

FORTY-FOURTH DAY

NOON SESSION

Senate Chamber, Olympia, February 22, 2005

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

SB 5104 Prime Sponsor, Regala: Creating the "Keep Kids Safe" license plate series. Reported by Committee on Transportation February 21, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5104 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

SB 5105 Prime Sponsor, Swecker: Regarding certification of entities regulated by the utilities and transportation commission. Reported by Committee on Transportation February 21, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5105 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

SB 5110 Prime Sponsor, Rockefeller: Including four public port districts on the executive board of regional transportation planning organizations. Reported by Committee on Transportation February 21, 2005

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

SB 5143 Prime Sponsor, Weinstein: Authorizing a "Ski & Ride Washington" license plate. Reported by Committee on Transportation February 21, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5143 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

SB 5145 Prime Sponsor, Jacobsen: Creating a boater safety education program. Reported by Committee on Transportation February 21, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5145 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Esser, Kastama, Oke, Spanel, Swecker and Weinstein

MINORITY recommendation: Without recommendation. Signed by Senator Mulliken

Passed to Committee on Rules for second reading.

SB 5219 Prime Sponsor, Kastama: Changing primary dates and associated election procedures. Reported by Committee on Government Operations & Elections February 17, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5219 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline and Pridemore

MINORITY recommendation: Do not pass. Signed by Senators Mulliken and Roach

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5228 Prime Sponsor, Jacobsen: Providing funding for watchable wildlife activities by creating the "Wild On Washington" license plates. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5228 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5229 Prime Sponsor, Swecker: Authorizing endangered wildlife license plates. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5229 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5230 Prime Sponsor, Swecker: Establishing the Washington's Wildlife license plate collection. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5230 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5263 Prime Sponsor, Haugen: Updating laws on drugs and alcohol use by commercial drivers. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5263 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5339 Prime Sponsor, Franklin: Regarding recidivism reduction through discharge of convicted felons. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5339 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; McAuliffe, Stevens and Thibaudeau

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

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5381 Prime Sponsor, Kohl-Welles: Authorizing an independent, nonprofit Washington academy of sciences. Reported by Committee on Labor, Commerce, Research & Development

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

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

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5415 Prime Sponsor, Fairley: Making loans under chapter 31.45 RCW to military borrowers. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5415 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5424 Prime Sponsor, Haugen: Authorizing the "Washington Lighthouses" special plate. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5444 Prime Sponsor, Jacobsen: Authorizing "Share the Road" license plates to commemorate Cooper Jones. Reported by Committee on Transportation

MAJORITY recommendation: That Substitute Senate Bill No. 5444 be substituted therefor, and the substitute bill do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Poulsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5484 Prime Sponsor, Fairley: Monitoring and reporting on check cashers and sellers. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: Do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 16, 2005

SB 5486 Prime Sponsor, Fairley: Regulating check cashers and sellers. Reported by Committee on Financial Institutions, Housing & Consumer Protection

MAJORITY recommendation: That Substitute Senate Bill No. 5486 be substituted therefor, and the substitute bill do pass. Signed by Senators Fairley, Chair; Berkey, Vice Chair; Benson, Benton, Brandland, Delvin, Franklin, Keiser, Prentice, Schmidt and Spanel

Passed to Committee on Rules for second reading.

February 17, 2005

SB 5564 Prime Sponsor, Schmidt: Requiring the secretary of state to prepare a manual of election laws and rules. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: Do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Kline, Mulliken, Pridemore and Roach

MINORITY recommendation: Do not pass. Signed by Senators Haugen and McCaslin

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5609 Prime Sponsor, Shin: Increasing the operating fee waiver authority for Central Washington University. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Benton, Berkey, Delvin, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5613 Prime Sponsor, Berkey: Authorizing community colleges to deduct certain payments from tuition waivers. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Benton, Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5621 Prime Sponsor, McAuliffe: Requiring the superintendent of public instruction to adopt standards for voluntary certification of preschools. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Berkey, Eide, Kohl-Welles, Pridemore, Rasmussen, Rockefeller, Schmidt, Shin and Weinstein

MINORITY recommendation: Do not pass. Signed by Senators Benton, Delvin, Pflug and Schoesler

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5625 Prime Sponsor, Kohl-Welles: Regarding gender equity reporting. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Benton, Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5633 Prime Sponsor, Carrell: Revising provisions relating to retention of information concerning unfounded allegations of child abuse or neglect. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: That Substitute Senate Bill No. 5633 be substituted therefor, and the substitute bill do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe and Stevens

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5707 Prime Sponsor, Fraser: Creating a women's history consortium. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Benton, Delvin, Eide, Kohl-Welles, Pflug, Pridemore, Schoesler and Shin

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5803 Prime Sponsor, McAuliffe: Promoting internet safety. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Benton, Berkey, Delvin, Eide, Kohl-Welles, Pflug, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Shin and Weinstein

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5809 Prime Sponsor, Fairley: Revising jurisdiction of youth courts. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, Carrell, McAuliffe, Stevens and Thibaudeau

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5833 Prime Sponsor, Brown: Authorizing special license plates to recognize the Gonzaga University alumni association. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Senators Haugen, Chair; Jacobsen, Vice Chair; Benson, Eide, Esser, Kastama, Mulliken, Oke, Spanel, Swecker and Weinstein

MINORITY recommendation: Without recommendation. Signed by Senator Poulsen, Vice Chair

Passed to Committee on Rules for second reading.

February 21, 2005

SB 5875 Prime Sponsor, Hargrove: Clarifying the interests of parents and alleged fathers under the juvenile court act. Reported by Committee on Human Services & Corrections

MAJORITY recommendation: Do pass. Signed by Senators Hargrove, Chair; Regala, Vice Chair; Brandland, McAuliffe and Stevens

MINORITY recommendation: Do not pass. Signed by Senator Carrell

Passed to Committee on Rules for second reading.

February 21, 2005

SJM 8011 Prime Sponsor, McAuliffe: Petitioning the President and Congress to fully fund the No Child Left Behind Act of 2001. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Berkey, Eide, Kohl-Welles, Pridemore, Rasmussen, Rockefeller, Shin and Weinstein

MINORITY recommendation: Do not pass. Signed by Senators Benton, Delvin, Pflug, Schmidt and Schoesler

Passed to Committee on Rules for second reading.

MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 5564 which was referred to the Committee on Rules.

MOTION

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

INTRODUCTION AND FIRST READING

SB 6017 by Senators Kastama, Swecker, Weinstein, Kohl-Welles and Oke

AN ACT Relating to high occupancy toll lanes; adding new sections to chapter 47.56 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Transportation.

SB 6018 by Senators Keiser, Kohl-Welles, Thibaudeau, Rasmussen, McAuliffe and Spanel

AN ACT Relating to expanding access to insurance coverage through the small business assist program; amending RCW 70.47.010, 70.47.015, 70.47.020, 70.47.060, 70.47.100, 70.47.120, 70.47.130, 70.47.160, and 41.05.140; reenacting and amending RCW 43.79A.040; and adding new sections to chapter 70.47 RCW.

Referred to Committee on Health & Long-Term Care.

SB 6019 by Senators Thibaudeau, Fairley, Franklin, Kline and Kohl-Welles

AN ACT Relating to the jurisdiction of the Washington human rights commission; amending RCW 49.60.010, 49.60.020, 49.60.030, 49.60.040, 49.60.120, 49.60.130, 49.60.175, 49.60.176, 49.60.178, 49.60.180, 49.60.190, 49.60.200, 49.60.215, 49.60.223, 49.60.224, 49.60.225, and 48.30.300; and reenacting and amending RCW 49.60.222.

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

SB 6020 by Senators Kastama, Keiser, Kohl-Welles and Kline

AN ACT Relating to importation of prescription drugs from Canadian wholesalers; amending RCW 18.64.046; adding a new section to chapter 18.64 RCW; and creating new sections.

Referred to Committee on Health & Long-Term Care.

SB 6021 by Senator Regala

AN ACT Relating to limiting the tax exemption for sales to nonresidents; amending RCW 82.08.0273; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6022 by Senator Prentice

AN ACT Relating to wastewater treatment and conveyance systems; amending RCW 48.30.270 and 48.30.270; providing an effective date; and providing an expiration date.

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

SB 6023 by Senator Esser

AN ACT Relating to interlocal agreements for court services among municipalities; amending RCW 3.50.020 and 3.50.805; and creating a new section.

Referred to Committee on Judiciary.

SB 6024 by Senators Carrell, Stevens, Brandland and Hargrove

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

Referred to Committee on Human Services & Corrections.

SB 6025 by Senators Shin, Kohl-Welles, Thibaudeau and Rasmussen

AN ACT Relating to expanding the office of the Washington state trade representative; and amending RCW 43.332.010.

Referred to Committee on International Trade & Economic Development.

SJM 8020 by Senators Kline, Hargrove, Finkbeiner, Kohl-Welles, Pridemore, Regala, Rockefeller, Shin, Jacobsen, Thibaudeau and Spanel

Expressing concern about the USA PATRIOT Act.

Referred to Committee on Judiciary.

SCR 8408 by Senators Thibaudeau, Kohl-Welles, Rasmussen and McAuliffe

Creating a committee to study best practices regarding reporting of child abuse and neglect.

Referred to Committee on Human Services & Corrections.

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 eighth order of business.

MOTION

Senator Parlette moved adoption of the following resolution:

SENATE RESOLUTION
8626

By Senators Parlette, Franklin, Honeyford, Schmidt and McAuliffe

WHEREAS, According to a new economic study, Washington's tree fruit industry drives nearly six billion dollars per year in the state's economy and provides more than one hundred forty thousand jobs for Washington workers; and
WHEREAS, The tree fruit industry is rightfully considered the "Boeing of central Washington" and is a major economic engine for the region and the entire state; and
WHEREAS, The continued vitality of this industry in a global marketplace is necessary not only for those people who are directly employed but also vital for the economic sustainability of local communities and the state;
WHEREAS, Apples have become a prominent component of health and fitness programs including the goal of eating five fruits and vegetables a day and the "three-Apples-a-Day Plan";
NOW, THEREFORE, BE IT RESOLVED, That the Senate recognize the valuable contribution that the tree fruit industry makes every year to the production of tasty and nutritious food products and to the economy of the region and of the state; and
BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to the tree fruit industry through the Washington State Horticultural Association.

FORTY-FOURTH DAY, FEBRUARY 22, 2005

7

Senator Parlette spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8626.

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

MOTION

At 12:05 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Monday, February 23, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

Original