

ELEVENTH DAY, JANUARY 18, 2007

2007 REGULAR SESSION

## ELEVENTH DAY

## NOON SESSION

Senate Chamber, Olympia, Thursday, January 18, 2007

The Senate was called to order at 12:00 noon by President Owen. No roll call was taken.

## MOTION

On motion of Senator Eide, the reading of the Journal of the previous day was dispensed with and it was approved.

## MOTION

There being no objection, the Senate advanced to the first order of business.

## REPORTS OF STANDING COMMITTEES

January 17, 2007

SGA 9149 MICHAEL MARTINO, reappointed October 1, 2006, for the term ending September 30, 2011, as Member, Board of Trustees, Cascadia Community College District No. 30. Reported by Committee on Early Learning & K-12 Education

MAJORITY recommendation: Without recommendation. Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Brandland, Clements, Eide, Hobbs, Holmquist, Kauffman, Oemig, Rasmussen and Zarelli

Passed to Committee on Higher Education.

## MOTION

On motion of Senator Eide, the measure listed on the Standing Committee report was referred to the committee as designated.

## MOTION

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

## INTRODUCTION AND FIRST READING

SB 5373 by Senators Kohl-Welles, Prentice, Keiser, Franklin and Kline

AN ACT Relating to reporting, penalty, and corporate officer provisions of the unemployment insurance system; amending RCW 50.12.070, 50.29.021, 50.12.220, 50.04.165, 50.04.310, 50.12.070, 50.20.070, 50.04.245, 50.24.170, and 50.04.080; adding a new section to chapter 50.12 RCW; adding new sections to chapter 50.04 RCW; adding a new section to chapter 50.24 RCW; creating new sections; prescribing penalties; and providing an effective date.

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

SB 5374 by Senators Murray, Clements, Prentice and Kohl-Welles

AN ACT Relating to the exclusion of certain persons from

licensed gambling premises; adding a new section to chapter 9.46 RCW; and prescribing penalties.

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

SB 5375 by Senators Murray, Clements, Prentice, Kohl-Welles, Shin and Roach

AN ACT Relating to clarifying and prescribing penalties for gambling under the age of eighteen; amending RCW 9.46.0305; adding a new section to chapter 9.46 RCW; and prescribing penalties.

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

SB 5376 by Senators Murray, Clements, Prentice and Kohl-Welles

AN ACT Relating to the temporary issuance, summary suspension, and renewal of licenses by the gambling commission; and amending RCW 9.46.070.

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

SB 5377 by Senators Weinstein and Kline

AN ACT Relating to the disposition of certain assets; amending RCW 11.02.005, 11.07.010, 11.12.260, 11.24.010, and 11.96A.150; adding a new chapter to Title 11 RCW; and repealing RCW 11.05.010, 11.05.020, 11.05.030, 11.05.040, 11.05.050, 11.05.900, and 11.05.910.

Referred to Committee on Judiciary.

SB 5378 by Senators Weinstein, Kline and Rockefeller

AN ACT Relating to deeds of trust; and amending RCW 61.24.005, 61.24.010, 61.24.030, 61.24.040, 61.24.045, and 61.24.130.

Referred to Committee on Judiciary.

SB 5379 by Senators Weinstein, Delvin, Kline, Tom, Haugen and Shin

AN ACT Relating to the keeping of dangerous wild animals; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Consumer Protection & Housing.

SB 5380 by Senators Prentice, Zarelli, Marr, Morton and Shin

AN ACT Relating to authorizing the governor to enter into a cigarette tax contract with the Spokane Tribe; and amending RCW 43.06.460.

Referred to Committee on Ways & Means.

SB 5381 by Senators Hargrove, Stevens, Regala, McAuliffe and Shin

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AN ACT Relating to dependent children; amending RCW 13.34.138 and 13.34.025; adding a new section to chapter 26.44 RCW; adding a new section to chapter 43.101 RCW; adding a new section to chapter 13.34 RCW; and creating a new section.

Referred to Committee on Human Services & Corrections.

SB 5382 by Senators Kauffman, Prentice, McAuliffe, Marr, Hobbs, Rasmussen, Regala, Franklin, Keiser, Shin and Kohl-Welles

AN ACT Relating to record checks for employees and applicants for employment at bureau of Indian affairs-funded schools; and amending RCW 28A.400.303 and 28A.400.305.

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

SB 5383 by Senators Hargrove, Poulsen, Hatfield, Rockefeller, Rasmussen and Kohl-Welles

AN ACT Relating to the energy freedom program; amending RCW 15.110.005, 15.110.010, 15.110.020, and 15.110.040; and providing an expiration date.

Referred to Committee on Water, Energy & Telecommunications.

SB 5384 by Senators Fraser, Shin, Brandland, Delvin, Murray, Tom and Kohl-Welles

AN ACT Relating to the University of Washington's and Washington State University's local borrowing authority; adding a new chapter to Title 28B RCW; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5385 by Senators Shin, Jacobsen, Schoesler, Rockefeller, Delvin, Tom and Kohl-Welles

AN ACT Relating to authorizing the Washington higher education facilities authority to originate and purchase educational loans and to issue student loan revenue bonds; amending RCW 28B.07.030; adding new sections to chapter 28B.07 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Higher Education.

SB 5386 by Senators Prentice, Zarelli, Rasmussen, Schoesler, Pridemore, Pflug, Tom, Holmquist, Regala, Parlette, Shin, Morton, Swecker, Murray, Brandland, Kohl-Welles, Honeyford, Hatfield, Delvin, Jacobsen, Fraser, Sheldon and Kilmer

AN ACT Relating to environmental remediation; amending RCW 82.04.190; reenacting and amending RCW 82.04.050; adding a new section to chapter 82.04 RCW; prescribing penalties; and providing an expiration date.

Referred to Committee on Ways & Means.

SB 5387 by Senators Kastama, Kilmer, Kauffman and Shin

AN ACT Relating to promoting economic development through commercialization of technologies; amending RCW 28B.20.297; and making appropriations.

Referred to Committee on Economic Development, Trade & Management.

SB 5388 by Senators Sheldon, Kilmer, Clements, Morton, Schoesler and Shin

AN ACT Relating to financing economic development officers; and amending RCW 82.14.370.

Referred to Committee on Economic Development, Trade & Management.

SB 5389 by Senator Hewitt

AN ACT Relating to importing a simulcast race of regional or national interest on horse race days; amending RCW 67.16.200; and declaring an emergency.

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

SB 5390 by Senators Swecker, Jacobsen, Schoesler, Hatfield, Rasmussen, Delvin and Shin

AN ACT Relating to extending the state sales and use tax credit for public facilities districts created before September 1, 2007; and amending RCW 82.14.390.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5391 by Senators Kilmer, Swecker, Haugen and Rockefeller

AN ACT Relating to photo enforcement of traffic infractions; and amending RCW 46.63.030 and 46.63.160.

Referred to Committee on Transportation.

SB 5392 by Senators Kohl-Welles, Swecker, Fairley and Murray

AN ACT Relating to changing the initiative filing fee; amending RCW 29A.72.010; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5393 by Senators Kline, Poulsen, Pridemore, Rockefeller and Kohl-Welles

AN ACT Relating to hazardous waste releases and cleanup at other sites requiring twenty or more years to remediate; adding new sections to chapter 70.105 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Water, Energy & Telecommunications.

SB 5394 by Senator Rockefeller

AN ACT Relating to the crime victims' compensation program; amending RCW 7.68.130; adding a new section to chapter 7.68 RCW; and declaring an emergency.

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Referred to Committee on Human Services &amp; Corrections.

SB 5395 by Senators Clements, Holmquist, Hobbs, Kauffman, Rasmussen, Zarelli, Brandland and McAuliffe

AN ACT Relating to school districts not being required to make up school days missed due to unforeseen natural events or mechanical failures occurring during the 2006-07 school year; creating a new section; providing an expiration date; and declaring an emergency.

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

SB 5396 by Senators Clements, McAuliffe, Oemig, Hobbs, Rasmussen, Kauffman, Eide, Hewitt, Zarelli, Brandland, Rockefeller and Roach

AN ACT Relating to grants for school districts recruiting mathematics and special education teachers on college campuses; creating a new section; making appropriations; and providing an expiration date.

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

SB 5397 by Senators Rasmussen, Schoesler, Parlette, Hewitt, Hatfield and Shin

AN ACT Relating to standards and grades for fruits and vegetables; and amending 2005 c 234 s 1 (uncodified).

Referred to Committee on Agriculture &amp; Rural Economic Development.

SB 5398 by Senators Marr, Brandland and Keiser

AN ACT Relating to licensing specialty hospitals; adding a new section to chapter 70.41 RCW; and creating a new section.

Referred to Committee on Health &amp; Long-Term Care.

SB 5399 by Senators Kilmer, Kastama, Kauffman, Shin, Schoesler, Berkey, Delvin, Rockefeller and Rasmussen

AN ACT Relating to supporting industry clusters as an economic development tool; amending RCW 43.330.090; and adding new sections to chapter 43.330 RCW.

Referred to Committee on Economic Development, Trade &amp; Management.

SB 5400 by Senators Kilmer, Kastama, Kauffman, Shin, Berkey and Delvin

AN ACT Relating to aligning economic development and workforce development; amending RCW 43.162.010 and 28C.18.020; and creating a new section.

Referred to Committee on Economic Development, Trade &amp; Management.

SB 5401 by Senators Rasmussen, Swecker, Shin, Schoesler and Hatfield

AN ACT Relating to Christmas tree grower licensure; amending RCW 15.13.250, 15.13.260, 15.13.265, 15.13.270, 15.13.340, 15.13.370, 15.13.390, 15.13.400,

15.13.420, 15.13.430, 15.13.440, 15.13.455, 15.13.470, and 15.13.490; adding new sections to chapter 15.13 RCW; and providing an expiration date.

Referred to Committee on Agriculture &amp; Rural Economic Development.

SB 5402 by Senators Kilmer, Delvin, Shin and Rockefeller

AN ACT Relating to private vocational school programs; amending RCW 28C.10.020, 28C.10.050, and 28C.10.120; and making appropriations.

Referred to Committee on Higher Education.

SB 5403 by Senators Rasmussen, Brandland and Jacobsen

AN ACT Relating to certifying animal massage practitioners; amending RCW 18.130.040; and adding a new chapter to Title 18 RCW.

Referred to Committee on Agriculture &amp; Rural Economic Development.

SB 5404 by Senators Jacobsen, Haugen, McCaslin, Kline, Weinstein and Kohl-Welles

AN ACT Relating to tax incentives for certain multiple-unit dwellings in urban centers that provide affordable housing; amending RCW 84.14.005, 84.14.007, 84.14.010, 84.14.030, 84.14.040, 84.14.050, 84.14.060, 84.14.090, 84.14.100, and 84.14.110; adding new sections to chapter 84.14 RCW; and creating a new section.

Referred to Committee on Consumer Protection &amp; Housing.

SB 5405 by Senators Carrell, Kline and McCaslin

AN ACT Relating to judicial orders concerning distraint of personal property; and amending RCW 6.17.160.

Referred to Committee on Judiciary.

SB 5406 by Senators Kline, Fairley and Fraser

AN ACT Relating to state employee whistleblower protection; and amending RCW 42.40.020 and 42.40.050.

Referred to Committee on Government Operations &amp; Elections.

SB 5407 by Senators Regala, Carrell, Hargrove and Brandland

AN ACT Relating to certificates of discharge; amending RCW 9.94A.637 and 9.96.050; and repealing RCW 29A.08.660.

Referred to Committee on Human Services &amp; Corrections.

SB 5408 by Senators Fairley, Roach, Kohl-Welles, Oemig, Hobbs, Swecker, Kline and Hatfield

AN ACT Relating to primary election ballots; and amending RCW 29A.04.008, 29A.36.104, 29A.36.106, and 29A.52.151.

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Referred to Committee on Government Operations & Elections.

SB 5409 by Senators Fairley, Roach, Swecker, Kohl-Welles, Kline and Rasmussen

AN ACT Relating to modifying the provisions of the address confidentiality program; and amending RCW 40.24.020, 40.24.030, 40.24.040, 40.24.060, and 40.24.070.

Referred to Committee on Government Operations & Elections.

SB 5410 by Senators Berkey, Shin, Delvin and Kohl-Welles

AN ACT Relating to creating postsecondary opportunity programs; amending RCW 28B.50.030; adding new sections to chapter 28B.50 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Higher Education.

SB 5411 by Senators Delvin, Shin, Kilmer and Kohl-Welles

AN ACT Relating to awarding the state need grant; and amending RCW 28B.92.060.

Referred to Committee on Higher Education.

SB 5412 by Senators Murray, Swecker, Marr, Clements and Haugen

AN ACT Relating to realigning goals and objectives of certain transportation agencies; amending RCW 47.01.011, 47.01.012, 47.01.071, 47.01.075, 47.01.330, 47.05.030, 47.05.035, 47.06.020, 47.06.030, 47.06.043, 47.06.045, 47.06.050, 47.06.060, 47.06.070, 47.06.080, 47.06.090, 47.06.100, 47.06.110, 47.06.140, and 81.104.060; and repealing RCW 47.05.051, 47.01.370, 47.06.040, and 47.06.120.

Referred to Committee on Transportation.

SB 5413 by Senators Roach, Clements, Pflug, Stevens, Carrell, Hewitt, Swecker, Schoesler, Morton and McCaslin

AN ACT Relating to auto theft; amending RCW 9.94A.505; reenacting and amending RCW 9.94A.515 and 13.40.160; adding new sections to chapter 36.28A RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

SB 5414 by Senators Kastama, Regala, Franklin, Eide and Keiser

AN ACT Relating to authorizing local option motor vehicle fuel taxes for completing funding of certain projects in the south central Puget Sound region; amending RCW 82.80.010, 82.80.110, and 82.80.120; and adding a new section to chapter 82.80 RCW.

Referred to Committee on Transportation.

SB 5415 by Senators Kohl-Welles, McAuliffe, Keiser, Franklin, Murray, Rasmussen, Hobbs and Tom

AN ACT Relating to school health advisory councils; adding new sections to chapter 28A.210 RCW; and creating a new section.

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

SB 5416 by Senators Kohl-Welles, Poulsen, Rockefeller, Honeyford, Shin, Pridemore, Delvin, Tom and Kline

AN ACT Relating to minimizing the environmental cost of greenhouse gas emissions by encouraging mitigation for carbon dioxide; adding a new section to chapter 82.04 RCW; and adding new sections to chapter 70.94 RCW.

Referred to Committee on Water, Energy & Telecommunications.

SB 5417 by Senators Keiser, Brandland, Franklin and Pflug

AN ACT Relating to temporary management in boarding homes; and adding new sections to chapter 18.20 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5418 by Senators Roach, Oemig, Fairley, Eide, Clements, Schoesler, Carrell, Kauffman, Pflug and Kline

AN ACT Relating to requiring statements of tax implications on ballot measures; and amending RCW 29A.36.071.

Referred to Committee on Government Operations & Elections.

SB 5419 by Senators Roach, Fairley, Eide, Carrell, Kauffman and Pflug

AN ACT Relating to publication of a public hospital district's proposed annexation in a voters' pamphlet; and adding a new section to chapter 70.44 RCW.

Referred to Committee on Government Operations & Elections.

SB 5420 by Senators Roach, Fairley, Kauffman, Clements, Schoesler and Pflug

AN ACT Relating to posting information on public agencies' web sites; and adding a new section to chapter 42.30 RCW.

Referred to Committee on Government Operations & Elections.

SB 5421 by Senators Fraser, Morton, Poulsen, Swecker, Marr, Regala, Rockefeller, Pridemore, Oemig, Honeyford, Rasmussen, Shin, Kohl-Welles and Kline

AN ACT Relating to environmental covenants; amending RCW 35.21.755, 69.50.511, 70.105D.020, 70.105D.030, and 70.105D.060; and adding a new chapter to Title 64 RCW.

Referred to Committee on Water, Energy & Telecommunications.

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SJM 8002 by Senators Oemig, Roach, Fairley, Weinstein, Hobbs, Marr, Brown, Pridemore and Fraser

Requesting that Election Day be changed to coincide with the Veterans Day holiday.

Referred to Committee on Government Operations & Elections.

SCR 8404 by Senators Shin, Delvin and Kilmer

Approving the 2006 update to the state comprehensive plan for workforce training.

Referred to Committee on Higher Education.

MOTION

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Senate Bill No. 5390 which was referred to the Committee on Agriculture & Rural Economic Development.

MOTION

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

MOTION

Senator Roach moved adoption of the following resolution:

SENATE RESOLUTION  
8603

By Senators Roach, Haugen and Sheldon

WHEREAS, Karen Bolin was born as Karen Frances in Barberton, Ohio, on July 24, 1953; and

WHEREAS, Karen loved her family very much, marrying John Bolin in 1974 and possessing a close marriage highlighted by mutual devotion, fun, and adventure, raising two wonderful children, Ehren and Elaine, enjoying one adorable grandson, Colin, and remaining very close to her sister, Jane Chaney; and

WHEREAS, Karen Bolin was a 27-year resident of Auburn and worked as a bookseller at the Barnes & Noble bookstore in Federal Way; and

WHEREAS, Karen enjoyed gardening and especially motorcycle riding, an activity she began with her husband John in the late 1980s; and

WHEREAS, Her interest in motorcycle riding led Karen to become involved as one of the original members of the Washington Road Riders Association, a group that now has more than 500 members; and

WHEREAS, Karen distinguished herself in the Washington State Legislature as an official and lobbyist for the Washington Road Riders Association, advocating for issues and causes benefiting motorcycling, as well as helping to improve several bills affecting motorcyclists; and

WHEREAS, Karen Bolin helped broaden the influence of motorcyclists by using her very bright mind, political savvy, and astute observations, and showing motorcyclists how to work constructively with legislators and other officials; and

WHEREAS, Karen's dynamic and friendly personality, excellent sense of humor, and loyalty to principles earned her many friends and admirers in Olympia and throughout the motorcycling community in Washington and other states; and

WHEREAS, Although Karen Bolin lost her battle to cancer on October 30, 2006, she fought her battle to the end with courage, strength, and inspiration;

NOW, THEREFORE, BE IT RESOLVED, That the Senate of the State of Washington remember and honor the life and work of Karen Bolin; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Karen's husband, John Bolin, and her two children, Ehren Bolin and Elaine Bolin-Parsons.

Senators Roach, Haugen, Eide, Sheldon and Stevens spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8603.

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

INTRODUCTION OF SPECIAL GUESTS

The President welcomed and introduced Karen Bolin's family, husband John Bolin, daughter Elaine Parsons and sister Jane Cheney who were seated in the gallery.

MOTION

At 12:11 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Friday, January 19, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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