

TWENTY-NINTH DAY

NOON SESSION

Senate Chamber, Olympia, February 7, 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 5154 Prime Sponsor, Pridemore: Changing the leasehold excise tax exemption for certain historical property. Reported by
Committee on Government Operations & Elections February 3, 2005

MAJORITY recommendation: That Substitute Senate Bill No. 5154 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

Passed to Committee on Ways & Means.

SB 5337 Prime Sponsor, Rockefeller: Concerning metropolitan park districts. Reported by Committee on Government Operations
& Elections February 3, 2005

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

Passed to Committee on Rules for second reading.

SB 5373 Prime Sponsor, Berkey: Allowing the state purchasing and material control director to receive electronic and web-based
bids. Reported by Committee on Government Operations & Elections February 3, 2005

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

Passed to Committee on Rules for second reading.

MOTION

On motion of Senator Eide, all measures listed on the Standing Committee report were referred to the committees as designated.

MOTION

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

MESSAGE FROM THE HOUSE

February 4, 2005

MR. PRESIDENT:

The House has passed the following bill{s):

HOUSE BILL NO. 1024,
HOUSE BILL NO. 1125,
HOUSE BILL NO. 1139,
HOUSE BILL NO. 1183,
HOUSE BILL NO. 1202,
HOUSE BILL NO. 1206,

and the same are 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 5768 by Senators Kastama, Roach, Rockefeller, Esser, Prentice, Weinstein, Kline, Delvin and Rasmussen

AN ACT Relating to alternative public works contracting procedures; and reenacting and amending RCW 39.10.020.

Referred to Committee on Government Operations & Elections.

SB 5769 by Senators Fraser, Franklin and Rasmussen

AN ACT Relating to requirements for voter-approved regular property tax levies; and amending RCW 84.55.050.

Referred to Committee on Government Operations & Elections.

SB 5770 by Senator Berkey

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

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

SB 5771 by Senators Thibaudeau, Keiser and Kohl-Welles

AN ACT Relating to insurance coverage for neurodevelopmental therapies; and amending RCW 41.05.170, 48.21.310, 48.44.450, and 48.46.520.

Referred to Committee on Health & Long-Term Care.

SB 5772 by Senators Kastama, McCaslin, Berkey, Esser, Benton and Kline

AN ACT Relating to creating the growth management infrastructure account; amending RCW 43.84.092; reenacting and amending RCW 43.84.092; adding new sections to chapter 36.70A RCW; creating new sections; providing an effective date; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

SB 5773 by Senators Fraser, Fairley, Kohl-Welles, Rockefeller, Kline and Pridemore

AN ACT Relating to protecting homeowners who hire contractors to remodel or build their homes; amending RCW 60.04.021, 60.04.250, 18.27.020, 60.04.035, 60.04.011, 60.04.031, 18.27.030, and 18.27.040; adding new sections to chapter 60.04 RCW; creating a new section; and prescribing penalties.

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

SB 5774 by Senators Poulsen and Parlette

AN ACT Relating to employee wages and benefits; amending RCW 49.46.010 and 49.46.020; adding a new section to chapter 49.46 RCW; providing an expiration date; and declaring an emergency.

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

SB 5775 by Senator Mulliken

AN ACT Relating to the creation of a small city or town street improvement program; adding a new section to chapter 47.26 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 5776 by Senators Rasmussen, Deccio, Jacobsen, Mulliken, Shin, Zarelli, Hewitt, Morton and Honeyford

AN ACT Relating to extending the date when counties which have authorized facilities for agriculture promotion must allow a credit for city lodging taxes; and amending RCW 67.28.180.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5777 by Senators Kohl-Welles, Pridemore, Shin, Franklin, Kastama, Regala, Kline, Poulsen, Thibaudeau, Keiser, Eide, Prentice and Berkey

AN ACT Relating to prohibiting the offshoring of work under state contracts; amending RCW 39.29.008, 41.06.142, and 43.19.1911; adding a new section to chapter 39.29 RCW; creating new sections; providing an effective date; and declaring an emergency.

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

SB 5778 by Senators Pridemore, Zarelli and Prentice

AN ACT Relating to the taxation of sales of food and food ingredients sold through vending machines; and amending RCW 82.08.0293.

Referred to Committee on Ways & Means.

SB 5779 by Senators Prentice, Rasmussen, Doumit and Kohl-Welles

AN ACT Relating to the business and occupation taxation of slaughtering, breaking and/or processing perishable meat products; reenacting and amending RCW 82.04.260; creating new sections; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5780 by Senators Prentice, Zarelli, Fairley and Rasmussen

AN ACT Relating to technical improvements to the medicaid nursing home rate setting process; and amending RCW 74.46.431, 74.46.506, and 43.20B.695.

Referred to Committee on Ways & Means.

SB 5781 by Senators Fraser, Benton, Pflug, Regala, Zarelli, Rasmussen, Keiser, Kline, Haugen, Roach, Prentice, Jacobsen and Kohl-Welles

AN ACT Relating to retired local government employees; amending RCW 41.05.011, 41.04.208, 41.05.022, 41.05.080, and 41.05.120; adding a new section to chapter 41.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5782 by Senators Shin, Prentice, Franklin, Kline, Kohl-Welles and Berkey

AN ACT Relating to the linked deposit program; amending RCW 43.86A.030, 43.86A.060, 39.19.240, and 43.63A.690; adding a new section to chapter 43.86A RCW; creating a new section; and repealing RCW 43.131.381 and 43.131.382.

Referred to Committee on International Trade & Economic Development.

SB 5783 by Senators Sheldon, Delvin, Zarelli, Mulliken, Hewitt, Hargrove, Carrell and Benton

AN ACT Relating to motorcycle helmet use; and amending RCW 46.37.530 and 46.37.535.

Referred to Committee on Transportation.

SB 5784 by Senators Fraser, Kastama, Haugen, Schmidt, Pridemore, Roach, Jacobsen, Kohl-Welles, Kline and McAuliffe

AN ACT Relating to electing to receive remuneration for sick leave at time of separation or dismissal; and amending RCW 41.04.340.

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

SB 5785 by Senators Fairley, Kline, Keiser, Franklin, Prentice, Rockefeller, Kohl-Welles and McAuliffe

AN ACT Relating to stabilizing the cost of medical malpractice insurance; adding a new chapter to Title 48 RCW; prescribing penalties; and declaring an emergency.

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

SB 5786 by Senators Weinstein, Pridemore, Prentice, Franklin, Keiser, Kline and McAuliffe

AN ACT Relating to county property tax levies for school purposes; amending RCW 29A.36.210, 84.52.043, and 84.55.005; adding a new section to chapter 84.52 RCW; creating a new section; providing an effective date; and declaring an emergency.

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

SB 5787 by Senators Swecker, Kastama, Jacobsen, Oke and Sheldon

AN ACT Relating to marine fin fish aquaculture projects; creating new sections; and declaring an emergency.

Referred to Committee on Natural Resources, Ocean & Recreation.

SB 5788 by Senators Doumit, Kastama, Mulliken, Haugen, Morton, Poulsen, Pridemore and Berkey

AN ACT Relating to ensuring the lawful transport and handling of recyclable materials; amending RCW 70.95.030 and 70.95.305; reenacting and amending RCW 70.95.020; adding new sections to chapter 70.95 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Water, Energy & Environment.

SB 5789 by Senators Prentice and Parlette

AN ACT Relating to authorizing self-insurers to make claim decisions and actively participate in workers' compensation claims; amending RCW 51.04.020, 51.04.030, 51.04.030, 51.04.040, 51.04.085, 51.08.040, 51.08.173, 51.14.110, 51.14.120, 51.14.130, 51.16.120, 51.24.030, 51.24.050, 51.24.060, 51.24.070, 51.24.080, 51.24.090, 51.28.010, 51.28.010, 51.28.020, 51.28.020, 51.28.030, 51.28.030, 51.28.040, 51.28.055, 51.28.055, 51.28.060, 51.28.070, 51.32.010, 51.32.040, 51.32.055, 51.32.055, 51.32.060, 51.32.080, 51.32.095, 51.32.095, 51.32.110, 51.32.160, 51.32.195, 51.32.210, 51.32.240, 51.36.010, 51.36.010, 51.36.015, 51.36.020, 51.36.060, 51.36.060, 51.36.070, 51.48.017, 51.48.040, 51.48.040, 51.48.080, 51.52.050, 51.52.070, and 51.52.080; reenacting and amending RCW 51.52.060; adding a new section to chapter 51.14 RCW; creating a new section; repealing RCW 51.32.190; prescribing penalties; providing effective dates; and providing expiration dates.

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

SB 5790 by Senators Doumit, Schoesler and Pridemore

AN ACT Relating to the taxation of motor vehicles; reenacting and amending RCW 82.12.020; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5791 by Senators Honeyford, Benton, Deccio, Mulliken, Benson and McCaslin

AN ACT Relating to economic development powers of counties and port districts; amending RCW 36.01.085; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Government Operations & Elections.

SB 5792 by Senators Honeyford, Johnson, Benton, Esser, Deccio, Benson, McCaslin and Mulliken

AN ACT Relating to postretirement employment for members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1; amending RCW 41.32.570 and 41.40.037; reenacting and amending RCW 41.40.037; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5793 by Senators Honeyford, Hewitt, Haugen and Mulliken

AN ACT Relating to industrial insurance final settlement agreements; and adding a new section to chapter 51.32 RCW.

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

SB 5794 by Senators Prentice, Swecker, Regala, Franklin, Kohl-Welles, McAuliffe and Rasmussen

AN ACT Relating to authorizing a cigarette taxation agreement between the state of Washington and the Puyallup Indian Tribe; amending RCW 82.08.0316 and 82.12.0316; adding a new section to chapter 43.06 RCW; adding a new section to chapter 82.24 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

SB 5795 by Senators Carrell, Sheldon, McCaslin, Mulliken, Hargrove, Benson, Berkey, Schoesler, Kastama, Honeyford, Esser, Schmidt and Oke

AN ACT Relating to expenditures for works of art; amending RCW 43.17.200; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5796 by Senator Fairley

AN ACT Relating to refund anticipation loans; 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; adding a new chapter to Title 31 RCW; prescribing penalties; and providing an effective date.

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

SB 5797 by Senators Benton, Stevens, Schoesler, Rasmussen, Johnson and Sheldon

AN ACT Relating to school employees' letters of recommendation; and adding a new section to chapter 28A.400 RCW.

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

SB 5798 by Senators Parlette, Shin, Jacobsen, Haugen, Finkbeiner, Kohl-Welles, Mulliken and Rasmussen

AN ACT Relating to tourism promotion; amending RCW 43.330.090 and 43.330.094; creating a new section; and making appropriations.

Referred to Committee on International Trade & Economic Development.

SB 5799 by Senators Keiser, Benson, Poulsen, Zarelli, Schmidt, Esser, Franklin, Pridemore, Rockefeller, Kohl-Welles, Kline and Rasmussen

AN ACT Relating to payment of providers for medically needy consumers; and adding a new section to chapter 74.39A RCW.

Referred to Committee on Health & Long-Term Care.

SB 5800 by Senators Regala, Roach, Franklin, Benson, Haugen, Zarelli, Keiser, Esser, Poulsen, Pridemore, Schmidt, Benton, Rockefeller, McAuliffe and Rasmussen

AN ACT Relating to exempting home care workers' personal information from public disclosure; and reenacting and amending RCW 42.17.310.

Referred to Committee on Health & Long-Term Care.

SB 5801 by Senators Poulsen, Schmidt, Benton, Benson, Zarelli, Keiser, Esser, Pridemore, Thibaudeau and Kohl-Welles

AN ACT Relating to a vendor rate study of home care agencies; and creating a new section.

Referred to Committee on Health & Long-Term Care.

SB 5802 by Senators Kohl-Welles, Delvin, Shin, Spanel, Carrell, Fairley, Keiser, Roach, Jacobsen, Poulsen, Kline, Pridemore, McAuliffe, Weinstein, Eide, Berkey, Rasmussen and Rockefeller

AN ACT Relating to pay equity for part-time community and technical college faculty; and adding a new section to chapter 28B.50 RCW.

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

SB 5803 by Senators McAuliffe, Weinstein, Berkey, Shin, Kohl-Welles, Franklin, Schmidt, Thibaudeau, Eide, Kline, Keiser, Regala, Jacobsen and Rasmussen

AN ACT Relating to internet safety; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

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

SB 5804 by Senators Kohl-Welles, Pridemore, Rockefeller, Shin, Schmidt, Berkey, McAuliffe and Rasmussen

AN ACT Relating to state funding for the enrollments of the state's institutions of higher education; amending RCW 28B.10.776, 28B.10.778, 28B.10.784, and 28B.10.786; creating a new section; and repealing RCW 28B.10.780 and 28B.10.782.

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

SB 5805 by Senators Kohl-Welles, Hargrove, Brown, McAuliffe, Rasmussen and Jacobsen

AN ACT Relating to regulating preschools and kindergartens; reenacting and amending RCW 74.15.020; and adding a new section to chapter 74.15 RCW.

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

SB 5806 by Senators Kohl-Welles, Hargrove, Rasmussen and Jacobsen

AN ACT Relating to child care services; amending RCW 74.15.130; adding new sections to chapter 74.15 RCW; creating a new section; and prescribing penalties.

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 Rasmussen moved adoption of the following resolution:

SENATE RESOLUTION
8621

By Senator Rasmussen

WHEREAS, Autism is a developmental disability that typically appears during the first two years of life and continues through the individual's lifespan; and

WHEREAS, Autism is the fastest-growing developmental disability, affecting 1 million to 1.5 million Americans - 1 in 166 babies born; and

WHEREAS, Many children are not diagnosed until after 3 years of age, often because of lack of recognition of autism characteristics by general practitioners; and

WHEREAS, There are many different characteristics in individuals with autism - delayed or deficient communication, decreased or unresponsive social interaction, unusual reaction to normal stimuli, a lack of spontaneous or imaginative play, and behavioral challenges; and

WHEREAS, There is no known cause and no known cure, however with aggressive and continuous therapy, some individuals can learn to acclimate to their environment and mask symptoms of their disability; and

WHEREAS, All individuals with autism should be included and regarded as valuable members of our community; and

WHEREAS, Autism can create significant stress on the families of those affected by autism; and

WHEREAS, Families, caregivers, advocates, and organizations are striving to bring about positive changes for children and adults with autism; and

WHEREAS, Through research, training, public services, support groups, advocacy, and increased awareness, we will be more understanding, inclusive, and better-equipped to support the growing number of individuals with autism and their families;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and support individuals with autism and acknowledge the tremendous courage that they and their families put forth every day; and

BE IT FURTHER RESOLVED, That a copy of this resolution be immediately transmitted by the Secretary of the Senate to the Honorable Christine Gregoire.

Senator Rasmussen spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8621.

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

MOTION

At 12:06 p.m., on motion of Senator Eide, the Senate adjourned until 12:00 noon, Tuesday, February 8, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate