmussen, Benton, Roach, Oke, Benson and Stevens

Requiring the public employees' benefits board to develop a health savings account option for employees. Revised for 2nd Substitute: Requiring a study of public employee health plans and health savings account options.

#### MOTIONS

On motion of Senator Parlette, Second Substitute Senate Bill No. 5202 was substituted for Senate Bill No. 5202 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Parlette, the rules were suspended, Second Substitute Senate Bill No. 5202 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Parlette and Keiser spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Second Substitute Senate Bill No. 5202.

#### ROLL CALL

The Secretary called the roll on the final passage of Second Substitute Senate Bill No. 5202 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SECOND SUBSTITUTE SENATE BILL NO. 5202, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### MOTION

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

#### MESSAGE FROM THE HOUSE

March 8, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:  
 HOUSE BILL NO. 1002,  
 HOUSE BILL NO. 1008,  
 SUBSTITUTE HOUSE BILL NO. 1033,  
 HOUSE BILL NO. 1143,  
 SUBSTITUTE HOUSE BILL NO. 1144,  
 SUBSTITUTE HOUSE BILL NO. 1208,  
 ENGROSSED HOUSE BILL NO. 1222,  
 SUBSTITUTE HOUSE BILL NO. 1226,  
 SUBSTITUTE HOUSE BILL NO. 1229,  
 SUBSTITUTE HOUSE BILL NO. 1230,  
 HOUSE BILL NO. 1247,  
 HOUSE BILL NO. 1259,  
 HOUSE BILL NO. 1294,  
 SUBSTITUTE HOUSE BILL NO. 1313,  
 SUBSTITUTE HOUSE BILL NO. 1366,  
 SUBSTITUTE HOUSE BILL NO. 1374,  
 SUBSTITUTE HOUSE BILL NO. 1430,  
 SUBSTITUTE HOUSE BILL NO. 1431,  
 HOUSE BILL NO. 1439,  
 SUBSTITUTE HOUSE BILL NO. 1453,  
 SUBSTITUTE HOUSE BILL NO. 1467,  
 SUBSTITUTE HOUSE BILL NO. 1491,  
 SUBSTITUTE HOUSE BILL NO. 1496,  
 HOUSE BILL NO. 1554,  
 SUBSTITUTE HOUSE BILL NO. 1560,  
 HOUSE BILL NO. 1587,  
 HOUSE BILL NO. 1598,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1633,  
 SUBSTITUTE HOUSE BILL NO. 1791,  
 HOUSE BILL NO. 1837,  
 SUBSTITUTE HOUSE BILL NO. 2137,  
 and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk  
 March 8, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:  
 SUBSTITUTE HOUSE BILL NO. 1661,  
 SUBSTITUTE HOUSE BILL NO. 1689,  
 HOUSE BILL NO. 1717,  
 HOUSE BILL NO. 1722,  
 HOUSE BILL NO. 1759,  
 HOUSE BILL NO. 1769,  
 HOUSE BILL NO. 1779,  
 HOUSE BILL NO. 1872,  
 SUBSTITUTE HOUSE BILL NO. 1934,  
 HOUSE BILL NO. 1941,  
 SUBSTITUTE HOUSE BILL NO. 1945,  
 HOUSE BILL NO. 1986,  
 HOUSE BILL NO. 2007,  
 HOUSE BILL NO. 2021,  
 HOUSE BILL NO. 2028,  
 HOUSE BILL NO. 2166,  
 and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk  
 March 8, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:  
 SUBSTITUTE HOUSE BILL NO. 1228,  
 HOUSE BILL NO. 1315,  
 HOUSE BILL NO. 1447,  
 HOUSE BILL NO. 1469,  
 SUBSTITUTE HOUSE BILL NO. 1486,

HOUSE BILL NO. 1534,  
 SUBSTITUTE HOUSE BILL NO. 1536,  
 SUBSTITUTE HOUSE BILL NO. 1545,  
 HOUSE BILL NO. 1612,  
 SUBSTITUTE HOUSE BILL NO. 1652,  
 and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk  
 March 8, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:  
 HOUSE BILL NO. 1096,  
 ENGROSSED HOUSE BILL NO. 1246,  
 HOUSE BILL NO. 1323,  
 HOUSE BILL NO. 1325,  
 HOUSE BILL NO. 1327,  
 HOUSE BILL NO. 1330,  
 HOUSE BILL NO. 1338,  
 SUBSTITUTE HOUSE BILL NO. 1347,  
 HOUSE BILL NO. 1361,  
 HOUSE BILL NO. 1364,  
 HOUSE BILL NO. 1443,  
 SUBSTITUTE HOUSE BILL NO. 1463,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1475,  
 HOUSE BILL NO. 1497,  
 SUBSTITUTE HOUSE BILL NO. 1507,  
 SUBSTITUTE HOUSE BILL NO. 1512,  
 HOUSE BILL NO. 1546,  
 HOUSE BILL NO. 1557,  
 HOUSE BILL NO. 1568,  
 ENGROSSED SUBSTITUTE HOUSE BILL NO. 1577,  
 SUBSTITUTE HOUSE BILL NO. 1608,  
 HOUSE BILL NO. 1621,  
 SUBSTITUTE HOUSE BILL NO. 1634,  
 SUBSTITUTE HOUSE BILL NO. 1699,  
 HOUSE BILL NO. 1716,  
 HOUSE BILL NO. 1813,  
 HOUSE BILL NO. 2101,  
 and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk  
 March 9, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:  
 HOUSE BILL NO. 1592,  
 SUBSTITUTE HOUSE BILL NO. 1694,  
 SUBSTITUTE HOUSE BILL NO. 1765,  
 SUBSTITUTE HOUSE BILL NO. 1876,  
 HOUSE BILL NO. 1906,  
 SUBSTITUTE HOUSE BILL NO. 2061,  
 HOUSE BILL NO. 2064,  
 SUBSTITUTE HOUSE BILL NO. 2071,  
 SUBSTITUTE HOUSE BILL NO. 2073,  
 HOUSE BILL NO. 2088,  
 HOUSE BILL NO. 2115,  
 HOUSE BILL NO. 2170,  
 HOUSE BILL NO. 2189,  
 SUBSTITUTE HOUSE BILL NO. 2215,  
 SUBSTITUTE HOUSE BILL NO. 2223,  
 HOUSE BILL NO. 2271,  
 and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MR. PRESIDENT:

The House has passed the following bill{s}:  
SENATE BILL NO. 5957,  
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

SIGNED BY THE PRESIDENT

The President has signed:  
SENATE BILL NO. 5957,

MOTION

On motion of Senator Weinstein, Senator Thibaudeau was excused.

PARLIAMENTARY INQUIRY

Senator Stevens: "You know for two days I've been looking at my watch and I'm being trying to figure why my watch says 3:00 and the clock up there is always an hour off. Is it that that clock is not been changed to reflect the correct time or I'm I off."

REPLY BY THE PRESIDENT

President Owen: "If we had spent one hundred and eighteen million dollars and twenty-five dollars rather than just one hundred and eighteen million we could of fixed this clock."

REMARKS BY SENATOR STEVENS

Senator Stevens: "Does it always say 4:00 or is it just....."

REMARKS BY THE PRESIDENT

President Owen: "I have no eyes behind my head, I couldn't tell you that. The correct clock is the one on the back wall."

PARLIAMENTARY INQUIRY

Senator Brown: "Could we have the clock fixed before cut-off day."

PARLIAMENTARY INQUIRY

Senator Roach: "Could we get just maybe even two coat hooks in the women's lounge so we can, I've been trying for six weeks, I figure \$3.00 dollars a piece plus the tax, \$7.00."

REMARKS BY THE PRESIDENT

President Owen: "We'll take it up at the Capital Committee on the next meeting."

MOTION

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

SECOND READING

Regarding patient authorization of disclosure of health care information.

MOTIONS

On motion of Senator Johnson, Substitute Senate Bill No. 5054 was substituted for Senate Bill No. 5054 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Johnson, the rules were suspended, Substitute Senate Bill No. 5054 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Johnson 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. 5054.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5054 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 46

Excused: Senators Oke, Rockefeller and Thibaudeau - 3

SUBSTITUTE SENATE BILL NO. 5054, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5242, by Senators Doumit, Brandland, Hargrove, Pridemore, Kohl-Welles and Rasmussen

Harmonizing penalties for inmates possessing weapons. Revised for 1st Substitute: Changing penalties for possession of weapons by inmates.

MOTIONS

On motion of Senator Doumit, Substitute Senate Bill No. 5242 was substituted for Senate Bill No. 5242 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Doumit, the rules were suspended, Substitute Senate Bill No. 5242 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Doumit and Stevens 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. 5242.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5242 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland,

Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5242, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5204, by Senators Brandland, Kastama, Sheldon, Rasmussen, Spanel, Hargrove and Shin

Modifying the chattel lien process.

MOTIONS

On motion of Senator Brandland, Substitute Senate Bill No. 5204 was substituted for Senate Bill No. 5204 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Brandland, the rules were suspended, Substitute Senate Bill No. 5204 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Brandland spoke in favor of passage of the bill.

POINT OF INQUIRY

Senator Deccio: "Will Senator Brandland yield to a question? Your right, it is a very serious issue and I want to know whether that may have crept into you county after you left the service or while you were."

Senator Brandland: "I like you to know, they didn't commit this sort of thing when I was a sheriff there, I'm telling you that right now."

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5204.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5204 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5204, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5974, by Senators Prentice, Hargrove and Haugen; by request of Lieutenant Governor

Providing information to pregnant women about opiate treatment programs.

The measure was read the second time.

MOTION

On motion of Senator Prentice, the rules were suspended, Senate Bill No. 5974 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Prentice and Stevens spoke in favor of passage of the bill.

MOTION

On motion of Senator Regala, Senator Thibaudeau was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5974.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5974 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 46

Excused: Senators Oke, Rockefeller and Thibaudeau - 3

SENATE BILL NO. 5974, 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.

MOTION

At 3:28 p.m., on motion of Senator Eide, the Senate was declared to be at ease subject to the call of the President.

The Senate was called to order at 4:42 p.m. by President Owen.

MOTION

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

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Schoesler, Gubernatorial Appointment No. 9021, Gordon Budke, as a member of the Board of Trustees, Eastern Washington University, be confirmed.

Senator Schoesler spoke in favor of the motion.

APPOINTMENT OF GORDON BUDKE

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Prentice, Gubernatorial Appointment No. 9124, George Masten, as a member of the Investment Board, be confirmed.

Senator Prentice spoke in favor of the motion.

APPOINTMENT OF GEORGE MASTEN

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

MESSAGE FROM THE GOVERNOR

March 8, 2005

TO THE HONORABLE SENATE  
OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I respectfully request to have the attached list of unconfirmed appointees to the boards and commissions listed, be returned to me for review.

Board	Number	Names
Utilities & Transportation Commission	1	Marilyn Showalter
Office of Family & Children's Ombudsman	1	Mary Meinig
Higher Education Coordinating Board	4	Jesus Hernandez Michael Worthy Sam Smith Herb Simon
Highline Community College	2	Arun Jhaveri Elizabeth Chen
Yakima Valley Community College	5	James Carvo Lisa Parker Patricia Whitefoot Velma Perez

		Paul McDonald
Bates Technical College	3	Carolyn Lake Stanley Rumbaugh Michael Grunwald
Fish & Wildlife Commission	7	Fred Shiosaki Kenneth Chew Robert Tuck J. Peter Schroeder John Hunter Clyde McBrayer Holly Ledgerwood
Horse Racing Commission	3	Ralph Vacca Gary Christenson Hartley Kruger
Lottery Commission	3	Carol Keljo Melinda Travis Robert Scarbrough
Public Disclosure Commission	4	Jeannette Wood Francis Martin Jane Noland Michael Connelly
Sentencing Guidelines Commission	15	Howard Phillips Mike Brasfield Tari Eitzen Ronald Cantu James Nagle Ellen Fair David Boemer Janice Gall-Martin Brian Gain Dean Lum Lenell Nussbaum Edward Delmore Jenny Wieland Deborah Moore Mary Place
Transportation Commission	4	Dale Stedman Richard Ford Daniel O'Neal Edwards Barnes
Cascadia Community College	4	Roy Wildinson Michael Martino Mark Wolfram Jean Magladry
Pollution Control Shorelines Hearings Board	1	David Danner
University of Washington Board of Regents	4	Jeff Brotman Stan Barer Constance Proctor Fred Kiga

MOTION

Senator Eide moved that the unconfirmed Gubernatorial Appointments be returned to the Governor for review.

The motion to return the unconfirmed Gubernatorial Appointments to the Governor was approved.

MOTION

Sincerely,  
CHRISTINE O. GREGOIRE

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

SECOND READING

SENATE BILL NO. 5256, by Senators Hargrove and Stevens

Revising provisions relating to the use of risk assessments in the supervision of offenders who committed misdemeanors and gross misdemeanors.

## MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 5256 was substituted for Senate Bill No. 5256 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 5256 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hargrove and Stevens 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. 5256.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5256 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5256, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5042, by Senator McCaslin

Tolling the statute of limitations for felonies. Revised for 1st Substitute: Tolling the statute of limitations for felony sex offenses.

## MOTIONS

On motion of Senator McCaslin, Substitute Senate Bill No. 5042 was substituted for Senate Bill No. 5042 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McCaslin, the rules were suspended, Substitute Senate Bill No. 5042 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McCaslin and Kline 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. 5042.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5042 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach,

Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5042, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

## SECOND READING

SENATE BILL NO. 5582, by Senators Regala, Hargrove, Stevens, Carrell, Franklin, McAuliffe and Kohl-Welles

Clarifying how demographic factors are used with regard to sexually violent predators.

The measure was read the second time.

## MOTION

On motion of Senator Regala, the rules were suspended, Senate Bill No. 5582 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Regala 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. 5582.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5582 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SENATE BILL NO. 5582, 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. 5502, by Senators Hargrove, Stevens, Delvin and Regala

Revising juvenile sentencing alternatives.

## MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 5502 was substituted for Senate Bill No. 5502 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 5502 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Hargrove and Stevens 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. 5502.

## ROLL CALL



The Secretary called the roll on the final passage of Substitute Senate Bill No. 5502 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Oke and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5502, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

MOTION

On motion of Senator Regala, Senators Brown and Doumit were excused.

SECOND READING

SENATE BILL NO. 5288, by Senators McAuliffe, Hargrove, Stevens, Regala, Thibaudeau and Carrell

Specifying how custodial interrogations of juveniles may be conducted.

MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 5288 was substituted for Senate Bill No. 5288 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 5288 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McAuliffe and Stevens 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. 5288.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5288 and the bill passed the Senate by the following vote: Yeas: 45 Nays: 00 Absent: 00 Excused: 04

Voting yea: Senators Benson, Benton, Berkey, Brandland, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein, Zarelli

Excused: Senators Brown, Doumit, Oke, Rockefeller

SUBSTITUTE SENATE BILL NO. 5288, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

MOTION

On motion of Senator McCaslin, Senator Deccio was excused.

SECOND READING

SENATE BILL NO. 5309, by Senators Kohl-Welles, Benton and Kline

Revising the definition of "abuse of a supervisory position." Revised for 1st Substitute: Defining sexual misconduct with a minor.

MOTIONS

On motion of Senator Hargrove, Substitute Senate Bill No. 5309 was substituted for Senate Bill No. 5309 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 5309 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Stevens 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. 5309.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5309 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 5.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Carrell, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 44

Excused: Senators Brown, Deccio, Doumit, Oke and Rockefeller - 5

SUBSTITUTE SENATE BILL NO. 5309, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

MOTION

At 5:33 p.m., on motion of Senator Eide, the Senate was declared to be recessed until 6:30 p.m.

The Senate was called to order at 6:30 p.m. by President Owen.

MOTION

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

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Spanel, Gubernatorial Appointment No. 9055, Robert B. Fong, as a member of the Board of Trustees, Whatcom Community College District No. 21, be confirmed.

Senator Spanel spoke in favor of the motion.

MOTION

On motion of Senator Hewitt, Senator Stevens was excused.

APPOINTMENT OF ROBERT B. FONG

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 40; Nays, 0; Absent, 5; Excused, 4.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Sheldon, Shin, Spanel, Swecker, Weinstein and Zarelli - 40

Absent: Senators Finkbeiner, Fraser, Keiser, Schoesler and Thibaudeau - 5

Excused: Senators Doumit, Oke, Rockefeller and Stevens - 4

MOTION

On motion of Senator Regala, Senators Fraser, Keiser, Thibaudeau and Poulsen were excused.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator McAuliffe, Gubernatorial Appointment No. 9027, Sang Chae, as a member of the Board of Trustees, Lake Washington Technical College District No. 26, be confirmed.

Senators McAuliffe, Esser and Shin spoke in favor of passage of the motion.

MOTION

On motion of Senator Hewitt, Senator Finkbeiner was excused.

APPOINTMENT OF SANG CHAE

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 41; Nays, 0; Absent, 0; Excused, 8.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Weinstein and Zarelli - 41

Excused: Senators Doumit, Finkbeiner, Keiser, Oke, Poulsen, Rockefeller, Stevens and Thibaudeau - 8

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator McAuliffe, Gubernatorial Appointment No. 9031, Paul Chiles, as a member of the Board of Trustees, Bellevue Community College District No. 8, be confirmed.

Senators McAuliffe and Esser spoke in favor of passage of the motion.

APPOINTMENT OF PAUL CHILES

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 42; Nays, 0; Absent, 0; Excused, 7.

Voting yea: Senators Benson, Benton, Berkey, Brandland,

Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Weinstein and Zarelli - 42

Excused: Senators Doumit, Finkbeiner, Keiser, Oke, Rockefeller, Stevens and Thibaudeau - 7

MOTION

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

MESSAGE FROM THE HOUSE

March 9, 2005

MR. PRESIDENT:

The Speaker has signed:

SENATE BILL NO. 5957,

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

SB 6083 by Senators Swecker and Haugen

AN ACT Relating to transportation funding for joint state and local transportation projects; amending RCW 82.36.025, 82.38.030, 46.68.090, and 43.84.092; reenacting and amending RCW 43.84.092; adding new sections to chapter 46.68 RCW; adding a new section to chapter 47.56 RCW; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

HB 1002 by Representatives Fromhold, Moeller, Murray, Hunter and Jarrett

AN ACT Relating to motor vehicle compression brakes; amending RCW 46.63.110; adding a new section to chapter 46.37 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1008 by Representatives Sommers, Alexander, Hunt, Wallace and Chase

AN ACT Relating to the motor pool within the department of general administration; amending RCW 43.19.565 and 43.19.615; and repealing RCW 43.19.605.

Referred to Committee on Ways & Means.

SHB 1033 by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Kirby, Roach, Morrell and Simpson)

AN ACT Relating to insurable interests and employer-owned life insurance; amending RCW 48.18.010, 48.18.030, and 48.18.060; and adding new sections to chapter 48.18 RCW.

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

HB 1096 by Representatives Santos, Hasegawa, Conway, Darneille, Chase, McCoy, Hudgins, Schual-Berke and Morrell

AN ACT Relating to tax expenditure reports; and amending RCW 43.06.400 and 43.88.030.

Referred to Committee on Ways & Means.

HB 1143 by Representatives Green, Nixon, Haigh, McDermott, Hunt and Morrell

AN ACT Relating to penalties for violation of the campaign finance and contribution limits, lobbying, political advertising, and public officials' financial affairs reporting subdivisions of the public disclosure act; amending RCW 42.17.390, 42.17.395, and 42.17.400; adding a new section to chapter 42.17 RCW; and prescribing penalties.

Referred to Committee on Government Operations & Elections.

SHB 1144 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, Nixon, McDermott, Morrell and Schual-Berke)

AN ACT Relating to disclosure of and restrictions on campaign funding; amending RCW 42.17.020, 42.17.103, 42.17.110, 42.17.510, and 42.17.530; reenacting and amending RCW 42.17.640; adding new sections to chapter 42.17 RCW; creating a new section; repealing RCW 42.17.505; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SHB 1208 by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representative O'Brien)

AN ACT Relating to forfeited property; and amending RCW 70.105D.020.

Referred to Committee on Water, Energy & Environment.

EHB 1222 by Representatives McDermott, Nixon, Ericks, Buri, Simpson, Shabro, Williams, Dickerson, Sells, Ormsby and Haigh

AN ACT Relating to ballot measure petitions; amending RCW 29A.72.110, 29A.72.120, and 29A.72.130; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SHB 1226 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Schual-Berke, Tom, Haigh, Cody, Fromhold, Jarrett, Hudgins, Conway, Appleton, Flannigan, Murray, McCoy, Lantz, Hasegawa, Williams, Kagi, Ormsby, Morrell, Chase, Dickerson, Kenney and Sells)

AN ACT Relating to campaign contribution limits; amending RCW 42.17.640 and 42.17.700; adding new sections to chapter 42.17 RCW; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SHB 1228 by House Committee on Local Government (originally sponsored by Representatives P. Sullivan, Schindler, Clibborn, Upthegrove, Simpson and Chase)

AN ACT Relating to the coordination of water and sewer system utilities; amending RCW 36.55.060; and adding a new section to chapter 35.21 RCW.

Referred to Committee on Government Operations & Elections.

SHB 1229 by House Committee on Local Government (originally sponsored by Representatives Chase, Schindler, Clibborn and Simpson)

AN ACT Relating to annexation of territory of certain cities by water-sewer districts; and adding new sections to chapter 57.24 RCW.

Referred to Committee on Government Operations & Elections.

SHB 1230 by House Committee on Local Government (originally sponsored by Representatives Upthegrove, Schindler, Simpson and Schual-Berke)

AN ACT Relating to boards of commissioners of water-sewer districts; amending RCW 57.12.015; and adding a new section to chapter 57.12 RCW.

Referred to Committee on Government Operations & Elections.

EHB 1246 by Representatives Dunshee, Pearson, Lovick, Kristiansen, Morrell, P. Sullivan, Murray, Wallace, Chase and Ormsby

AN ACT Relating to vehicle sound system equipment; adding a new section to chapter 46.37 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1247 by Representatives Morris and Schindler

AN ACT Relating to charging manufactured housing communities for water and sewer connections; and amending RCW 35.91.040, 36.94.140, and 57.08.081.

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

HB 1259 by Representatives Wallace and Woods

AN ACT Relating to technical corrections to chapter 46.87 RCW; amending RCW 46.87.010, 46.87.020, 46.87.030, 46.87.050, 46.87.070, 46.87.080, 46.87.120, 46.87.130, 46.87.140, and 46.87.190; and repealing RCW 46.87.085, 46.87.170, 46.87.180, and 46.87.901.

Referred to Committee on Transportation.

HB 1294 by Representatives Williams, Lovick, Priest, Flannigan and Serben

AN ACT Relating to hearings for antiharassment protection orders; and amending RCW 10.14.070.

Referred to Committee on Judiciary.

SHB 1313 by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives O'Brien, Pearson and Darneille)

AN ACT Relating to a record check of the parks and recreation commission's job applicants, volunteers, and independent contractors; and reenacting and amending RCW 79A.05.030.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 1315 by Representatives Tom, Clibborn, Jarrett, Hunter, Priest, Lantz, Conway, Rodne, Orcutt and Linville

AN ACT Relating to disclosure of information related to real estate excise taxes; and reenacting and amending RCW 82.32.330.

Referred to Committee on Ways & Means.

HB 1323 by Representatives Conway, Fromhold, Crouse, Simpson, Linville and Chase

AN ACT Relating to the membership of the executive committee of the select committee on pension policy; and amending RCW 41.04.276.

Referred to Committee on Ways & Means.

HB 1325 by Representatives Conway, Fromhold, Crouse, Simpson, Morrell, Moeller, Sells, Chase and Campbell

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.

Referred to Committee on Ways & Means.

HB 1327 by Representatives Alexander, Conway, Crouse, Simpson, Linville and Chase

AN ACT Relating to permitting members of the teachers' retirement system plan 2 and plan 3 who qualify for early retirement or alternate early retirement to make a one-time purchase of additional service credit; adding new sections to chapter 41.32 RCW; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1330 by Representatives Conway, Fromhold, Crouse and Chase

AN ACT Relating to technical corrections in the general retirement provisions estoppel section, teachers' retirement system, public safety employees' retirement system, the school employees' retirement system, the public employees' retirement system, and the actuarial funding chapter; amending RCW 41.04.270, 41.32.860, 41.34.070, 41.37.010, 41.37.020, 41.37.050, 41.37.250, 41.40.197, and 41.40.850; reenacting RCW 41.45.070; repealing RCW 41.35.050, 41.37.040, 41.40.032, and 41.50.067; providing an effective date; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 1338 by Representatives O'Brien, Pearson, Darneille, Simpson and Ormsby

AN ACT Relating to adding kidnapping to the statewide registered sex offender web site; and amending RCW 4.24.550.

Referred to Committee on Human Services & Corrections.

SHB 1347 by House Committee on Judiciary (originally sponsored by Representatives Lantz, Williams and Newhouse)

AN ACT Relating to dishonored checks; and adding new sections to chapter 62A.3 RCW.

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

HB 1361 by Representatives Alexander, Simpson, Schindler and Holmquist

AN ACT Relating to the disbursement of funds by air pollution control agencies; and amending RCW 70.94.094.

Referred to Committee on Water, Energy & Environment.

HB 1364 by Representatives Green, Bailey and Cody

AN ACT Relating to indemnifying and defending department of social and health services appointed temporary managers in nursing homes; and adding a new section to chapter 18.51 RCW.

Referred to Committee on Health & Long-Term Care.

SHB 1366 by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Roberts, McDonald, B. Sullivan, Dickerson, Morrell, Skinner, Appleton, Hinkle, Moeller, Hasegawa, McCune, Sells, Walsh, Ormsby, Kenney, Kagi and McDermott)

AN ACT Relating to video games; and adding a new section to chapter 19.188 RCW.

Referred to Committee on Human Services & Corrections.

SHB 1374 by House Committee on Housing (originally sponsored by Representatives Simpson, Schindler, Miloscia, Sells, Chase and Holmquist)

AN ACT Relating to prohibiting certain restrictions on the location of manufactured homes; amending RCW 35.21.684, 35A.21.312, and 36.01.225; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 36.01 RCW; providing an effective date; and declaring an emergency.

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

SHB 1430 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood and Condotta)

AN ACT Relating to sale by spirit, beer, and wine licensees of malt liquor in containers that are capable of holding four gallons or more and are registered in accordance with RCW 66.28.200; and amending RCW 66.24.400, 66.28.200, and 66.28.220.

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

SHB 1431 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Condotta, Campbell and Chase)

AN ACT Relating to courses of instruction on beer, wine, and spiritous liquor; and amending RCW 66.24.320 and 66.24.400.

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

HB 1439 by Representatives Green, Nixon, Haigh, Upthegrove, Chase and Dunn

AN ACT Relating to electronic and web-based bidding; and amending RCW 43.19.1906, 43.19.1908, and 43.19.1911.

Referred to Committee on Government Operations & Elections.

HB 1443 by Representatives Appleton and Cody

AN ACT Relating to making medicare supplemental insurance policies administered under chapter 41.05 RCW conform to federal law; amending RCW 41.05.195 and 41.05.197; and repealing RCW 41.05.190.

Referred to Committee on Health & Long-Term Care.

HB 1447 by Representatives Moeller, Jarrett, Morrell, Nixon, Fromhold, Kessler, Lantz, Upthegrove, Appleton, Green, Lovick, Dunshee, Buri, P. Sullivan, Ericks, Pettigrew, Schual-Berke, Simpson, Ormsby, Tom, Sells, Dickerson, McDermott, Wood, Santos, Hasegawa and Kilmer

AN ACT Relating to establishing a pilot project to examine the use of instant runoff voting for nonpartisan offices; amending RCW 29A.52.220, 29A.60.160, and 29A.60.190; adding a new chapter to Title 29A RCW; creating new sections; and providing expiration dates.

Referred to Committee on Government Operations & Elections.

SHB 1453 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Ahern, O'Brien, Holmquist, Lovick, Orcutt, Williams, Roach, Pearson, Rodne, Campbell, Strow, McDonald, Serben, Crouse, Haler, Pettigrew, P. Sullivan and Simpson)

AN ACT Relating to the statute of limitations on certain sex offenses; and amending RCW 9A.04.080.

Referred to Committee on Judiciary.

SHB 1463 by House Committee on Health Care (originally sponsored by Representatives Green, Rodne, Cody and Moeller)

AN ACT Relating to meningococcal immunization; amending RCW 28A.210.080; providing an effective date; and declaring an emergency.

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

SHB 1467 by House Committee on Children & Family Services (originally sponsored by Representatives Dickerson, Wallace, P. Sullivan, Kagi, Roberts, Simpson, Appleton, Moeller, Green, Ericks, Takko and Chase)

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

Referred to Committee on Human Services & Corrections.

HB 1469 by Representatives Lovick, Jarrett, Haigh and Armstrong

AN ACT Relating to proceedings for violations of commercial motor vehicle laws, rules, and orders; and amending RCW 46.32.100.

Referred to Committee on Transportation.

ESHB 1475 by Representatives Schual-Berke, Jarrett, Murray, Kessler, Wood, Skinner, Hankins, Woods, Dunshee, Wallace, Dickerson, Upthegrove, Curtis, Lovick and Morrell

AN ACT Relating to child passenger restraint; amending RCW 46.61.687; adding a new section to chapter 46.61 RCW; and providing an effective date.

Referred to Committee on Transportation.

SHB 1486 by House Committee on Health Care (originally sponsored by Representatives Conway, Wood and Sells)

AN ACT Relating to health care services; adding a new section to chapter 70.47 RCW; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health & Long-Term Care.

SHB 1491 by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives B. Sullivan, Kretz, Upthegrove, Orcutt, Eickmeyer and Buck)

AN ACT Relating to recodification of aquatic lands statutes; amending RCW 79.90.080, 79.90.090, 79.90.100, 79.90.105, 79.90.110, 79.90.120, 79.90.130, 79.90.150, 79.90.160, 79.90.170, 79.90.180, 79.90.190, 79.90.200, 79.90.210, 79.90.215, 79.90.220, 79.90.230, 79.90.240, 79.90.245, 79.90.250, 79.90.260, 79.90.270, 79.90.280, 79.90.290, 79.90.300, 79.90.310, 79.90.320, 79.90.325, 79.90.330, 79.90.340, 79.90.350, 79.90.360, 79.90.370, 79.90.390, 79.90.400, 79.90.410, 79.90.450, 79.90.455, 79.90.456, 79.90.457, 79.90.460, 79.90.470, 79.90.475, 79.90.480, 79.90.485, 79.90.490, 79.90.500, 79.90.505, 79.90.515, 79.90.520, 79.90.535, 79.90.540, 79.90.545, 79.90.550, 79.90.555, 79.90.560, 79.90.565, 79.90.575, 79.90.580, 79.91.010, 79.91.020, 79.91.030, 79.91.040, 79.91.050, 79.91.060, 79.91.070, 79.91.080, 79.91.090, 79.91.100, 79.91.110, 79.91.120, 79.91.130, 79.91.140, 79.91.150, 79.91.160, 79.91.170, 79.91.180, 79.91.190, 79.91.200, 79.91.210, 79.92.010, 79.92.020, 79.92.030, 79.92.035, 79.92.060, 79.92.070, 79.92.080, 79.92.090, 79.92.100, 79.92.110, 79.93.010, 79.93.020, 79.93.030, 79.93.040, 79.93.050, 79.93.060, 79.94.020, 79.94.030, 79.94.040, 79.94.050, 79.94.060, 79.94.070, 79.94.080, 79.94.090, 79.94.100, 79.94.110, 79.94.120, 79.94.130, 79.94.140, 79.94.150, 79.94.160, 79.94.170, 79.94.175, 79.94.181, 79.94.185, 79.94.220, 79.94.230, 79.94.240, 79.94.250, 79.94.260, 79.94.270, 79.94.280, 79.94.290, 79.94.300, 79.94.310, 79.94.320, 79.94.330, 79.94.390, 79.94.400, 79.94.410, 79.94.420, 79.94.430, 79.94.440, 79.95.010, 79.95.020, 79.95.030, 79.95.040, 79.95.050, 79.95.060, 79.96.010, 79.96.020, 79.96.030, 79.96.040, 79.96.050, 79.96.060, 79.96.070, 79.96.080, 79.96.085, 79.96.090, 79.96.100, 79.96.110, 79.96.120, 79.96.130, 79.96.210, 79.96.230, 79.96.906, 79.97.010, 79.97.020, 79.97.030, 79.97.050, and 79.97.060; reenacting and amending RCW 79.94.210 and 79.96.220; adding a new section to chapter 43.30 RCW; adding new chapters to Title 79 RCW; creating new sections; recodifying RCW 79.90.450, 79.90.455, 79.90.545, 79.90.546, 79.90.090, 79.90.100, 79.90.120, 79.90.410, 79.90.370, 79.90.245, 79.90.400, 79.94.170, 79.90.460, 79.90.470, 79.90.480, 79.90.485, 79.90.490, 79.90.500, 79.90.505, 79.90.510, 79.90.515, 79.90.520, 79.90.525, 79.90.530, 79.90.535, 79.90.540, 79.90.457, 79.90.580, 79.90.475, 79.90.105, 79.90.550, 79.90.555, 79.90.560, 79.90.565, 79.90.900, 79.90.901, 79.90.902, 79.90.080, 79.91.010, 79.91.020, 79.91.030, 79.91.040, 79.91.050, 79.91.060, 79.91.070, 79.91.080, 79.91.090, 79.91.100, 79.91.110, 79.91.120, 79.91.130, 79.91.140, 79.91.150, 79.90.575, 79.91.160, 79.91.170, 79.91.180, 79.91.190, 79.91.200, 79.91.210, 79.91.900, 79.92.010, 79.92.020, 79.92.030, 79.92.035, 79.90.390, 79.92.060, 79.92.070, 79.92.080, 79.92.090, 79.92.100, 79.92.110, 79.92.900, 79.93.010, 79.93.020, 79.93.030, 79.93.040, 79.93.050, 79.93.060, 79.93.900, 79.94.330, 79.94.020, 79.94.030, 79.94.040, 79.90.110, 79.94.050, 79.94.060, 79.94.100, 79.94.110, 79.94.130, 79.94.140, 79.94.150, 79.94.090, 79.94.290, 79.94.270, 79.90.250, 79.90.260, 79.90.270, 79.90.280, 79.90.350, 79.94.080, 79.94.320, 79.90.360, 79.94.070, 79.94.280, 79.94.120, 79.94.300, 79.94.310, 79.94.210, 79.94.260, 79.94.220, 79.94.230, 79.94.240, 79.94.250, 79.90.170, 79.90.180, 79.90.190,

79.90.200, 79.90.210, 79.90.215, 79.90.220, 79.90.230, 79.90.240, 79.94.160, 79.94.175, 79.94.181, 79.94.185, 79.94.390, 79.94.400, 79.94.410, 79.94.420, 79.94.430, 79.94.440, 79.94.450, 79.94.900, 79.95.010, 79.95.020, 79.95.030, 79.95.040, 79.95.050, 79.95.060, 79.90.458, 79.95.900, 79.90.570, 79.96.120, 79.96.130, 79.90.495, 79.96.010, 79.96.020, 79.96.030, 79.96.040, 79.96.050, 79.96.060, 79.96.070, 79.96.140, 79.96.080, 79.96.085, 79.96.906, 79.96.090, 79.96.100, 79.96.110, 79.96.200, 79.96.210, 79.96.220, 79.96.230, 79.96.901, 79.96.902, 79.96.903, 79.96.904, 79.96.905, 79.90.130, 79.90.150, 79.90.160, 79.90.290, 79.90.300, 79.90.310, 79.90.320, 79.90.325, 79.90.330, 79.90.340, 79.97.010, 79.97.020, 79.97.030, 79.97.040, 79.97.050, 79.97.060, and 79.97.900; and repealing RCW 79.90.010, 79.90.015, 79.90.020, 79.90.025, 79.90.030, 79.90.035, 79.90.040, 79.90.045, 79.90.050, 79.90.055, 79.90.060, 79.90.065, 79.90.070, 79.90.380, 79.90.465, 79.93.070, and 79.94.010.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 1496 by House Committee on Judiciary (originally sponsored by Representatives Simpson, Roach, P. Sullivan, Quall, McDermott, Santos, Appleton, McCoy, Hunt, Kenney, Kagi and Blake)

AN ACT Relating to enrollment cards issued by federally recognized Indian tribes; amending RCW 66.16.040 and 70.155.090; adding a new section to chapter 29A.08 RCW; adding a new section to chapter 66.08 RCW; and providing an effective date.

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

HB 1497 by Representatives Green, Bailey, Cody, Morrell and Kirby

AN ACT Relating to the implementation of changes to medicare supplement insurance requirements as mandated by the medicare modernization act of 2003 and other federal requirements; amending RCW 48.66.020, 48.66.045, 48.66.055, and 48.66.130; adding a new section to chapter 48.66 RCW; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SHB 1507 by House Committee on Judiciary (originally sponsored by Representatives Cody, Lantz, Priest, Schual-Berke, Darneille, Kirby and Moeller)

AN ACT Relating to prohibiting civil or criminal liabilities or penalties for actions related to the Washington state health insurance pool; and amending RCW 48.41.190.

Referred to Committee on Health & Long-Term Care.

SHB 1512 by House Committee on Health Care (originally sponsored by Representatives Morrell, Clibborn, Moeller, Cody, Green, Appleton, Roberts, Sommers, Blake, Schual-Berke, Flannigan, Sells, Kenney and Kagi)

AN ACT Relating to incentives to improve quality of care in state purchased health care programs; amending RCW

41.05.021 and 41.05.075; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1534 by Representatives Green, Hinkle, Cody, Morrell, Schual-Berke, Skinner, Curtis, Clibborn, Campbell and Kagi

AN ACT Relating to identifying health care providers covered by the retired health care provider liability malpractice insurance program; and amending RCW 43.70.460 and 43.70.470.

Referred to Committee on Health & Long-Term Care.

SHB 1536 by House Committee on Health Care (originally sponsored by Representatives Moeller, Hinkle, Cody, Morrell, Skinner, Campbell, Clibborn, Schual-Berke and Kenney)

AN ACT Relating to providing the secretary of health with authority to administer grants on behalf of the department of health; and amending RCW 43.70.005 and 43.70.040.

Referred to Committee on Health & Long-Term Care.

SHB 1545 by House Committee on Health Care (originally sponsored by Representatives Curtis, Cody, Bailey, Clibborn, Skinner and Schual-Berke)

AN ACT Relating to adult family home services; adding a new section to chapter 70.128 RCW; and adding a new section to chapter 69.06 RCW.

Referred to Committee on Health & Long-Term Care.

HB 1546 by Representatives Clibborn, Bailey, Cody, Skinner, Chase, Campbell, McIntire and Dickerson

AN ACT Relating to naturopathic physicians; amending RCW 18.36A.020 and 18.36A.040; and creating a new section.

Referred to Committee on Health & Long-Term Care.

HB 1554 by Representatives Morrell, Buri, Grant, Holmquist, Newhouse, McDonald, Conway, Blake, Quall, Linville and Miloscia

AN ACT Relating to the definition of "farm and agricultural land" for purposes of current use property taxation; and amending RCW 84.34.020.

Referred to Committee on Agriculture & Rural Economic Development.

HB 1557 by Representatives Conway, Ericks, Kessler, Campbell, Blake, Simpson, Ormsby, Morrell, Chase, P. Sullivan and Kenney

AN ACT Relating to expanding membership of the electrical board by appointment of one outside line worker; amending RCW 19.28.311; and creating a new section.

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

SHB 1560 by House Committee on Higher Education (originally sponsored by Representatives Sells, Campbell, Fromhold, McCoy and Chase)

AN ACT Relating to tuition waivers for community college apprenticeship programs; and adding a new section to chapter 28B.50 RCW.

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

HB 1568 by Representatives Haigh, Hinkle, Wallace, P. Sullivan, Conway, Chase, McCoy and Kenney

AN ACT Relating to activation of the national guard; and amending RCW 38.08.040 and 38.24.010.

Referred to Committee on Government Operations & Elections.

ESHB 1577 by Representatives Lantz, Hankins, Morrell, Jarrett, Moeller, Clibborn, Flannigan, Darneille, Dunshee and Kilmer

AN ACT Relating to capital projects for local nonprofit art, cultural, heritage, youth, and social service organizations; amending RCW 43.63A.125, 43.63A.750, 27.34.330, and 43.63A.135; and repealing 1999 c 295 s 4 (uncodified).

Referred to Committee on Ways & Means.

HB 1587 by Representatives Shabro, Morrell, Roach and Woods

AN ACT Relating to capital facilities at the Rainier school; amending RCW 72.01.140; and repealing RCW 28B.30.820 and 72.01.142.

Referred to Committee on Ways & Means.

HB 1592 by Representatives Strow, Talcott, Kenney, Woods, Darneille, Bailey, Green, Holmquist, Shabro, Moeller, Walsh, Williams, Skinner, Dunshee, Kristiansen, Pearson, Sommers, Dickerson, Conway, Clements, Linville, Haler, Upthegrove, Hasegawa, P. Sullivan, Clibborn, Lovick, Chase, Jarrett, Rodne, Blake, Ericks, Sells, Appleton, McCoy, McDonald, Dunn, DeBolt, Lantz, Santos, Roberts, Hudgins, Ahern, McCune, Alexander, Kretz, Hankins, Haigh, Tom, Kilmer, Schual-Berke, McDermott, Newhouse, Condotta, Kagi and Serben

AN ACT Relating to recording the oral histories of women who contributed to their communities, the state, or the nation during World War II; amending RCW 28A.300.370; creating a new section; and providing an effective date.

Referred to Committee on Government Operations & Elections.

HB 1598 by Representatives Wood, Wallace, Woods and Skinner

AN ACT Relating to the population thresholds for membership of the county road administration board; and amending RCW 36.78.040.

Referred to Committee on Transportation.

SHB 1608 by House Committee on Economic Development, Agriculture & Trade (originally sponsored by Representatives Grant, Holmquist, Linville, Buri, Wallace, Newhouse, Hinkle, Walsh, Quall, Kenney, Armstrong, Clements, Kristiansen, P. Sullivan, Blake, Haler, Kessler, Morrell, Chase, Skinner, McDermott and Santos)

AN ACT Relating to the potato commission; amending RCW 15.66.270; adding a new chapter to Title 15 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Agriculture & Rural Economic Development.

HB 1612 by Representatives Kilmer, Skinner, Cody, Bailey, Murray, Haigh, Kenney, McDermott and Santos

AN ACT Relating to University of Washington dental school faculty; and amending RCW 18.32.195.

Referred to Committee on Health & Long-Term Care.

HB 1621 by Representative McDonald

AN ACT Relating to acceptable forms of identification for liquor purchases; and amending RCW 66.16.040.

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

ESHB 1633 by Representatives Talcott, Hunter, Priest, Anderson, Tom, Haigh, Curtis, Buri, McDonald, Serben, Nixon, Quall, Cox, Schual-Berke, Rodne, Shabro, Hinkle, Alexander, Woods, Miloscia, Haler, Armstrong, Holmquist, Skinner and Clibborn

AN ACT Relating to digital learning programs; and adding a new section to chapter 28A.150 RCW.

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

SHB 1634 by House Committee on Appropriations (originally sponsored by Representatives Grant, Haler, Walsh, Hankins, Darneille and Haigh)

AN ACT Relating to allowing terminally ill members to remove themselves from their retirement plan; amending RCW 41.40.023, 41.32.010, and 41.35.030; adding new sections to chapter 41.40 RCW; adding new sections to chapter 41.32 RCW; adding new sections to chapter 41.35 RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SHB 1652 by House Committee on Health Care (originally sponsored by Representatives Ericks, Appleton, Simpson, Kilmer, Eickmeyer, Woods, Lovick, Santos and Linville)

AN ACT Relating to authorizing fire protection districts to establish or participate in health clinic services; and amending RCW 52.02.020.

Referred to Committee on Health & Long-Term Care.

SHB 1661 by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Moeller, Hasegawa, Appleton, Hunt, Ericks, Chase, Curtis, Lovick, McCune and Cody)

AN ACT Relating to transfer of juvenile proceedings; and amending RCW 13.40.060.

Referred to Committee on Human Services & Corrections.

SHB 1689 by House Committee on Health Care (originally sponsored by Representatives Cody, Moeller, Appleton, Morrell, Clibborn, Green, Kenney, Murray, Schual-Berke and Chase)

AN ACT Relating to dental health services; amending RCW 18.32.030 and 18.32.040; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SHB 1694 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives O'Brien, Lovick, Hankins, Ericks, Holmquist, Darneille, Kirby and Moeller)

AN ACT Relating to the release of personal information; and reenacting and amending RCW 42.17.310.

Referred to Committee on Government Operations & Elections.

SHB 1699 by House Committee on Judiciary (originally sponsored by Representatives Lantz, Priest and Tom)

AN ACT Relating to agreements for the purchase and sale of real estate; amending RCW 64.04.005; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1716 by Representatives Roach and Kirby

AN ACT Relating to underinsured motorist property damage waivers; and amending RCW 48.22.030.

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

HB 1717 by Representatives McDermott and Nixon

AN ACT Relating to broadcast of legal notices; amending RCW 65.16.130 and 65.16.150; and repealing RCW 65.16.140.

Referred to Committee on Judiciary.

HB 1722 by Representatives Grant, Newhouse, Linville, Buri, Clements, Walsh, Haler and Skinner

AN ACT Relating to standards and grades for fruits and vegetables; and amending 2004 c 211 s 2 (uncodified).

Referred to Committee on Agriculture & Rural Economic Development.



HB 1759 by Representatives Appleton, Bailey, Tom, Chase, Takko, McCoy, Skinner, Sells, Dameille, Schual-Berke, Hasegawa, Green, O'Brien, Strow, Eickmeyer, Morris, Moeller, Linville, Cody, Rodne, Morrell, Hudgins, Quall, Williams, Dunn, Campbell and Santos

AN ACT Relating to designating the orca as the state marine mammal; adding a new section to chapter 1.20 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SHB 1765 by House Committee on Commerce & Labor (originally sponsored by Representatives Chase, Newhouse, Eickmeyer, Buri, Appleton, B. Sullivan and Dunn)

AN ACT Relating to auctioning vessels; and amending RCW 88.02.230 and 46.70.011.

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

HB 1769 by Representatives P. Sullivan, Simpson and Williams

AN ACT Relating to jury source lists in counties with more than one superior court facility; amending RCW 2.36.055; and creating a new section.

Referred to Committee on Judiciary.

HB 1779 by Representatives Schual-Berke, Roach and Morrell

AN ACT Relating to homeowners' insurance; and adding a new section to chapter 48.18 RCW.

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

SHB 1791 by House Committee on Capital Budget (originally sponsored by Representatives Dunshee, Schual-Berke, Kenney, Hankins, Lovick, Morrell, Wood, Kagi, Simpson, McDonald, Eickmeyer, Appleton, O'Brien, Ormsby, DeBolt, Wallace, Upthegrove, Strow, Moeller, Jarrett, Kessler, Miloscia, Murray, Cody, Conway, McCune, Lantz, P. Sullivan, Tom, Ericks, Haigh, McDermott, Hasegawa and Linville)

AN ACT Relating to the developmental disabilities community trust account; amending RCW 43.84.092 and 72.01.140; reenacting and amending RCW 43.84.092; adding new sections to chapter 71A.20 RCW; creating new sections; repealing RCW 28B.30.820 and 72.01.142; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1813 by Representatives Williams, DeBolt, Hunt and Moeller

AN ACT Relating to increasing the maximum term of rural, island, and intercounty rural district general obligation bonds; and amending RCW 27.12.222.

Referred to Committee on Government Operations & Elections.

HB 1837 by Representatives Rodne, Lantz, McDonald, Moeller, Dickerson, Priest, Curtis, Morris, Woods, Shabro, Hasegawa, Kagi and Kenney

AN ACT Relating to child witnesses; and amending RCW 9A.44.150.

Referred to Committee on Judiciary.

HB 1872 by Representatives Ericks, O'Brien, Kretz, P. Sullivan, Buri, Sells and Simpson

AN ACT Relating to ignition interlock devices; amending RCW 46.04.215 and 46.20.750; and prescribing penalties.

Referred to Committee on Judiciary.

SHB 1876 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Green, Haler, Moeller, Darneille, Haigh, Miloscia and Upthegrove)

AN ACT Relating to the voting rights of persons under guardianship; amending RCW 11.88.010 and 11.88.010; creating a new section; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

HB 1906 by Representatives Grant, Haler and Hankins

AN ACT Relating to regional law libraries; and amending RCW 27.24.062 and 27.24.020.

Referred to Committee on Government Operations & Elections.

SHB 1934 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives Lovick, Ahern, Dickerson, Santos, O'Brien, Williams, Simpson, Ericks and Chase)

AN ACT Relating to assault of a peace officer with a projectile stun gun; amending RCW 9A.36.031 and 9A.04.110; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1941 by Representatives P. Sullivan, Quall, Talcott, Kenney and McDermott

AN ACT Relating to providing voting rights on the state board of education to the superintendent of public instruction; and amending RCW 28A.305.100.

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

SHB 1945 by House Committee on Commerce & Labor (originally sponsored by Representatives Holmquist, Simpson, Curtis, Condotta, Dunshee and Darneille)

AN ACT Relating to providing assistance in identifying fire sprinkler system components that have been subject to a recall or voluntary replacement program; and amending RCW 18.160.050.

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

HB 1986 by Representatives Roberts, Buri, Kenney, Cox and Morrell

AN ACT Relating to reviewing and prioritizing tuition waivers; and creating new sections.

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

HB 2007 by Representatives Moeller, Dunn, Fromhold, Wallace and Clibborn

AN ACT Relating to requirements for certified bylaws to be attached to certain petitions in cities and towns; and amending RCW 35.21.005.

Referred to Committee on Government Operations & Elections.

HB 2021 by Representatives Kenney and Cox

AN ACT Relating to the advanced college tuition payment program; amending RCW 28B.95.020, 28B.95.030, 28B.95.090, 28B.95.110, and 6.15.010; and adding a new section to chapter 28B.95 RCW.

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

HB 2028 by Representatives Kagi and Darneille

AN ACT Relating to the advisory committee of the office of public defense; and amending RCW 2.70.030.

Referred to Committee on Judiciary.

SHB 2061 by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Darneille, Moeller and Dickerson)

AN ACT Relating to requiring disposition to be held in juvenile court in certain circumstances when a case is automatically transferred to adult court; and amending RCW 13.04.030 and 13.40.300.

Referred to Committee on Human Services & Corrections.

HB 2064 by Representatives Roberts, McDonald, Darneille, Moeller, Ericks, Lantz, McCune, Dickerson and Kagi

AN ACT Relating to the date of the offense for the purposes of automatic transfer of jurisdiction; and amending RCW 13.04.030.

Referred to Committee on Human Services & Corrections.

SHB 2071 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Cody, P. Sullivan, Kenney and Dunn)

AN ACT Relating to exempting a horse racing license from public inspection; reenacting and amending RCW 42.17.310; and declaring an emergency.

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

SHB 2073 by House Committee on Juvenile Justice & Family Law (originally sponsored by Representatives Dickerson, Moeller and Chase)

AN ACT Relating to juvenile sentencing alternatives; and amending RCW 13.40.167.

Referred to Committee on Human Services & Corrections.

HB 2088 by Representatives Lantz, Haigh and Simpson

AN ACT Relating to the state fire protection policy board; and amending RCW 43.43.932.

Referred to Committee on Government Operations & Elections.

HB 2101 by Representatives Pearson, Lovick, McDonald and Chase

AN ACT Relating to registration of sex offenders and kidnapping offenders in schools, notification to the school, and dissemination of the information within the school; amending RCW 4.24.550; and reenacting and amending RCW 9A.44.130.

Referred to Committee on Human Services & Corrections.

HB 2115 by Representatives Dickerson, Roach, Simpson, Upthegrove, Ormsby, Chase, Roberts and Dameille

AN ACT Relating to drug use among pregnant women; amending RCW 70.96A.090; and creating a new section.

Referred to Committee on Human Services & Corrections.

SHB 2137 by House Committee on Appropriations (originally sponsored by Representatives Sommers, Walsh, Darneille, Anderson, Chase, Dickerson, Ericks, Roberts, Conway, Linville, Kenney and O'Brien)

AN ACT Relating to funding for crime victims' compensation; adding a new section to 2003 1st sp.s. c 25 (uncodified); making an appropriation; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 2166 by Representatives Newhouse, Linville, Kristiansen, Hankins, Grant, Holmquist and Haler

AN ACT Relating to the joint legislative committee on water supply during drought; adding a new chapter to Title 90 RCW; and declaring an emergency.

Referred to Committee on Water, Energy & Environment.

HB 2170 by Representatives Springer, Dunshee, Clibborn and Morrell

AN ACT Relating to including a portion of the real estate excise tax as general state revenue; amending RCW 82.45.180; and creating a new section.

Referred to Committee on Ways & Means.

HB 2189 by Representatives Kagi, Hinkle, Dickerson, Roberts, Darneille, Simpson, Moeller, Morrell and Santos

AN ACT Relating to the safety of child protective services and child welfare services staff; and creating new sections.

Referred to Committee on Human Services & Corrections.

SHB 2215 by House Committee on Criminal Justice & Corrections (originally sponsored by Representatives B. Sullivan and Ahern)

AN ACT Relating to background checks; amending RCW 43.43.830, 43.43.832, 43.43.834, 43.43.836, 43.43.838, 43.43.840, and 43.43.845; and repealing RCW 43.43.835.

Referred to Committee on Human Services & Corrections.

SHB 2223 by House Committee on Criminal Justice & Corrections (originally sponsored by Representative O'Brien)

AN ACT Relating to fees charged to law enforcement agencies for certified copies of records concerning sex offenders; and amending RCW 36.18.016.

Referred to Committee on Human Services & Corrections.

HB 2271 by Representatives Miloscia, McDermott, Moeller and Kenney

AN ACT Relating to employment opportunities for people with disabilities; amending RCW 43.19.520, 43.19.530, 43.19.531, 43.19.533, 43.19.1911, 50.40.065, and 50.40.066; and providing expiration dates.

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

MOTION

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

MOTION

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

SECOND READING

SENATE BILL NO. 5719, by Senator Hargrove

Extending the community commitment disposition alternative pilot program.

MOTION

On motion of Senator Hargrove, Substitute Senate Bill No. 5719 was substituted for Senate Bill No. 5719 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Hargrove moved that the following striking amendment by Senators Hargrove, Stevens and Regala be adopted.

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 13.40.169 and 2003 c 378 s 5 are each amended to read as follows:

~~((Any charter county with a population of not more than seventy thousand shall establish a pilot program to implement the community commitment disposition alternative contained in this section. The pilot project shall be limited to five beds.))~~ Any county or group of cooperating counties within close proximity may establish a program to implement the community commitment disposition alternative under this section. A program established by a county or group of cooperating counties shall be limited to ten beds. A court in a county that has established a program under this section or has entered an agreement with other counties to establish such a program may impose a community commitment disposition alternative as provided in this section.

(1) When the offender is subject to a standard range commitment of 15 to 36 weeks and is ineligible for a suspended disposition alternative, a manifest injustice disposition below the standard range, special sex offender disposition alternative, chemical dependency disposition alternative, or mental health disposition alternative, ~~((the))~~ a court ~~((in a county with a pilot program under this section))~~ may impose a community commitment disposition alternative and:

- (a) Retain juvenile court jurisdiction over the youth;
- (b) Confine the youth in a secure county detention facility ~~((for a period of time not to exceed thirty days)), or another alternative to secure county detention as described in subsection (4) of this section;~~ and
- (c) Impose a term of postrelease community supervision for up to one year.

~~((If the youth receives a standard range))~~ At the time of the disposition, the court shall set the release date within the standard range. ((The court shall determine the release date prior to expiration of sixty percent of the juvenile's minimum term of confinement.)) The offender shall spend no more than thirty days in secure county detention between the date of the disposition and the initial release date.

(2) The court may impose this community commitment disposition alternative if the court finds the following:

- (a) Placement in a local secure county detention facility in close proximity to the youth's family or local support systems will facilitate a smoother reintegration to the youth's family and community;
- (b) Placement in the local secure county detention facility will allow the youth to benefit from locally provided family intervention programs and other research-based treatment programs, school, employment, and drug and alcohol or mental health counseling; or
- (c) Confinement in a facility operated by the department would result in a negative disruption to local services, school, or employment or impede or delay developing those services and support systems in the community.

(3) The court shall consider the youth's offense, prior criminal history, security classification, risk level, and treatment needs and

history when determining whether the youth is appropriate for the community commitment disposition alternative. If the court finds that a community commitment disposition alternative is appropriate, the court shall order the youth into secure county detention while the details of the reintegration program are developed. The program shall include delivery of programs which meet the Washington state institute for public policy's effectiveness standards for juvenile accountability programs.

(4) Upon approval of the treatment and community reintegration plan, the court may order the youth to serve the term of confinement in one ~~((or more))~~ of the following placements or combination of the following placements: Secure county detention, an alternative to secure detention such as electronic home monitoring, county group care, day or evening reporting, or home detention. The court may order the youth to serve time in secure county detention on weekends or intermittently. The court shall set periodic reviews to review the youth's progress in the program. ~~((At least fifty percent))~~ No more than thirty days of the ((term of confinement)) community commitment disposition alternative shall be served in secure county detention, unless the youth violates the conditions of the community commitment program.

(5) If the youth violates the conditions of the community commitment program, the court may impose sanctions under RCW 13.40.200 or modify the terms of the reintegration plan and order the youth to serve ~~((all or a portion))~~ up to thirty days of the remaining confinement term in secure county detention or another alternative to secure county detention as described in subsection (4) of this section. If, in the opinion of the court, the youth's cumulative violations would require more than a total of thirty days of secure detention, the court shall revoke the community commitment disposition alternative and order the disposition's execution, with credit for time served, at a facility operated by the juvenile rehabilitation administration of the department of social and health services. The court shall retain jurisdiction for purposes of community supervision upon release from the facility. Except for a youth transferred to a facility operated by the juvenile rehabilitation administration, time not spent in secure county detention may be served in one of the alternative placements described in subsection (4) of this section. The court shall consider the youth's risk level in selecting alternative placements.

(6) A county may enter into interlocal agreements with other counties to develop joint community commitment programs or to allow one county to send a youth appropriate for this alternative to another county that has a community commitment program.

(7) Implementation of this alternative is subject to available state funding for the costs of the community commitment program, including costs of detention and community supervision, treatment programs, and administration.

(8) Each county or group of cooperating counties establishing a program to implement the community commitment disposition alternative under this act shall provide an interim report on a program to the Washington association of juvenile court administrators by November 1, 2006, and a final report by May 1, 2007. Each report shall include, but is not limited to, the number of offenders eligible for the program, the number of offenders sentenced to the program, evaluation and treatment costs for each participant, administrative costs, costs of detention, supervision, and other related costs, and whether an offender has reoffended after participation in the program. The Washington association of juvenile court administrators shall submit an interim report ((on)) analyzing the data submitted by each of the ((pilot)) programs established in this section to the legislature and appropriate committees by December 31, ~~((2004))~~ 2006, and submit a final report to the legislature and the appropriate committees by June

30, ~~((2005))~~ 2007.

~~((This section expires July 1, 2005-))~~

**NEW SECTION. Sec. 2.** This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2005."

Senators Hargrove and Stevens spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senator sHargrove, Stevens and Regala to Substitute Senate Bill No. 5719.

The motion by Senator Hargrove carried and the striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "amending RCW 13.40.169; providing an effective date; and declaring an emergency."

#### MOTION

On motion of Senator Hargrove, the rules were suspended, Engrossed Substitute Senate Bill No. 5719 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Hargrove spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5719.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5719 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Doumit, Oke and Rockefeller - 3

ENGROSSED SUBSTITUTE SENATE BILL NO. 5719, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5666, by Senators Stevens, Hargrove, McAuliffe, Carrell, Brandland, Delvin, Roach, Rasmussen and Kohl-Welles

Regarding information sharing in child dependency cases.

#### MOTIONS

On motion of Senator Stevens, Substitute Senate Bill No. 5666 was substituted for Senate Bill No. 5666 and the substitute bill was placed on the second reading and read the second time.

Senators Stevens and Hargrove spoke in favor of adoption of the substitute.

On motion of Senator Hargrove, the rules were suspended, Substitute Senate Bill No. 5666 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5666.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5666 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Doumit, Oke and Rockefeller - 3

SUBSTITUTE SENATE BILL NO. 5666, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5266, by Senators Fairley, Benson, Prentice and Benton

Reserving state authority to regulate customer financial transactions.

MOTION

On motion of Senator Fairley, Substitute Senate Bill No. 5266 was substituted for Senate Bill No. 5266 and the substitute bill was placed on the second reading and read the second time.

MOTION

Senator Fairley moved that the following amendment by Senator Fairley be adopted.

On page 1, line 16, after "A" insert "joint legislative audit and review committee study is created regarding whether a"

On page 2, line 6, after "A" insert "joint legislative audit and review committee study is created regarding whether a"

On page 2, line 13, after "A" insert "joint legislative audit and review committee study is created regarding whether a"

WITHDRAWAL OF AMENDMENT

On motion of Senator Fairley the amendment to Substitute Senate Bill No. 5266 was withdrawn.

MOTION

On motion of Senator Fairley, the rules were suspended, Substitute Senate Bill No. 5266 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Fairley 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. 5266.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5266 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 4; Absent, 1; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Johnson, Kastama, Keiser, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 41

Voting nay: Senators Jacobsen, Kline, Kohl-Welles and Thibaudeau - 4

Absent: Senator Deccio - 1

Excused: Senators Doumit, Oke and Rockefeller - 3

SUBSTITUTE SENATE BILL NO. 5266, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

SECOND READING

SENATE BILL NO. 5926, by Senators McAuliffe, Schmidt, Pridemore, Kohl-Welles, Rockefeller, Shin and Schoesler

Modifying provisions in the advanced college tuition payment program.

The measure was read the second time.

MOTION

On motion of Senator McAuliffe, the rules were suspended, Senate Bill No. 5926 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators McAuliffe and Schmidt 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. 5926.

ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5926 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Doumit, Oke and Rockefeller - 3

SENATE BILL NO. 5926, 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. 5811, by Senators Kohl-Welles, Regala and Rasmussen

Encouraging the ethical transfer of technology for the economic benefit of the state.

MOTIONS

On motion of Senator Kohl-Welles, Substitute Senate Bill No. 5811 was substituted for Senate Bill No. 5811 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Kohl-Welles, the rules were suspended, Substitute Senate Bill No. 5811 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles and Parlette spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Honeyford, Senator Stevens was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5811.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5811 and the bill passed the Senate by the following vote: Yeas, 45; Nays, 0; Absent, 0; Excused, 4.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 45

Excused: Senators Doumit, Oke, Rockefeller and Stevens - 4  
SUBSTITUTE SENATE BILL NO. 5811, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### SECOND READING

SENATE BILL NO. 5087, by Senators Kohl-Welles, Schmidt, Jacobsen, Keiser, Rockefeller, Franklin, Shin, Spanel, McAuliffe and Kline

Community College faculty.

The measure was read the second time.

#### MOTION

Senator Kohl-Welles moved that the following amendment by Senator Kohl-Welles be adopted.

On page 2, beginning on line 36, strike "August 30, (~~1996~~)" and insert "~~(August 30, 1996)~~ December 1, "

Senator Kohl-Welles spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senator Kohl-Welles on page 2, line 36 to Senate Bill No. 5087.

The motion by Senator Kohl-Welles carried and the amendment was adopted by voice vote.

#### MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Engrossed Senate Bill No. 5087 was advanced to third reading, the second reading considered the third and the bill was placed on

final passage.

Senators Kohl-Welles and Parlette spoke in favor of passage of the bill.

Senator Jacobsen spoke against of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5087.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5087 and the bill passed the Senate by the following vote: Yeas, 35; Nays, 10; Absent, 0; Excused, 4.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel and Weinstein - 35

Voting nay: Senators Delvin, Honeyford, Jacobsen, Johnson, McCaslin, Morton, Mulliken, Swecker, Thibaudeau and Zarelli - 10

Excused: Senators Doumit, Oke, Rockefeller and Stevens - 4  
ENGROSSED SENATE BILL NO. 5087, 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. 5470, by Senators Franklin, Thibaudeau, Keiser, Kline, Poulsen, Berkey, Haugen, McAuliffe, Rockefeller, Shin and Kohl-Welles

Allowing the importation of certain prescription drugs from Canadian wholesalers. Revised for 1st Substitute: Allowing the importation of certain prescription drugs from nondomestic wholesalers.

#### MOTION

On motion of Senator Keiser, Substitute Senate Bill No. 5470 was substituted for Senate Bill No. 5470 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Keiser moved that the following striking amendment by Senators Keiser, Franklin and Parlette be adopted.

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The legislature finds that as consumers' prescription drug costs continue to rise, people across the state of Washington are seeking opportunities to purchase lower cost prescription drugs from Canada, the United Kingdom, Ireland, and other countries for their personal use. The state has a strong interest in promoting the safe use of prescription drugs by consumers in Washington state. To address this interest, the legislature intends to seek authorization from the federal government to license Canadian, United Kingdom, Irish, and other nondomestic prescription drug wholesalers, thereby providing licensed retail pharmacies the opportunity to purchase prescription drugs from approved wholesalers and pass those savings on to consumers, and providing consumers the opportunity to purchase prescription drugs from a trusted community pharmacist who is aware of all of their prescription drug needs.

NEW SECTION. **Sec. 2.** A new section is added to chapter

18.64 RCW to read as follows:

(1) By September 1, 2005, the board shall, in consultation with the department and the health care authority, submit a waiver request to the federal food and drug administration that will authorize the state of Washington to license Canadian, United Kingdom, Irish, and other nondomestic prescription drug wholesalers under RCW 18.64.046, thereby providing retail pharmacies licensed in Washington state the opportunity to purchase prescription drugs from approved wholesalers and pass those savings on to consumers. The waiver shall provide that:

(a) Canadian, United Kingdom, Irish, and other nondomestic prescription drug wholesalers meet the requirements of RCW 18.64.046 and any rules adopted by the board to implement those requirements;

(b) The board must ensure the integrity of the prescription drug products being distributed by:

(i) Requiring that prescription drugs purchased from Canadian, United Kingdom, Irish, and other nondomestic wholesalers originate only from approved manufacturing locations;

(ii) Routinely testing prescription drugs purchased from Canadian, United Kingdom, Irish, and other nondomestic wholesalers for safety;

(iii) Establishing safe labeling, tracking, and shipping procedures for prescription drugs purchased from Canadian, United Kingdom, Irish, and other nondomestic wholesalers; and

(iv) Closely monitoring compliance with RCW 18.64.046 and any rules adopted to implement the waiver;

(c) The prescription drugs purchased from Canadian, United Kingdom, Irish, and other nondomestic wholesalers must be limited to those for which potential savings to consumers can be demonstrated and those available through purchase by individuals only at licensed retail pharmacies;

(d) To ensure that the program benefits those consumers without insurance coverage for prescription drugs who are most in need of price relief, prescription drug purchases from pharmacies under the waiver will be limited to those not eligible for reimbursement by third party insurance coverage, whether public or private, for the particular drug being purchased; and

(e) Savings associated with purchasing prescription drugs from Canadian, United Kingdom, Irish, and other nondomestic wholesalers will be passed on to consumers.

(2) By December 1, 2005, the board, in consultation with the department and the health care authority, shall submit a detailed implementation plan to the governor and appropriate committees of the legislature that details the mechanisms that the board will use to implement each component of the waiver under subsection (1) of this section.

(3) The board shall adopt rules as necessary to implement this act.

**NEW SECTION. Sec. 3.** If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. Rules adopted under this act must meet federal requirements that are a necessary condition to the receipt of federal funds by the state."

Senators Keiser, Parlette, Franklin and McCaslin spoke in favor of adoption of the striking amendment.

The President declared the question before the Senate to be the adoption of the striking amendment by Senators Keiser, Franklin and Parlette to Substitute Senate Bill No. 5470.

The motion by Senator Keiser carried and the striking amendment was adopted by voice vote.

#### MOTION

There being no objection, the following title amendment was adopted:

On page 1, line 2 of the title, after "wholesalers;" strike the remainder of the title and insert "adding a new section to chapter 18.64 RCW; and creating new sections."

#### MOTION

On motion of Senator Keiser, the rules were suspended, Engrossed Substitute Senate Bill No. 5470 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Keiser spoke in favor of passage of the bill.

Senators Thibaudeau and Pflug spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5470.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5470 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 6; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Johnson, Kastama, Keiser, McAuliffe, McCaslin, Morton, Mulliken, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Weinstein and Zarelli - 40

Voting nay: Senators Delvin, Jacobsen, Kline, Kohl-Welles, Pflug and Thibaudeau - 6

Excused: Senators Oke, Rockefeller and Stevens - 3

ENGROSSED SUBSTITUTE SENATE BILL NO. 5470, having received the constitutional majority, was declared passed. There being no objection, the title of the bill was order to stand as the title of the act.

#### MOTION

At 8:02 p.m., on motion of Senator Eide, the Senate adjourned until 9:00 a.m. Thursday, March 10, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate