

NINTH DAY

NOON SESSION

Senate Chamber, Olympia, Tuesday, January 16, 2007

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

MOTION

On motion of Senator Rockefeller, 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 10, 2007
SGA 9121 LYNN GOODING, appointed September 21, 2006, for the term ending at the governor's pleasure, as a Director of the Pollution Liability Insurance Program. Reported by Committee on Economic Development, Trade & Management

MAJORITY recommendation: Without recommendation. Signed by Senators Kastama, Chair; Kilmer, Vice Chair; Clements, Kauffman, Shin and Zarelli

Passed to Committee on Water, Energy & Telecommunications.

MOTION

On motion of Senator Rockefeller, the measure listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE GOVERNOR
 GUBERNATORIAL APPOINTMENTS

August 19, 2004
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

HAROLD ABBE, appointed August 11, 2004, for the term ending June 12, 2008, as Member of the Columbia River Gorge Commission.

Sincerely,
 GARY LOCKE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

February 10, 2005
 TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

VINCE ADDINGTON, reappointed December 3, 2004, for the term ending December 26, 2008, as Member of the Board of Pilotage Commissioners.

Sincerely,
 GARY LOCKE, Governor

Referred to Committee on Transportation.

July 31, 2003

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

FRANK L. CASSIDY, JR, reappointed July 16, 2003, for the term ending July 15, 2007, as Member of the Salmon Recovery Funding Board.

Sincerely,
 GARY LOCKE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

December 21, 2004

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KENNETH CHEW, reappointed January 1, 2005, for the term ending December 31, 2010, as Member of the Fish and Wildlife Commission.

Sincerely,
 GARY LOCKE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

December 27, 2004

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

KAREN DAUBERT, reappointed December 15, 2004, for the term ending December 31, 2007, as Member of the Interagency Committee for Outdoor Recreation.

Sincerely,
 GARY LOCKE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

January 15, 2007

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOHN DRISCOLL, reappointed December 7, 2006, for the term ending July 1, 2011, as Member, Board of Trustees, State School for the Blind.

Sincerely,
 CHRISTINE O. GREGOIRE, Governor

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

January 25, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON
 Ladies and Gentlemen:

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I have the honor to submit the following appointment, subject to your confirmation.

JERRY GUTZWILER, appointed March 15, 2005, for the term ending December 31, 2008, as Member of the Fish and Wildlife Commission.

Sincerely,
CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

January 11, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

PATRICK M. HANNIGAN, appointed February 10, 2005, for the term ending December 26, 2008, as Member of the Board of Pilotage Commissioners.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Transportation.

June 15, 2003

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JANE L. JACOBSEN, reappointed June 13, 2003, for the term ending June 12, 2007, as Member of the Columbia River Gorge Commission.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

October 24, 2003

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

CRAIG LEE, reappointed October 24, 2003, for the term ending December 26, 2007, as Member of the Board of Pilotage Commissioners.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Transportation.

January 16, 2007

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

LORRAINE LEE, appointed November 16, 2006, for the term ending January 15, 2011, as a Chair of the Liquor Control Board.

Sincerely,
CHRISTINE O. GREGOIRE, Governor

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

December 14, 2004

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

OLIVER E. MACKEY, reappointed December 3, 2004, for the term ending December 26, 2008, as Member of the Board of Pilotage Commissioners.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Transportation.

July 15, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

RICHARD MCIVER, reappointed July 15, 2005, for the term ending June 30, 2009, as Member of the Housing Finance Commission.

Sincerely,
CHRISTINE O. GREGOIRE, Governor
Referred to Committee on Consumer Protection & Housing.

January 13, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

VAL OGDEN, reappointed January 4, 2006, for the term ending December 31, 2008, as a Chair of the Interagency Committee for Outdoor Recreation.

Sincerely,
CHRISTINE O. GREGOIRE, Governor
Referred to Committee on Natural Resources, Ocean & Recreation.

January 11, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JEFF PARSONS, appointed February 10, 2005, for the term ending December 31, 2007, as Member of the Interagency Committee for Outdoor Recreation.

Sincerely,
GARY LOCKE, Governor
Referred to Committee on Natural Resources, Ocean & Recreation.

January 10, 2006

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOE RYAN, appointed January 9, 2006, for the term ending July 15, 2009, as Member of the Salmon Recovery Funding Board.

Sincerely,
CHRISTINE O. GREGOIRE, Governor
Referred to Committee on Natural Resources, Ocean & Recreation.

June 28, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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I have the honor to submit the following appointment, subject to your confirmation.

HONNA SHEFFIELD, appointed June 12, 2005, for the term ending June 11, 2009, as Member of the Columbia River Gorge Commission.

Sincerely,
CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

January 4, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

FRED A. SHIOSAKI, reappointed March 14, 2005, for the term ending December 31, 2010, as Member of the Fish and Wildlife Commission.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

March 29, 2005

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

SHIRLEY SOLOMON, appointed March 15, 2005, for the term ending December 31, 2008, as Member of the Fish and Wildlife Commission.

Sincerely,
CHRISTINE O. GREGOIRE, Governor

Referred to Committee on Natural Resources, Ocean & Recreation.

May 10, 2002

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following reappointment, subject to your confirmation.

JOHN P. SULLIVAN, reappointed June 16, 2002, for the term ending June 15, 2007, as Member of the Marine Employees' Commission.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Transportation.

October 13, 2003

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

I have the honor to submit the following appointment, subject to your confirmation.

JOHN SWANSON, appointed October 10, 2003, for the term ending June 15, 2008, as a Chair of the Marine Employees' Commission.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Transportation.

January 28, 2004

TO THE HONORABLE, THE SENATE OF THE STATE OF WASHINGTON

Ladies and Gentlemen:

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I have the honor to submit the following appointment, subject to your confirmation.

RAYMOND C. REICKERS, appointed January 26, 2004, for the term ending June 30, 2007, as Member of the Housing Finance Commission.

Sincerely,
GARY LOCKE, Governor

Referred to Committee on Consumer Protection & Housing.

MOTION

On motion of Senator Rockefeller, all appointees listed on the Gubernatorial Appointments report were referred to the committees as designated.

MOTION

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

INTRODUCTION AND FIRST READING

SB 5281 by Senators Clements, Rasmussen, Schoesler, Honeyford and Roach

AN ACT Relating to the interest rate calculation on property removed from current use classification; amending RCW 84.34.108; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5282 by Senators Murray, Haugen, Pflug, Jacobsen, Tom and Shin

AN ACT Relating to a single ballot proposition for regional transportation investment districts and regional transit authorities at the 2007 general election; amending RCW 36.120.070 and 81.112.030; adding a new section to chapter 29A.36 RCW; creating new sections; and declaring an emergency.

Referred to Committee on Transportation.

SB 5283 by Senators Weinstein, Jacobsen and Kline

AN ACT Relating to the acquisition of insurance for regional transit authority projects over one hundred million dollars; and amending RCW 81.112.060.

Referred to Committee on Transportation.

SB 5284 by Senators Keiser, Franklin and Kohl-Welles

AN ACT Relating to eligibility for long-term care services; and adding a new section to chapter 74.04 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5285 by Senator Keiser

AN ACT Relating to residential services and support enforcement standards; reenacting RCW 71A.12.270; creating a new section; and recodifying RCW 71A.12.270.

Referred to Committee on Health & Long-Term Care.

SB 5286 by Senators Rockefeller, Pridemore, Murray, Regala, Hobbs, Kilmer and Kohl-Welles

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AN ACT Relating to state financial assistance programs contributing to Puget Sound water quality cleanup; amending RCW 70.146.020, 70.146.070, and 90.50A.010; adding a new section to chapter 70.146 RCW; adding a new section to chapter 90.50A RCW; adding a new section to chapter 90.71 RCW; and providing an effective date.

Referred to Committee on Water, Energy & Telecommunications.

SB 5287 by Senators Rockefeller, Poulsen, Kilmer, Regala, Murray, Shin, Kline and Kohl-Welles

AN ACT Relating to renewable energy; adding a new section to chapter 43.19 RCW; and creating a new section.

Referred to Committee on Water, Energy & Telecommunications.

SB 5288 by Senators Kohl-Welles, Murray, McAuliffe, Weinstein, Shin and Rasmussen

AN ACT Relating to including cyberbullying in school district harassment prevention policies; and amending RCW 28A.300.285.

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

SB 5289 by Senators Kilmer, Swecker, Kastama, Kauffman, Shin, Clements, Rockefeller, Hobbs, Franklin, Honeyford and Rasmussen

AN ACT Relating to state contracts with veteran-owned businesses; amending RCW 43.60A.010, 43.19.536, 39.80.040, and 47.28.030; adding new sections to chapter 43.60A RCW; adding a new section to chapter 43.19 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 39.04 RCW; adding a new section to chapter 39.29 RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

SB 5290 by Senators Keiser, Kohl-Welles and Clements

AN ACT Relating to industrial insurance medical and chiropractic advisory committees for the department of labor and industries; and adding new sections to chapter 51.36 RCW.

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

SB 5291 by Senators Murray and Kohl-Welles

AN ACT Relating to workers excluded from prevailing wages on public works provisions; and amending RCW 39.12.020.

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

SB 5292 by Senators Fairley, Roach, Kohl-Welles, Keiser and Parlette

AN ACT Relating to physical therapist assistants; amending RCW 18.74.010, 18.74.020, 18.74.030, 18.74.035,

18.74.040, 18.74.060, 18.74.070, 18.74.073, 18.74.090, 18.74.120, 18.74.130, 18.74.150, 18.74.160, and 18.74.170; and adding new sections to chapter 18.74 RCW.

Referred to Committee on Health & Long-Term Care.

SB 5293 by Senators Franklin, Fairley, Keiser and Kohl-Welles

AN ACT Relating to dental hygiene; and amending RCW 18.29.056 and 18.29.220.

Referred to Committee on Health & Long-Term Care.

SB 5294 by Senators Spanel, Jacobsen, Fairley, Regala, Kline, Pridemore and Brandland

AN ACT Relating to the considerations of corporate directors in exercising their duties; and amending RCW 23B.08.300.

Referred to Committee on Judiciary.

SB 5295 by Senators Kastama, Swecker, Fraser, Kohl-Welles, Marr, Regala, Rasmussen and McAuliffe

AN ACT Relating to creating an office of corrections ombudsman; and adding a new chapter to Title 43 RCW.

Referred to Committee on Human Services & Corrections.

SB 5296 by Senators Kastama, Swecker, Rasmussen, Hobbs, Franklin and Kline

AN ACT Relating to establishing the emergency management, preparedness, and assistance account; amending RCW 48.18.170 and 48.18.180; adding new sections to chapter 38.52 RCW; creating new sections; and providing an effective date.

Referred to Committee on Government Operations & Elections.

SB 5297 by Senators Haugen, Tom, Prentice, Keiser, Pridemore, Murray, Regala, Fraser, Kilmer, Rockefeller, McAuliffe, Shin, Weinstein, Kline, Marr and Kohl-Welles

AN ACT Relating to providing medically and scientifically accurate sexual health education in schools; adding a new section to chapter 28A.300 RCW; and creating new sections.

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

SB 5298 by Senators Haugen and Swecker

AN ACT Relating to the regulation of transportation providers; amending RCW 80.01.040, 81.04.010, 81.04.080, 81.04.130, 81.04.150, 81.04.160, 81.04.220, 81.04.240, 81.04.250, 81.04.270, 81.04.280, 81.04.300, 81.04.330, 81.04.350, 81.04.360, 81.08.010, 81.12.010, 81.16.010, 81.24.010, 81.28.010, 81.28.020, 81.28.030, 81.28.040, 81.28.050, 81.28.080, 81.28.180, 81.28.190, 81.28.200, 81.28.210, 81.28.220, 81.28.230, 81.28.250, 81.28.260, 81.29.010, 81.29.020, 81.44.010, 81.44.020, 81.44.040, 81.61.020, 81.66.040, 81.66.060, 81.68.010, 81.68.015, 81.68.020, 81.68.040, 81.68.060, 81.68.065, 81.68.080, 81.68.090, 81.70.020, 81.70.030, 81.70.230,

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81.70.250, 81.70.280, 81.70.290, 81.70.320, 81.70.330, 81.70.340, 81.77.010, 81.77.040, 81.77.100, 81.80.010, 81.80.020, 81.80.045, 81.80.060, 81.80.070, 81.80.080, 81.80.130, 81.80.140, 81.80.150, 81.80.170, 81.80.190, 81.80.220, 81.80.230, 81.80.250, 81.80.260, 81.80.270, 81.80.272, 81.80.280, 81.80.305, 81.80.330, 81.80.370, 81.80.371, 81.80.430, 81.84.020, 47.76.230, 47.76.240, 81.68.030, 81.84.060, 79A.40.100, 81.53.261, and 15.66.270; reenacting and amending RCW 81.84.010; adding new sections to chapter 81.04 RCW; adding a new section to chapter 81.66 RCW; adding a new section to chapter 81.68 RCW; adding a new section to chapter 81.70 RCW; adding a new section to chapter 81.77 RCW; adding a new section to chapter 81.80 RCW; adding a new section to chapter 81.48 RCW; recodifying RCW 81.56.120; and repealing RCW 15.65.610, 81.04.170, 81.04.180, 81.04.190, 81.04.520, 81.08.070, 81.36.070, 81.40.040, 81.40.100, 81.44.031, 81.44.032, 81.44.050, 81.44.060, 81.44.065, 81.44.091, 81.44.092, 81.44.093, 81.44.094, 81.44.095, 81.44.096, 81.44.097, 81.44.0971, 81.44.0972, 81.44.098, 81.44.0981, 81.44.0982, 81.44.099, 81.44.100, 81.44.101, 81.44.102, 81.44.103, 81.44.104, 81.44.105, 81.44.110, 81.44.120, 81.48.010, 81.48.015, 81.52.010, 81.52.020, 81.52.030, 81.52.040, 81.56.010, 81.56.020, 81.56.030, 81.56.040, 81.56.050, 81.56.060, 81.56.070, 81.56.080, 81.56.100, 81.56.110, 81.56.130, 81.56.140, 81.56.150, 81.56.160, 81.68.070, 81.70.300, 81.77.015, 81.77.070, 81.80.030, 81.80.175, 81.80.240, 81.80.301, 81.80.312, 81.80.318, 81.80.340, 81.80.346, 81.80.375, 81.80.380, 81.80.381, 81.80.391, 81.80.395, 81.80.400, 81.80.410, 81.80.420, 81.80.440, 81.80.450, and 81.80.460.

Referred to Committee on Transportation.

SB 5299 by Senators Haugen and Swecker

AN ACT Relating to the intervention authority of the department of transportation on railroad shipping matters; amending RCW 47.76.240; and repealing RCW 81.28.250.

Referred to Committee on Transportation.

SB 5300 by Senator Jacobsen

AN ACT Relating to health and safety standards for employee's airline seats; adding a new section to chapter 49.17 RCW; and creating a new section.

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

SB 5301 by Senators Haugen and Rasmussen

AN ACT Relating to voluntary measures to protect critical areas; amending RCW 36.70A.070; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5302 by Senators Haugen and Rasmussen

AN ACT Relating to limiting the assessed value of real property to the lesser of the property's current assessed value or a five percent increase from the previous year's assessed value; amending RCW 84.04.030, 84.40.020, 84.40.030, 84.40.040, 84.40.045, 84.41.041, 84.48.010, 84.48.065, 84.48.080, 84.12.270, 84.12.280, 84.12.310, 84.12.330, 84.12.350, 84.16.040, 84.16.050, 84.16.090, 84.16.110,

84.16.120, 84.36.041, 84.52.063, and 84.70.010; adding a new section to chapter 84.40 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Government Operations & Elections.

SB 5303 by Senators Haugen, Holmquist, Jacobsen and Swecker

AN ACT Relating to examination requirements for a certificate of ownership; and amending RCW 46.12.030.

Referred to Committee on Transportation.

SB 5304 by Senators Eide, Tom, Haugen, Shin and Kline

AN ACT Relating to special fuel taxes; and amending RCW 82.38.080.

Referred to Committee on Transportation.

SB 5305 by Senators Franklin, Hargrove, Brandland, Eide, Hobbs, Spanel, Swecker, McAuliffe, Regala, Kauffman, Kohl-Welles, Fairley, Tom, Murray, Zarelli, Jacobsen, Keiser, Shin, Honeyford, Parlette, Rasmussen, Roach, Kline and Marr

AN ACT Relating to extending medicaid coverage for foster youth; amending RCW 74.09.530; reenacting and amending RCW 74.09.510; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5306 by Senators Regala, Stevens, Hargrove and Kline

AN ACT Relating to earned release time; and amending RCW 9.94A.728.

Referred to Committee on Human Services & Corrections.

SB 5307 by Senators Hargrove, Stevens, Regala, Hatfield and Kohl-Welles

AN ACT Relating to the protection of employees, contract staff, and volunteers of a correctional agency from stalking; and amending RCW 9A.46.110.

Referred to Committee on Human Services & Corrections.

SB 5308 by Senators Clements, Holmquist and Honeyford

AN ACT Relating to making a claim for worker's compensation; amending RCW 51.28.020; and providing an effective date.

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

SJR 8213 by Senators Haugen, Franklin and Rasmussen

Limiting the amount that the assessed value of real property may increase in any one year.

Referred to Committee on Government Operations & Elections.

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MOTION

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

MOTION

At 12:03 p.m., on motion of Senator Rockefeller, the Senate adjourned until 11:30 a.m. Wednesday, January 17, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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