

**FIFTY-EIGHTH DAY**

**MORNING SESSION**

Senate Chamber, Olympia, Tuesday, March 8, 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 except Senators Pflug, Poulsen, Sheldon and Spanel.

The Sergeant at Arms Color Guard consisting of Pages Kayla Rollinger and Nicole Wind, presented the Colors. Bishop William Skylstad of the Washington State Catholic Conference 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.

**MESSAGES FROM THE STATE OFFICES**

March 7, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Washington Accountability Report, Fiscal Year 2004.

If you have any questions about the report, please call 360-902-0370.

Sincerely,  
Brian Sonntag, State Auditor

The Washington Accountability Report, Fiscal Year 2004 is on file in the Office of the Secretary of the Senate.

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March 7, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Accountability Audit Report, Washington State Barley Commission.

If you have any questions about the report, please call 360-902-0370.

Sincerely,  
Brian Sonntag, State Auditor

The Accountability Audit Report, Washington State Barley Commission is on file in the Office of the Secretary of the Senate.

**MESSAGES FROM THE STATE OFFICES**

March 4, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Financial Statements Audit, Washington State Barley Commission.

If you have any questions about the report, please call 360-902-0370.

Sincerely,  
Brian Sonntag, State Auditor

The Financial Statements Audit, Washington State Barley Commission is on file in the Office of the Secretary of the Senate.

**MESSAGES FROM THE STATE OFFICES**

March 4, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Accountability Audit Report, Washington State Dry Pea & Lentil Commission..

If you have any questions about the report, please call 360-902-0370.

Sincerely,  
Brian Sonntag, State Auditor

The Accountability Audit Report, Washington State Dry Pea & Lentil Commission is on file in the Office of the Secretary of the Senate.

**MESSAGES FROM THE STATE OFFICES**

March 7, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Social & Health Services, "Foster Care Assessment Instrument". This report is mandated under Chamber 232, Laws of 2000, Section 4, RCW 74.14A.050.

If you have any questions about the report, please call 360-902-7993.

Sincerely,  
Diane Inman

The Social & Health Services, "Foster Care Assessment Instrument" is on file in the Office of the Secretary of the Senate.

**MESSAGES FROM THE STATE OFFICES**

February 28, 2005

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482  
Olympia, Washington 98504-0482

Dear Mr. Hoemann:

Enclosed is Family Policy Council. This report is mandated under 70.190.110 RCW.

If you have any questions about the report, please call 360-902-7880.

Sincerely,

Laura Porter, Staff Director

The Family Policy Council is on file in the Office of the Secretary of the Senate.

MESSAGE FROM THE GOVERNOR  
GUBERNATORIAL APPOINTMENTS

March 8, 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.

ALEX BOLTON, appointed July 29, 2004, for the term ending May 31, 2005, as Member, Board of Regents, University of Washington.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

March 8, 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.

BRADY HORENSTEIN, appointed July 21, 2004, for the term ending May 31, 2005, as Member, Board of Regents, Washington State University.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

March 8, 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.

CRYSTAL MANRING, appointed July 22, 2004, for the term ending May 31, 2005, as Member, Board of Trustees, Central Washington University.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

March 8, 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.

KATHLEEN MOFFITT, appointed July 22, 2004, for the term ending May 31, 2005, as Member, Board of Trustees, Eastern Washington University.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

March 8, 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.

ANTHONY ROSE, appointed October 14, 2004, for the term ending June 30, 2005, as Member of the Higher Education Coordinating Board.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

March 8, 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.

MAYA TOMLIN, appointed July 21, 2004, for the term ending May 31, 2005, as Member, Board of Trustees, Western Washington University.

Sincerely,

CHRISTINE O. GREGOIRE, Governor

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

MOTION

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

MOTION

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

MESSAGE FROM THE HOUSE

March 7, 2005

MR. PRESIDENT:

The House has passed the following bill{s}:  
SUBSTITUTE HOUSE BILL NO. 1075,  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1151,  
SUBSTITUTE HOUSE BILL NO. 1281,  
HOUSE BILL NO. 1287,  
HOUSE BILL NO. 1303,  
SUBSTITUTE HOUSE BILL NO. 1320,  
HOUSE BILL NO. 1321,  
HOUSE BILL NO. 1382,  
SUBSTITUTE HOUSE BILL NO. 1406,  
HOUSE BILL NO. 1407,  
SUBSTITUTE HOUSE BILL NO. 1708,  
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

MOTION

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

## INTRODUCTION AND FIRST READING OF HOUSE BILLS

EHB 1003 by Representatives Hinkle, B. Sullivan, Curtis, Campbell, Blake, Dunn and Condotta

AN ACT Relating to the operation of off-road vehicles on roadways; amending RCW 46.09.010, 46.09.120, and 46.37.010; reenacting and amending RCW 46.16.010; adding new sections to chapter 46.09 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 1007 by Representatives Hunt, Alexander, Sommers, Kenney and Chase

AN ACT Relating to establishing a commemorative works account for the department of general administration; reenacting and amending RCW 43.79A.040; and adding a new section to chapter 43.19 RCW.

Referred to Committee on Ways & Means.

HB 1032 by Representatives Kirby, Roach, Simpson and Schual-Berke

AN ACT Relating to adopting the interstate insurance product regulation compact; and adding a new chapter to Title 48 RCW.

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

HB 1051 by Representatives Murray and Ericksen; by request of Legislative Ethics Board

AN ACT Relating to ethics complaints; and amending RCW 42.52.425 and 42.52.450.

Referred to Committee on Government Operations & Elections.

SHB 1075 by House Committee on Health Care (originally sponsored by Representatives Kenney, Morrell, Campbell, Cody, Santos, Skinner, Green, Bailey, Schual-Berke and Chase)

AN ACT Relating to the nursing care quality assurance commission; and amending RCW 18.79.070.

Referred to Committee on Health & Long-Term Care.

SHB 1090 by House Committee on Transportation (originally sponsored by Representatives Hudgins, Jarrett, Sommers, Bailey, Morris, Strow, Nixon, Kenney, Hasegawa, Lantz, Flannigan, Santos, Murray, Wood, Upthegrove, Dickerson, B. Sullivan, Schual-Berke, Cody, Pettigrew, Conway, Simpson, Woods, McIntire, Kagi, Chase, Tom, Morrell and Kilmer)

AN ACT Relating to transportation system signage using icons and pictograms; adding a new section to chapter 35.95A RCW; adding a new section to chapter 81.112 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1112 by Representatives Quall, Bailey, Morris, Strow, Kristiansen and Pearson

AN ACT Relating to superior court judges; amending RCW 2.08.063; and creating a new section.

Referred to Committee on Judiciary.

HB 1124 by Representatives Eickmeyer, Buck, Blake, Upthegrove, B. Sullivan, Chase and Dunshee

AN ACT Relating to authorizing the use of signs, banners, or decorations over highways under limited circumstances; amending RCW 47.36.030 and 47.42.020; and declaring an emergency.

Referred to Committee on Transportation.

SHB 1132 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Nixon, Haigh and Shabro)

AN ACT Relating to filing declarations of candidacy; and amending RCW 29A.24.070 and 29A.24.091.

Referred to Committee on Government Operations & Elections.

SHB 1133 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Nixon, Haigh and Shabro)

AN ACT Relating to creating the public records act by recodifying and making technical changes to existing law; amending RCW 2.64.111, 9.41.097, 9.41.129, 10.29.030, 10.29.090, 10.97.080, 10.97.140, 10.98.200, 10.99.090, 13.40.570, 15.19.080, 15.26.295, 15.28.315, 15.44.185, 15.58.060, 15.65.203, 15.66.105, 15.86.110, 15.88.170, 16.67.180, 18.27.120, 18.32.040, 18.39.450, 18.44.031, 18.51.290, 18.64.420, 18.71.0195, 18.71.340, 18.106.320, 18.130.085, 18.130.095, 18.130.110, 18.130.175, 19.28.171, 19.34.240, 19.80.065, 19.230.190, 21.20.855, 21.30.170, 22.09.640, 26.12.170, 26.23.120, 27.53.070, 28A.320.160, 28A.410.095, 28B.85.020, 28C.10.050, 29A.04.225, 29A.60.070, 29A.60.140, 30.04.075, 30.04.230, 30.04.410, 31.12.565, 31.45.030, 31.45.077, 31.45.090, 32.04.220, 32.32.228, 32.32.275, 33.04.110, 34.05.325, 35.02.130, 35.21.228, 35.21.759, 35.102.040, 35A.21.300, 36.01.210, 36.28A.060, 36.57.120, 36.57A.170, 36.70B.220, 36.70C.120, 36.102.200, 39.10.100, 40.07.040, 41.05.026, 41.06.160, 41.06.167, 41.06.450, 41.06.455, 42.17.245, 42.17.251, 42.17.260, 42.17.270, 42.17.305, 42.17.311, 42.17.340, 42.17.341, 42.17.348, 42.48.030, 42.52.050, 42.52.810, 43.06A.050, 43.21L.120, 43.22.434, 43.33A.025, 43.43.856, 43.52.570, 43.52.612, 43.70.050, 43.70.510, 44.05.080, 46.12.380, 46.12.390, 46.20.041, 46.20.118, 47.64.220, 48.02.065, 48.20.530, 48.21.330, 48.30A.060, 48.32A.185, 48.44.470, 48.46.540, 48.62.101, 48.94.010, 48.104.050, 50.13.015, 50.13.030, 50.13.040, 50.13.060, 50.13.080, 50.38.060, 51.36.120, 52.14.100, 69.41.044, 69.41.280, 69.45.090, 70.02.090, 70.38.095, 70.41.150, 70.44.315, 70.45.030, 70.47.150, 70.77.455, 70.95C.220, 70.102.020, 70.120.100, 70.148.060, 70.149.090, 70.168.070, 70.168.090, 70.190.060, 72.09.116, 72.09.225, 73.04.030, 74.09A.020, 74.13.500, 74.13.515, 74.13.525, 74.34.063, 74.39A.200, 74.46.820, 76.09.060, 80.04.095, 81.104.115, 81.112.180, 82.32.410, 84.08.210, 84.40.020, 90.14.068, and 90.80.135; reenacting and amending RCW 66.28.180, 71.05.390, 82.32.330, and 42.17.310; adding a new chapter to Title 42 RCW; creating new sections; recodifying RCW 42.17.250,

42.17.251, 42.17.255, 42.17.258, 42.17.260, 42.17.270, 42.17.280, 42.17.290, 42.17.295, 42.17.300, 42.17.305, 42.17.310, 42.17.311, 42.17.320, 42.17.325, 42.17.330, 42.17.340, 42.17.341, and 42.17.348; repealing RCW 42.17.312, 42.17.313, 42.17.314, 42.17.315, 42.17.316, 42.17.317, 42.17.318, 42.17.319, 42.17.31901, 42.17.31902, 42.17.31903, 42.17.31904, 42.17.31905, 42.17.31906, 42.17.31907, 42.17.31908, 42.17.31909, 42.17.31910, 42.17.31911, 42.17.31912, 42.17.31913, 42.17.31914, 42.17.31915, 42.17.31916, 42.17.31917, 42.17.31918, 42.17.31919, 42.17.31920, and 42.17.31921; and providing an effective date.

Referred to Committee on Government Operations & Elections.

HB 1141 by Representatives Conway, Tom, Wood, Buri, Miloscia, Condotta, Armstrong and Kenney

AN ACT Relating to the Washington real estate research account; amending RCW 18.85.520, 18.85.530, and 18.85.540; and providing expiration dates.

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

ESHB 1151 by House Committee on Judiciary (originally sponsored by Representatives Lovick, Campbell, Lantz, Jarrett, Simpson, Williams, Murray and B. Sullivan)

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 Judiciary.

SHB 1158 by House Committee on Local Government (originally sponsored by Representatives Takko and Alexander)

AN ACT Relating to county treasurer administrative changes; amending RCW 1.12.070, 36.29.010, 63.29.020, 63.29.190, 82.02.020, 84.56.020, 84.56.310, and 84.69.020; adding a new section to chapter 84.56 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SHB 1174 by House Committee on Higher Education (originally sponsored by Representatives McCoy, Campbell, Morrell, Chase, Condotta, Hunt, Appleton, Hudgins, Armstrong, Hinkle, Conway, Lantz, Ormsby, Haigh and Uptegrove)

AN ACT Relating to tuition waivers at institutions of higher education; amending RCW 28B.15.380 and 28B.15.910; adding a new section to chapter 28B.15 RCW; and repealing RCW 28B.10.265, 28B.15.620, 28B.15.625, 28B.15.628, and 28B.15.629.

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

SHB 1179 by House Committee on Transportation (originally sponsored by Representatives Murray, Shabro, Wallace, Woods, Jarrett, Simpson, Springer, Dickerson, Quall, Armstrong, Kenney, Clibborn and McIntire)

AN ACT Relating to high-occupancy toll lanes; amending RCW 43.84.092; reenacting and amending RCW 42.17.310, 42.17.310, and 43.84.092; adding new sections to chapter

47.56 RCW; adding a new section to chapter 47.66 RCW; creating new sections; prescribing penalties; providing effective dates; providing expiration dates; and declaring an emergency.

Referred to Committee on Transportation.

SHB 1214 by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Blake and Uptegrove)

AN ACT Relating to food fish and shellfish commercial licenses; and amending RCW 77.65.010, 77.65.170, 77.65.190, 77.65.210, and 77.65.390.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 1235 by Representatives O'Brien, Nixon, Lovick, Ericks, Clements, Shabro, Darneille, Miloscia and Springer

AN ACT Relating to homeless encampment siting consultation between counties, cities, and towns; and adding a new section to chapter 36.01 RCW.

Referred to Committee on Government Operations & Elections.

SHB 1266 by House Committee on Transportation (originally sponsored by Representatives Murray, Woods and Kenney)

AN ACT Relating to positive drug or alcohol test results of commercial motor vehicle operators; amending RCW 46.25.010, 46.25.123, 46.25.125, and 46.25.090; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

ESHB 1272 by House Committee on Capital Budget (originally sponsored by Representatives Dunshee, Jarrett, Linville, Nixon, Hunt, Rodne, Strow, Tom, McDermott, Sommers, Appleton, Simpson, Dickerson, Lovick, Hasegawa, Sells, Cody, Morrell, Chase, Hudgins, B. Sullivan, Schual-Berke, Williams, Lantz, Kilmer, Moeller, Roberts, Uptegrove, McCoy, Hunter, Darneille, Miloscia, Green, O'Brien, P. Sullivan, Anderson, Kenney, Murray, Wallace, Ormsby, Haigh, Kagi and McIntire)

AN ACT Relating to high-performance green buildings; adding new sections to chapter 28A.150 RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 39.04 RCW; and adding a new chapter to Title 39 RCW.

Referred to Committee on Water, Energy & Environment.

SHB 1281 by House Committee on Children & Family Services (originally sponsored by Representatives Pettigrew, Hinkle, Kagi, Walsh, Schual-Berke, McDonald, Clibborn, Dickerson, Dunn, P. Sullivan, Orcutt, Darneille, Morrell, Campbell, Wallace and Chase)

AN ACT Relating to adding to the list of persons who may give informed consent to medical care for minors and providing immunity to health care providers and facilities for reliance on the representation of a person claiming to be responsible for the care of the minor; amending RCW 7.70.065; and creating a new section.

Referred to Committee on Human Services & Corrections.

ESHB 1282 by House Committee on Health Care (originally sponsored by Representatives Schual-Berke, Tom, Cody, Jarrett, Fromhold, Hankins, Appleton, Haler, Murray, Nixon, Dickerson, Kagi, Hasegawa, Roberts, Springer, DeBolt, Lantz, Chase, Hunter, Upthegrove, Darnelle, Moeller, Morrell, Hunt, Simpson, Williams, Green, Wood, Kenney, Wallace, Linville, Ormsby, Kilmer, Haigh, Santos, McIntire and Walsh)

AN ACT Relating to sexual health education; adding a new section to chapter 70.24 RCW; and creating new sections.

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

HB 1286 by Representatives Cody, Simpson, Morrell and Kenney

AN ACT Relating to creating the medical flexible spending account; amending RCW 41.05.011 and 41.05.120; and adding new sections to chapter 41.05 RCW.

Referred to Committee on Ways & Means.

HB 1287 by Representatives Cody, Morrell, Schual-Berke and Moeller

AN ACT Relating to authorizing the health care authority to receive a federal employer subsidy for continuing to provide a pharmacy benefit to retirees; amending RCW 41.05.065 and 41.05.085; adding a new section to chapter 41.05 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1303 by Representatives Appleton, Woods and B. Sullivan

AN ACT Relating to metropolitan park districts; amending RCW 35.61.290, 35.61.300, and 36.69.310; creating a new section; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SHB 1304 by House Committee on Judiciary (originally sponsored by Representatives Kessler, O'Brien, Lantz, Tom, Lovick, Pearson, Hunt, Moeller, Kirby, Kristiansen, Hunter, Condotta, Dunshee, Nixon, Springer, Jarrett, Simpson, Kilmer, Upthegrove, Williams, Linville, Kenney and Dickerson)

AN ACT Relating to animal cruelty; amending RCW 16.52.205 and 16.52.207; and prescribing penalties.

Referred to Committee on Judiciary.

SHB 1320 by House Committee on Appropriations (originally sponsored by Representatives Alexander, Conway, Crouse, Simpson, Upthegrove and Chase)

AN ACT Relating to vesting after five years of service in the defined benefit portion of the public employees' retirement system, the school employees' retirement system, and the teachers' retirement system plan 3; amending RCW 41.32.875, 41.35.680, and 41.40.820; and creating a new section.

Referred to Committee on Ways & Means.

HB 1321 by Representatives Fromhold, Conway, Crouse, Simpson, Morrell, Upthegrove, Linville, Kenney and McDermott

AN ACT Relating to allowing members of the teachers' retirement system plan 1 who are employed less than full time as psychologists, social workers, nurses, physical therapists, occupational therapists, or speech language pathologists or audiologists to annualize their salaries when calculating their average final compensation; and amending RCW 41.32.010.

Referred to Committee on Ways & Means.

SHB 1326 by House Committee on Appropriations (originally sponsored by Representatives Conway, Crouse, Simpson and Chase)

AN ACT Relating to the public employment of retirees from the teachers' retirement system and the public employees' retirement system; amending RCW 41.32.010, 41.32.055, 41.32.570, 41.40.010, 41.40.010, and 41.40.037; reenacting and amending RCW 41.40.037; prescribing penalties; providing effective dates; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 1382 by Representatives Clements, Haigh, Nixon, Chase, Linville, Sump, Anderson and McCoy

AN ACT Relating to restrictions on mailings by state legislators; and amending RCW 42.52.185.

Referred to Committee on Government Operations & Elections.

SHB 1406 by House Committee on Natural Resources, Ecology & Parks (originally sponsored by Representatives Buck, B. Sullivan, Orcutt, Takko, Kretz, Alexander, Grant, Shabro, Linville and Skinner)

AN ACT Relating to specialized forest products; amending RCW 76.48.020, 76.48.050, 76.48.060, 76.48.070, 76.48.075, 76.48.085, 76.48.094, 76.48.096, 76.48.098, 76.48.100, 76.48.110, and 76.48.140; and adding a new section to chapter 76.48 RCW.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 1407 by Representatives Grant, Walsh, Linville, Buri and Morrell

AN ACT Relating to providing an expiration date for the tax deduction for certain businesses impacted by the ban on American beef products; amending RCW 82.04.4336; and providing an expiration date.

Referred to Committee on Agriculture & Rural Economic Development.

HB 1695 by Representatives Buri, Kretz, Green, Grant, Newhouse, Blake, DeBolt, Orcutt, Haler, B. Sullivan and Buck

AN ACT Relating to the treatment of the nonresident children of state residents for the purposes of hunting and fishing licenses; and amending RCW 77.08.010.

Referred to Committee on Natural Resources, Ocean & Recreation.

SHB 1708 by House Committee on Education (originally sponsored by Representatives Lovick, Quall, Dickerson, Cox, Haigh, Kenney, McDermott, O'Brien, Sells, B. Sullivan, Appleton, Simpson, Kagi, Darneille, Morrell, Green, P. Sullivan, Ormsby, McCoy, Chase and Moeller)

AN ACT Relating to dropout prevention; amending RCW 28A.175.010 and 28A.655.030; and adding a new section to chapter 28A.175 RCW.

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

HB 1832 by Representatives Kretz, Blake, Grant, Holmquist, P. Sullivan, Buri, B. Sullivan, Kristiansen, Serben, Linville, McCune, Orcutt, Sump, Condotta, Cox, Walsh, Clements, Roach, Newhouse, Haler and Pearson

AN ACT Relating to disclosure of cougar incidences; and amending RCW 77.15.245.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 1944 by Representatives Hunt and Williams

AN ACT Relating to raffles conducted by state employees; amending RCW 9.46.0209; and adding a new section to chapter 42.52 RCW.

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

HB 1958 by Representatives Buck and B. Sullivan

AN ACT Relating to extending the buyback program for certain limited fisheries that are set to expire at the end of 2005; and amending RCW 77.70.150, 77.70.190, 82.27.020, and 82.27.070.

Referred to Committee on Natural Resources, Ocean & Recreation.

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 reverted to the third order of business.

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Regala, Gubernatorial Appointment No. 9047, David R. Edwards, 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 Hewitt, Senator Pflug was excused.

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

APPOINTMENT OF DAVID R. EDWARDS

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 45; 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, Oke, Parlette, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 45

Absent: Senators Sheldon and Spanel - 2

Excused: Senators Pflug and Poulsen - 2

SECOND READING  
CONFIRMATION OF GUBERNATORIAL APPOINTMENTS

MOTION

On motion of Senator Kohl-Welles, Gubernatorial Appointment No. 9054, Stanley L. K. Flemming, as a member of the Board of Trustees, The Evergreen State College, be confirmed.

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

APPOINTMENT OF STANLEY L. K. FLEMMING

The Secretary called the roll. The appointee was confirmed by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Absent: Senator Sheldon - 1

MOTION

At 9:25 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 9:45 a.m. by President Owen.

MOTION

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

SECOND READING

SENATE BILL NO. 5159, by Senator Keiser

Developing a schedule of fees for performing independent reviews of health care disputes.

The measure was read the second time.

MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5159 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. 5159.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5159 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Swecker, Thibaudeau and Weinstein - 44

Absent: Senators Mulliken, Sheldon, Stevens and Zarelli - 4

Excused: Senator Pflug - 1

SENATE BILL NO. 5159, 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

ENGROSSED SENATE BILL NO. 5355, by Senators Doumit, Zarelli and Jacobsen

Salmon and steelhead recovery

The measure was read the second time.

## MOTION

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

On page 4, beginning on line 16, after "(5)" strike all material through "(6))" on line 17 and insert "The program terminates on July 1, (~~2006~~) 2010.

(6)"

Senators Doumit and Oke 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 Doumit on page 4, line 16 to Senate Bill No. 5355.

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

## MOTION

On motion of Senator Doumit, the rules were suspended, Engrossed Senate Bill No. 5355 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

## MOTION

On motion of Senator Regala, Senator Sheldon was excused.

On motion of Senator Hewitt, Senators Mulliken, Stevens and Zarelli were excused.

Senators Doumit and Oke spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5355.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5355 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Swecker, Thibaudeau and Weinstein - 46

Excused: Senators Sheldon, Stevens and Zarelli - 3

ENGROSSED SENATE BILL NO. 5355, 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

On motion of Senator Regala, Senator Hargrove was excused.

## SECOND READING

SENATE BILL NO. 5433, by Senators Kline, Hargrove and Carrell

Changing the membership of the commission on judicial conduct.

The measure was read the second time.

## MOTION

On motion of Senator Kline, the rules were suspended, Senate Bill No. 5433 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kline and Johnson 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. 5433.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5433 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 47

Excused: Senators Sheldon and Thibaudeau - 2

SENATE BILL NO. 5433, 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. 5453, by Senators Delvin, Shin, Kline and Brandland

Providing civil immunity for broadcasters participating in the Amber alert.

The measure was read the second time.

## MOTION

On motion of Senator Delvin, the rules were suspended, Senate Bill No. 5453 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Delvin and Kline 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. 5453.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5453 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, Benton, Berkey, Brandland, 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 46

Absent: Senator Brown - 1

Excused: Senators Sheldon and Thibaudeau - 2

SENATE BILL NO. 5453, 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. 5631, by Senators Regala, Hargrove, Stevens, Brandland, Kline, McAuliffe, Franklin, Prentice, Esser, Delvin and Kohl-Welles

Changing provisions relating to inmate work programs.

#### MOTIONS

On motion of Senator Regala, Substitute Senate Bill No. 5631 was substituted for Senate Bill No. 5631 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Regala, the rules were suspended, Substitute Senate Bill No. 5631 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Regala 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. 5631.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5631 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 47

Excused: Senators Sheldon and Thibaudeau - 2

SUBSTITUTE SENATE BILL NO. 5631, 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. 5676, by Senators Poulsen, Kline, Shin, Spanel, Fraser and Kohl-Welles

Requiring oil spill contingency plans to include shellfish beds.

#### MOTIONS

On motion of Senator Poulsen, Substitute Senate Bill No. 5676 was substituted for Senate Bill No. 5676 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Poulsen, the rules were suspended, Substitute Senate Bill No. 5676 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Poulsen and Morton 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. 5676.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5676 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 47

Excused: Senators Sheldon and Thibaudeau - 2

SUBSTITUTE SENATE BILL NO. 5676, 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. 5146, by Senators Keiser, Parlette, Kastama and Brandland

Allowing quality improvement committee confidentiality.

#### MOTIONS

On motion of Senator Keiser, Substitute Senate Bill No. 5146 was substituted for Senate Bill No. 5146 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. 5146 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.

#### MOTION

On motion of Senator Regala, Senator Fairley was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5146.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5146 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, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 46

Excused: Senators Fairley, Sheldon and Thibaudeau - 3

SUBSTITUTE SENATE BILL NO. 5146, 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. 5002, by Senators Regala, Swecker, Hargrove, Brandland, Doumit and Shin

Marketing, offering, or selling camping resort contracts.

#### MOTION

On motion of Senator Regala, Substitute Senate Bill No. 5002 was substituted for Senate Bill No. 5002 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Regala moved that the following amendment by Senators Regala and Honeyford be adopted.

On page 1, line 17, after "dispositions of" insert "up to three"

On page 2, beginning on line 2 after "inventory." strike all material through "chapter." on line 4 and insert "All other sales of resale camping resort contracts by any person or business requires registration under this chapter."

Senators Regala and Honeyford spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by Senators Regala and Honeyford on page 1, line 17 to Substitute Senate Bill No. 5002.

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

#### MOTION

On motion of Senator Regala, the rules were suspended, Engrossed Substitute Senate Bill No. 5002 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Regala and Parlette 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. 5002.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5002 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Shin, Spanel, Stevens, Swecker, Weinstein and Zarelli - 47

Excused: Senators Sheldon and Thibaudeau - 2

ENGROSSED SUBSTITUTE SENATE BILL NO. 5002, 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. 5254, by Senators Jacobsen, Rasmussen, Franklin, McAuliffe and Kohl-Welles

Creating the legislative youth advisory council.

The measure was read the second time.

#### MOTION

On motion of Senator Kastama, the rules were suspended, Senate Bill No. 5254 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Jacobsen, Roach and McAuliffe spoke in favor of passage of the bill.

Senator Honeyford spoke on final passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5254.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5254 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 7; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Sheldon, Shin, Spanel, Swecker and Weinstein - 41

Voting nay: Senators Hewitt, Honeyford, Morton, Mulliken, Schoesler, Stevens and Zarelli - 7

Excused: Senator Thibaudeau - 1

SENATE BILL NO. 5254, 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. 5221, by Senators Schmidt, Rasmussen, Brandland, Sheldon, Benson, Shin, Spanel, Kastama, Haugen, Schoesler, Fraser, Morton, Roach, Hewitt, Rockefeller, Franklin, McAuliffe, Kohl-Welles, Mulliken, Benton and Oke

Making the joint committee on veterans' and military affairs permanent.

The measure was read the second time.

#### MOTION

On motion of Senator Schmidt, the rules were suspended, Senate Bill No. 5221 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Schmidt, Roach, Rasmussen and Shin 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. 5221.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5221 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 49

SENATE BILL NO. 5221, 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. 5127, by Senators Kohl-Welles, Benton, Hargrove, Roach, Prentice, Thibaudeau, Stevens, Fraser and Keiser

Improving services to victims of human trafficking.

The measure was read the second time.

#### MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Senate Bill No. 5127 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Kohl-Welles, Stevens and Shin 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. 5127.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5127 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 49

SENATE BILL NO. 5127, 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. 5112, by Senators Shin, Schmidt, Rockefeller, Rasmussen, Kline, Sheldon, Keiser, Doumit, Berkey, Kastama, Haugen, McAuliffe, Franklin, Johnson, Kohl-Welles, Benson and Oke

Providing public employment retirement credits and education fee waivers for veterans of the Afghanistan conflict and the Persian Gulf War II.

#### MOTIONS

On motion of Senator Pridemore, Substitute Senate Bill No. 5112 was substituted for Senate Bill No. 5112 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pridemore, the rules were suspended, Substitute Senate Bill No. 5112 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Shin and Schmidt 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. 5112.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5112 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Absent: Senator Poulsen - 1

SUBSTITUTE SENATE BILL NO. 5112, 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. 5267, by Senators Haugen, Esser, Rasmussen, Delvin and McAuliffe

Clarifying the ability of Washington state patrol officers to engage in private law enforcement off-duty employment in plainclothes for private benefit.

The measure was read the second time.

#### MOTION

On motion of Senator Haugen, the rules were suspended, Senate Bill No. 5267 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 Senate Bill No. 5267.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5267 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 49

SENATE BILL NO. 5267, 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. 5463, by Senators Doumit and Morton

Allowing small appurtenances on recreational vehicles.

#### MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5463 was substituted for Senate Bill No. 5463 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. 5463 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.

#### MOTION

On motion of Senator Regala, Senator Franklin was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5463.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5463 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Franklin - 1

SUBSTITUTE SENATE BILL NO. 5463, 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. 5528, by Senators Morton, Mulliken, Schoesler, Benson, Delvin, Honeyford, Carrell, McCaslin and Stevens

Eliminating certain fees for hydraulic works inspections.

The measure was read the second time.

#### MOTION

On motion of Senator Poulsen, the rules were suspended, Senate Bill No. 5528 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Morton 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. 5528.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5528 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 6; Absent, 0; Excused, 0.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Finkbeiner, Franklin, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Weinstein and Zarelli - 41

Voting nay: Senators Fairley, Fraser, Kohl-Welles, McAuliffe, Regala and Thibaudeau - 6

Absent: Senators Roach and Swecker - 2

SENATE BILL NO. 5528, 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. 5347, by Senators Keiser and Brandland

Requiring the department of social and health services to defend temporary managers in nursing homes.

The measure was read the second time.

#### MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5347 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. 5347.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5347 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 49

SENATE BILL NO. 5347, 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. 5360, by Senators Brandland, Sheldon, Fairley, Berkey, Delvin, Benson and Rockefeller

Making the certificate of academic achievement a requirement for running start eligibility. Revised for 1st Substitute: Studying performance and funding of running start students.

#### MOTIONS

On motion of Senator Brandland, Substitute Senate Bill No. 5360 was substituted for Senate Bill No. 5360 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. 5360 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Brandland and McAuliffe 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. 5360.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5360 and the bill passed the Senate by the following vote: Yeas, 41; Nays, 8; Absent, 0; Excused, 0.

Voting yea: Senators Benson, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Thibaudeau and Weinstein - 41

Voting nay: Senators Benton, Johnson, McCaslin, Morton,

Mulliken, Roach, Swecker and Zarelli - 8

SUBSTITUTE SENATE BILL NO. 5360, 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. 5319, by Senators Oke, Doumit, Roach, Hargrove, Honeyford, Swecker, Schoesler, Rasmussen, Berkey, Delvin, Morton, Regala, Sheldon, Stevens, Johnson and Mulliken

Concerning animal trapping.

The measure was read the second time.

#### MOTION

On motion of Senator Oke, the rules were suspended, Senate Bill No. 5319 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Oke, Jacobsen and Hargrove 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 Senate Bill No. 5319.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5319 and the bill passed the Senate by the following vote: Yeas, 40; Nays, 8; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, Brown, Carrell, Deccio, Delvin, Doumit, Fairley, Finkbeiner, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 40

Voting nay: Senators Eide, Esser, Franklin, Fraser, Kohl-Welles, McAuliffe, Poulsen and Prentice - 8

Excused: Senator Pridemore - 1

SENATE BILL NO. 5319, 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.

#### PARLIAMENTARY INQUIRY

Senator Benton: "This bill is successful in signing in law by the Governor, does that mean that the animals in this chamber will no longer be compelled to stay here when we're under the call of the Senate."

#### REPLY BY THE PRESIDENT

President Owen: "Those decisions are up to you individually."

#### SECOND READING

SENATE BILL NO. 5307, by Senators Keiser, Eide and Kohl-Welles

Modifying requirements for the operation of amusement rides.

The measure was read the second time.

#### MOTION

On motion of Senator Eide, the rules were suspended, Senate Bill No. 5307 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Eide spoke in favor of passage of the bill.

Senator Honeyford spoke against passage of the bill.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5307.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5307 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 0.

Voting yea: Senators Berkey, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Sheldon, Shin, Spanel, Thibaudeau and Weinstein - 27

Voting nay: Senators Benson, Benton, Brandland, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Oke, Roach, Schmidt, Schoesler, Stevens, Swecker and Zarelli - 21

Absent: Senator Rockefeller - 1

SENATE BILL NO. 5307, 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. 5272, by Senators Jacobsen, Oke, Doumit and Morton

Reorganizing aquatic lands statutes.

The measure was read the second time.

#### MOTION

On motion of Senator Jacobsen, the rules were suspended, Senate Bill No. 5272 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Jacobsen and Oke 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. 5272.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5272 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 49

SENATE BILL NO. 5272, 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. 5317, by Senators Benton, Keiser, Benson, Prentice, Roach and Shin

Providing confidentiality to certain insurance commissioner examinations.

MOTIONS

On motion of Senator Benton, Substitute Senate Bill No. 5317 was substituted for Senate Bill No. 5317 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Benton, the rules were suspended, Substitute Senate Bill No. 5317 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. 5317.

ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5317 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 49

SUBSTITUTE SENATE BILL NO. 5317, 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.

Senate Resolution 8612

By Senators Eide, Johnson, Fraser, Rockefeller, Regala and Rasmussen

WHEREAS, Thanks to the tireless efforts of Weyerhaeuser King County Aquatic Center Facility Manager Mike Dunwiddie, volunteer Stephen L. Freeborn, facility staff, volunteers, and sponsors, the Weyerhaeuser King County Aquatic Center in Federal Way, Washington, has become one of the nation's premier facilities of its kind; and

WHEREAS, Since 1990, the Weyerhaeuser King County Aquatic Center has not only hosted world-class athletes from the Puget Sound region and around the world to compete, but has welcomed over 6.5 million visitors who have come to swim, practice, take a class, have a tour, or attend an event; and

WHEREAS, The facility has also provided the venue for two segments for Bill Nye the Science Guy television show, a film documentary on underwater ballet, a Bon Marche' fashion show, and an America's Cup sponsored Indoor Sailing Championship, and has been used as a test site for a single-manned submersible ship; and

WHEREAS, The Weyerhaeuser King County Aquatic Center serves the local community by providing education in swimming and water safety, and promoting a healthy lifestyle through exercise and fitness; and

WHEREAS, The Weyerhaeuser King County Aquatic Center has generated eight million dollars per year for the region's economy; and

WHEREAS, The Weyerhaeuser King County Aquatic Center is home to over 16 clubs in the competition sports of swimming, diving, water polo, synchronized swimming, and masters swimming; and

WHEREAS, The Weyerhaeuser King County Aquatic Center has maintained one of the most active competition schedules of any aquatic center in the country, hosting more than 60 events a year, including the 1990 Goodwill Games, Olympic Trials, Disability Games, and numerous regional, national, and international competitions for athletes of all ages;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate honor and celebrate Mike Dunwiddie, Stephen L. Freeborn, and all the individuals who have made the Weyerhaeuser King County Aquatic Center a source of pride for King County and the Puget Sound region and recognize the efforts and dedication of all who have made the facility's numerous achievements possible; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Secretary of the Senate to Mike Dunwiddie, Steve Freeborn, and the Weyerhaeuser King County Aquatic Center.

Senators Eide and Roach spoke in favor of adoption of the resolution.

The President declared the question before the Senate to be the adoption of Senate Resolution No. 8612.

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

MOTION

At 11:59 a.m., on motion of Senator Eide, the Senate was declared to be at recess until 1:00 p.m.

The Senate was called to order at 1:00 p.m. by President Owen.

MOTION

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

SECOND READING

SENATE BILL NO. 5194, by Senators Franklin, Benton and Keiser

Including the longshore and harbor workers' compensation account within the Washington insurance guaranty association.

The measure was read the second time.

MOTION

Senator Keiser moved that the following amendment by be adopted.

On page 7, line 16, after "that the" strike "fund" and insert "net fund balance".

Renumber the sections consecutively and correct any internal references accordingly.

Senator Keiser spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by on page 7, line 16 to Senate Bill No. 5194.

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

MOTION

Senator Franklin moved that the following amendment by be adopted.

On page 8, line 7, after "operation." insert "If such a loan is related to the account for longshore and harbor workers' compensation act insurance, the association may seek such a loan from the Washington longshore and harbor workers' compensation

act insurance assigned risk plan under RCW 48.22.070 or from other interested parties."

Renumber the sections consecutively and correct any internal references accordingly.

Senator Franklin spoke in favor of adoption of the amendment.

The President declared the question before the Senate to be the adoption of the amendment by on page 8, line 7 to Senate Bill No. 5194.

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

#### MOTION

On motion of Senator Kohl-Welles, the rules were suspended, Engrossed Senate Bill No. 5194 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Franklin spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Regala, Senator Jacobsen was excused.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5194.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5194 and the bill passed the Senate by the following vote: Yeas, 49; Nays, 0; Absent, 0; Excused, 0.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 49

ENGROSSED SENATE BILL NO. 5194, 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. 5117, by Senators Parlette, Roach, Finkbeiner, Deccio and Swecker

Requiring continuing education for land surveyors.

The measure was read the second time.

#### MOTION

On motion of Senator Parlette, the rules were suspended, Senate Bill No. 5117 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

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

#### MOTION

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

The President declared the question before the Senate to be the final passage of Senate Bill No. 5117.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5117 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Senators Benson, Benton, Berkey, Brandland, 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Brown - 1

SENATE BILL NO. 5117, 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. 5327, by Senators Fairley and Kohl-Welles

Creating an office of privacy protection.

The measure was read the second time.

#### MOTION

On motion of Senator Fairley, the rules were suspended, Senate Bill No. 5327 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fairley and Rasmussen spoke in favor of passage of the bill.

Senator Benton spoke against passage of the bill.

#### MOTION

On motion of Senator Mulliken, Senator Stevens was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5327.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5327 and the bill passed the Senate by the following vote: Yeas, 27; Nays, 21; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Oke, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Sheldon, Shin, Spanel, Thibaudeau and Weinstein - 27

Voting nay: Senators Benson, Benton, Brandland, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, McCaslin, Morton, Mulliken, Parlette, Pflug, Schmidt, Schoesler, Stevens, Swecker and Zarelli - 21

Excused: Senator Rockefeller - 1

SENATE BILL NO. 5327, 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. 5415, by Senators Fairley and Kline

Military borrowers

#### MOTION

On motion of Senator Fairley, Substitute Senate Bill No. 5415 was substituted for Senate Bill No. 5415 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 11, after "posting" strike "or the spouse of a military borrower"

On page 1, line 16, after "any military borrower" strike "or the spouse of a military borrower"

On page 2, at the beginning of line 2, after "military borrower" strike "or the spouse of a military borrower,"

Senators Fairley and Benton 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 Fairley on page 1, line 11 to Substitute Senate Bill No. 5415.

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

## MOTION

On motion of Senator Fairley, the rules were suspended, Engrossed Substitute Senate Bill No. 5415 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. 5415.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5415 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Rockefeller - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5415, 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. 5577, by Senators Fairley, Keiser, Kline, Fraser, Poulsen and Kohl-Welles

Making available relocation assistance payments to tenants.

## MOTION

On motion of Senator Fairley, Substitute Senate Bill No. 5577 was substituted for Senate Bill No. 5577 and the substitute bill was placed on the second reading and read the second time.

## MOTION

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

On page 2, line 33, after "units and" insert "directly"

On page 2, line 34, after "conditions" strike "arising from" and insert "caused by"

Senators Keiser and Benton 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 Keiser on page 2, line 33 to Substitute Senate Bill No. 5577.

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

## MOTION

On motion of Senator Fairley, the rules were suspended, Engrossed Substitute Senate Bill No. 5577 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 Engrossed Substitute Senate Bill No. 5577.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5577 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Rockefeller - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5577, 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. 5692, by Senators Berkey, Benton, Prentice and Keiser

Regulating tax refund anticipation loans.

## MOTIONS

On motion of Senator Fairley, Substitute Senate Bill No. 5692 was substituted for Senate Bill No. 5692 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fairley, the rules were suspended, Substitute Senate Bill No. 5692 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Berkey and Benton 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. 5692.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5692 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker,

Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Rockefeller - 1

SUBSTITUTE SENATE BILL NO. 5692, 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 Hargrove were excused.

#### SECOND READING

SENATE BILL NO. 5939, by Senators Fairley, Delvin, Kohl-Welles, Rockefeller, Oke, Rasmussen and Shin

Requiring police reports to be given to victims of identity theft.

#### MOTIONS

On motion of Senator Fairley, Substitute Senate Bill No. 5939 was substituted for Senate Bill No. 5939 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Fairley, the rules were suspended, Substitute Senate Bill No. 5939 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fairley and 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. 5939.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5939 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, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 45

Excused: Senators Brown, Kline, Pridemore and Rockefeller - 4

SUBSTITUTE SENATE BILL NO. 5939, 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. 6043, by Senators Brandland, Fairley, Benson, Keiser, Schmidt, Spanel, Benton, Franklin, Berkey, Kohl-Welles and Rasmussen

Addressing breaches of security that compromise personal information.

#### MOTIONS

On motion of Senator Brandland, Substitute Senate Bill No. 6043 was substituted for Senate Bill No. 6043 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. 6043 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.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 6043.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 6043 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, 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Brown and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 6043, 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. 5957, by Senators Fairley, Benton and Brown

Changing the terms for the escrow accounts required of self-funded multiple employer welfare arrangements.

The measure was read the second time.

#### MOTION

On motion of Senator Benton, the rules were suspended, Senate Bill No. 5957 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Benton 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. 5957.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5957 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 1; Absent, 0; Excused, 1.

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, Oke, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Voting nay: Senator Parlette - 1

Excused: Senator Rockefeller - 1

SENATE BILL NO. 5957, 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. 5664, by Senators McAuliffe, Eide, Brandland, Regala, Thibaudeau, Stevens, Keiser, Kline and Rasmussen

Improving teachers' skills with regard to children with learning differences.

#### MOTIONS



On motion of Senator McAuliffe, Substitute Senate Bill No. 5664 was substituted for Senate Bill No. 5664 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator McAuliffe, the rules were suspended, Substitute Senate Bill No. 5664 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.

#### MOTION

On motion of Senator Mulliken, Senator Johnson was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5664.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5664 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Rockefeller - 1

SUBSTITUTE SENATE BILL NO. 5664, 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. 5190, by Senators Fraser, Schoesler, Rasmussen and Swecker

Concerning adulterated commercial feed.

#### MOTIONS

On motion of Senator Rasmussen, Substitute Senate Bill No. 5190 was substituted for Senate Bill No. 5190 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Rasmussen, the rules were suspended, Substitute Senate Bill No. 5190 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Fraser and Rasmussen 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. 5190.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5190 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach,

Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Rockefeller - 1

SUBSTITUTE SENATE BILL NO. 5190, 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. 5691, by Senators Esser, Kline, Johnson, Thibaudeau, Roach, Keiser and Fairley

Authorizing jury source lists to be divided by jury assignment area.

The measure was read the second time.

#### MOTION

On motion of Senator Esser, the rules were suspended, Senate Bill No. 5691 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Esser and Kline 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. 5691.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5691 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Absent: Senator Stevens - 1

Excused: Senator Rockefeller - 1

SENATE BILL NO. 5691, 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 4:07 p.m., on motion of Senator Eide, the Senate was declared to be at recess until 4:15 p.m.

The Senate was called to order at 4:15 p.m. by President Owen.

#### SECOND READING

SENATE BILL NO. 5452, by Senators Franklin, Fairley, Stevens, Roach, Benson, Regala, Kline, Rockefeller, Rasmussen and Kohl-Welles

Prohibiting genetic testing as a condition of life insurance.

#### MOTION

On motion of Senator Franklin, Substitute Senate Bill No. 5452 was substituted for Senate Bill No. 5452 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

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

On page 2, line 19, after "HIV" delete "Employers may test for the presence of drugs or alcohol, but may not use the results of these tests to gain genetic information."

Renumber the sections consecutively and correct any internal references accordingly.

Senator Franklin spoke in favor of adoption of the amendment.

#### MOTION

On motion of Senator Mulliken, Senator Oke was excused.

The President declared the question before the Senate to be the adoption of the amendment by Senator Franklin on page 2, line 19 to Substitute Senate Bill No. 5452.

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

#### MOTION

On motion of Senator Franklin, the rules were suspended, Engrossed Substitute Senate Bill No. 5452 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Franklin spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Mulliken, Senator Johnson was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Bill No. 5452.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5452 and the bill passed the Senate by the following vote: Yeas, 33; Nays, 15; Absent, 0; Excused, 1.

Voting yea: Senators Berkey, Brown, Carrell, Doumit, Eide, Esser, Fairley, Franklin, Fraser, Hargrove, Hewitt, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 33

Voting nay: Senators Benson, Benton, Brandland, Deccio, Delvin, Finkbeiner, Haugen, Honeyford, McCaslin, Morton, Mulliken, Oke, Schmidt, Schoesler and Sheldon - 15

Excused: Senator Johnson - 1

ENGROSSED SUBSTITUTE SENATE BILL NO. 5452, 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. 5039, by Senators Rasmussen, Schoesler and Shin

Regulating the processing of milk and milk products.

The measure was read the second time.

#### MOTION

On motion of Senator Rasmussen, the rules were suspended, Senate Bill No. 5039 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Rasmussen 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. 5039.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5039 and the bill passed the Senate by the following vote: Yeas, 48; Nays, 0; Absent, 0; Excused, 1.

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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 48

Excused: Senator Rockefeller - 1

SENATE BILL NO. 5039, 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. 5177, by Senators Swecker, Jacobsen, Haugen and Oke

Modifying transportation benefit district provisions.

#### MOTIONS

On motion of Senator Swecker, Substitute Senate Bill No. 5177 was substituted for Senate Bill No. 5177 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Swecker, the rules were suspended, Substitute Senate Bill No. 5177 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Swecker and Haugen spoke in favor of passage of the bill.

#### MOTION

On motion of Senator Weinstein, Senators Brown and Hargrove were excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5177.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5177 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, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Haugen, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 40

Voting nay: Senators Carrell, Deccio, Delvin, Hewitt, Honeyford and Schoesler - 6

Excused: Senators Brown, Hargrove and Rockefeller - 3

SUBSTITUTE SENATE BILL NO. 5177, 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. 5198, by Senators Keiser, Brandland and Berkey

Implementing changes to medicare supplement insurance requirements as mandated by the medicare modernization act of 2003 and other federal requirements.

The measure was read the second time.

#### MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5198 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. 5198.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5198 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, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Brown, Hargrove and Rockefeller - 3

SENATE BILL NO. 5198, 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. 5462, by Senators McCaslin and Kastama

Changing the terms for nonlegislative members of the legislative ethics board.

The measure was read the second time.

#### MOTION

On motion of Senator Kastama, the rules were suspended, Senate Bill No. 5462 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McCaslin 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. 5462.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5462 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, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Brown, Hargrove and Rockefeller - 3

SENATE BILL NO. 5462, 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. 5436, by Senators Haugen, Delvin, Eide, Shin and Rasmussen

Changing hearing procedures for violations of commercial motor vehicle laws, rules, and orders.

#### MOTIONS

On motion of Senator Haugen, Substitute Senate Bill No. 5436 was substituted for Senate Bill No. 5436 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. 5436 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. 5436.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5436 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, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Haugen, Hewitt, Honeyford, Jacobsen, Johnson, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Brown, Hargrove and Rockefeller - 3

SUBSTITUTE SENATE BILL NO. 5436, 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 JOINT MEMORIAL NO. 8010, by Senators Rasmussen, Schoesler, Sheldon, Franklin, Roach, Spanel, Deccio, McAuliffe, Shin, Haugen, Prentice, Fairley, Rockefeller, Mulliken and Morton

Petitioning the United States Department of Agriculture to delay plans to reopen the border to Canadian cattle and beef products.

#### MOTION

On motion of Senator Rasmussen, Substitute Senate Joint Memorial No. 8010 was substituted for Senate Joint Memorial No. 8010 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

Senator Rasmussen moved that the following amendment by Senators Rasmussen and Schoesler be adopted.

On page 2, line 21, after "industry;" insert "and

WHEREAS, On February 25, 2005, the United States Department of Agriculture announced the results of the "science-based" decision to adopt the rule to lift the ban on importation of Canadian beef, for which a temporary injunction was immediately issued against the United States Department of Agriculture decision by a federal district court on February 28, 2005, and for which the United States Senate approved on March 3, 2005,

Senate Joint Resolution 4 to nullify the United States Department of Agriculture rule; and

WHEREAS, Acceptance by the international community of the United States Department of Agriculture "science-based" decision has not yet been established and therefore the United States Department of Agriculture rule would reopen the United States border to the importation of Canadian beef without also addressing the reopening of foreign markets to United States beef, even though the cause of the bans on United States beef exports was a cow infected with bovine spongiform encephalopathy that originated in Canada;"

Senators Rasmussen and Schoesler 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 Rasmussen on page 2, line 21 to Substitute Senate Joint Memorial No. 8010.

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

#### MOTION

Senator Rasmussen moved that the following amendment by Senators Rasmussen and Schoesler be adopted.

On page 2, beginning on line 24, after "products" strike all material through "findings" on line 27, and insert "until there is broad international acceptance of the science used by the United States Department of Agriculture by foreign countries that have banned the importation of beef from the United States, as demonstrated by the simultaneous reopening of their markets to the importation of United States beef"

Senators Rasmussen and Schoesler 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 Rasmussen on page 2, line 24 to Substitute Senate Joint Memorial No. 8010.

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

#### MOTION

On motion of Senator Rasmussen, the rules were suspended, Engrossed Substitute Senate Joint Memorial No. 8010 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Rasmussen, Schoesler, Shin and Mulliken spoke in favor of passage of the bill.

Senators Jacobsen, Hewitt and Pflug spoke against passage of the bill.

Senator Rasmussen again spoke in favor of passage of the bill. Senator Honeyford spoke on passage of the bill.

#### MOTION

On motion of Senator Esser, Senator Benton was excused.

The President declared the question before the Senate to be the final passage of Engrossed Substitute Senate Joint Memorial No. 8010.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Joint Memorial No. 8010 and the bill passed the Senate by the following vote: Yeas, 42; Nays, 4; Absent, 0; Excused, 3.

Voting yea: Senators Benson, Berkey, Brandland, Carrell, Deccio, Delvin, Doumit, Eide, Esser, Fairley, Finkbeiner, Franklin, Fraser, Hargrove, Haugen, Honeyford, Johnson, Kastama, Keiser, Kline, McAuliffe, McCaslin, Morton, Mulliken, Oke, Parlette, Poulsen, Prentice, Pridemore, Rasmussen, Regala,

Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 42

Voting nay: Senators Hewitt, Kohl- Welles, Jacobsen and Pflug - 4

Excused: Senators Benton, Brown and Rockefeller - 3

ENGROSSED SUBSTITUTE SENATE JOINT MEMORIAL NO. 8010, 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. 5332, by Senators Kline, Franklin, Shin, Keiser, Weinstein, Poulsen, Thibaudeau, Prentice, Kohl-Welles, Eide, Finkbeiner, Rasmussen and Pridemore

Honoring the Reverend Doctor Martin Luther King, Jr.

The measure was read the second time.

#### MOTION

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

On page 2, line 22, after "named" strike the remainder of the bill and insert, " Reverend Doctor Martin Luther King, Jr. County."

Renumber the sections consecutively and correct any internal references accordingly.

Senator Stevens spoke in favor of adoption of the amendment.

Senator Kline spoke against adoption of the amendment.

#### MOTION

Senator Kline demanded a division.

The President declared that one-sixth of the members supported the demand and the demand was sustained.

The President declared the question before the Senate to be the adoption of the amendment by Senator Stevens on page 2, line 22 to Senate Bill No. 5332.

The motion by Senator Stevens carried and the amendment was adopted by a rising voice vote.

#### MOTION

Senator Morton moved that the following amendment by Senators Mulliken, Morton and McCaslin be adopted.

On page 2, line 22, after "named" insert "King State"

On page 2, at the end of line 22, insert the following:

"King State has all the rights and privileges of statehood."

Renumber the sections consecutively and correct any internal references accordingly.

Senator Morton spoke in favor of adoption of the amendment.

Senator Kline 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 22 to Senate Bill No. 5332.

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

#### MOTION

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

On page 2, line 22, after "of" insert "Vice President William Rufus Devane King and"

#### WITHDRAWAL OF AMENDMENT

On motion of Senator Esser the amendment to Senate Bill No. 5332 was withdrawn.

## MOTION

On motion of Senator Kastama, the rules were suspended, Engrossed Senate Bill No. 5332 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Kastama spoke in favor of passage of the bill.

The President declared the question before the Senate to be the final passage of Engrossed Senate Bill No. 5332.

## ROLL CALL

The Secretary called the roll on the final passage of Engrossed Senate Bill No. 5332 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; 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, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Benton and Rockefeller - 2

ENGROSSED SENATE BILL NO. 5332, 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. 5044, by Senators Mulliken and Parlette

Regulating contract interests of an officer of a rural public hospital district.

The measure was read the second time.

## MOTION

On motion of Senator Mulliken, the rules were suspended, Senate Bill No. 5044 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Mulliken 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. 5044.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5044 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; 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, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Benton and Rockefeller - 2

SENATE BILL NO. 5044, 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. 5391, by Senators Keiser, Franklin, Brandland, Kastama, Johnson, Kohl-Welles and Kline

Offering a triccare supplemental insurance policy to certain

The measure was read the second time.

## MOTION

On motion of Senator Keiser, the rules were suspended, Senate Bill No. 5391 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. 5391.

## ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5391 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; 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, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Benton and Rockefeller - 2

SENATE BILL NO. 5391, 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. 5038, by Senators Honeyford, Oke, Kline, Mulliken and Eide

Increasing penalties for failure to yield to emergency vehicles or police vehicles. Revised for 1st Substitute: Increasing penalties for failure to yield to authorized emergency vehicles or police vehicles.

## MOTIONS

On motion of Senator Honeyford, Substitute Senate Bill No. 5038 was substituted for Senate Bill No. 5038 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Honeyford, the rules were suspended, Substitute Senate Bill No. 5038 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Honeyford and Kline spoke in favor of passage of the bill.

## MOTION

On motion of Senator Swecker, Senator Deccio was excused.

The President declared the question before the Senate to be the final passage of Substitute Senate Bill No. 5038.

## ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5038 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Senators Benson, 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, Oke, Parlette, Pflug, Poulsen,

Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Excused: Senators Benton, Deccio and Rockefeller - 3

SUBSTITUTE SENATE BILL NO. 5038, 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. 5501, by Senators Hargrove, Stevens, Delvin, Regala and Shin

Authorizing use of lie detector tests on juvenile court services employment applicants.

The measure was read the second time.

#### MOTION

On motion of Senator Hargrove, the rules were suspended, Senate Bill No. 5501 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.

#### MOTION

On motion of Senator Swecker, Senator McCaslin was excused.

The President declared the question before the Senate to be the final passage of Senate Bill No. 5501.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5501 and the bill passed the Senate by the following vote: Yeas, 44; Nays, 1; Absent, 0; Excused, 4.

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

Voting nay: Senator Kohl-Welles - 1

Excused: Senators Benton, Deccio, McCaslin and Rockefeller - 4

SENATE BILL NO. 5501, 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. 5814, by Senators Prentice, Swecker, Rasmussen and Kohl-Welles

Authorizing the governor to enter into cigarette tax contracts with additional tribes.

The measure was read the second time.

#### MOTION

On motion of Senator Prentice, the rules were suspended, Senate Bill No. 5814 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senators Prentice, Zarelli and Sheldon 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. 5814.

#### ROLL CALL

The Secretary called the roll on the final passage of Senate Bill No. 5814 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; 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, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Benton and Rockefeller - 2

SENATE BILL NO. 5814, 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. 5084, by Senators McAuliffe, Hargrove, Kohl-Welles, Rasmussen and Regala

Establishing a foster youth postsecondary education and training coordination committee.

#### MOTION

On motion of Senator McAuliffe, Substitute Senate Bill No. 5084 was substituted for Senate Bill No. 5084 and the substitute bill was placed on the second reading and read the second time.

#### MOTION

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

On page 3, beginning on line 28, after "disbursed" strike all material through "grant" on line 29

On page 3, at the beginning of line 31, strike "dispersed" and insert "~~((dispersed))~~ disbursed, except that eligible former foster youth shall be assured receipt of a grant"

Senator Mulliken 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 Mulliken on page 3, line 28 to Substitute Senate Bill No. 5084.

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

#### MOTION

On motion of Senator McAuliffe, the rules were suspended, Engrossed Substitute Senate Bill No. 5084 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator McAuliffe 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. 5084.

#### ROLL CALL

The Secretary called the roll on the final passage of Engrossed Substitute Senate Bill No. 5084 and the bill passed the Senate by the following vote: Yeas, 46; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Senators Benson, 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, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 46

Absent: Senator Deccio - 1

Excused: Senators Benton and Rockefeller - 2

ENGROSSED SUBSTITUTE SENATE BILL NO. 5084, 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.

#### NOTICE FOR RECONSIDERATION

Senator McAuliffe gave notice of her intent to move to reconsider the vote by which Engrossed Substitute Senate Bill No. 5084 passed the Senate.

#### SECOND READING

SENATE BILL NO. 5250, by Senators Pridemore, Kastama, Berkey, Schmidt and Shin

Authorizing the department of general administration to enter into additional job order contracts.

#### MOTIONS

On motion of Senator Pridemore, Substitute Senate Bill No. 5250 was substituted for Senate Bill No. 5250 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Pridemore, the rules were suspended, Substitute Senate Bill No. 5250 was advanced to third reading, the second reading considered the third and the bill was placed on final passage.

Senator Pridemore 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. 5250.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5250 and the bill passed the Senate by the following vote: Yeas, 26; Nays, 21; Absent, 0; Excused, 2.

Voting yea: Senators Berkey, Brandland, Brown, Doumit, Eide, Fairley, Franklin, Fraser, Hargrove, Haugen, Jacobsen, Kastama, Keiser, Kline, Kohl-Welles, McAuliffe, McCaslin, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Shin, Spanel, Thibaudeau and Weinstein - 26

Voting nay: Senators Benson, Carrell, Deccio, Delvin, Esser, Finkbeiner, Hewitt, Honeyford, Johnson, Morton, Mulliken, Oke, Parlette, Pflug, Roach, Schmidt, Schoesler, Sheldon, Stevens, Swecker and Zarelli - 21

Excused: Senators Benton and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5250, 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. 5765, by Senators Spanel and Brandland

Concerning Dungeness crab--Puget Sound fishery licenses.

#### MOTIONS

On motion of Senator Spanel, Substitute Senate Bill No. 5765 was substituted for Senate Bill No. 5765 and the substitute bill was placed on the second reading and read the second time.

On motion of Senator Spanel, the rules were suspended, Substitute Senate Bill No. 5765 was advanced to third reading, the

second reading considered the third and the bill was placed on final passage.

Senators Spanel and Oke 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. 5765.

#### ROLL CALL

The Secretary called the roll on the final passage of Substitute Senate Bill No. 5765 and the bill passed the Senate by the following vote: Yeas, 47; Nays, 0; 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, Morton, Mulliken, Oke, Parlette, Pflug, Poulsen, Prentice, Pridemore, Rasmussen, Regala, Roach, Schmidt, Schoesler, Sheldon, Shin, Spanel, Stevens, Swecker, Thibaudeau, Weinstein and Zarelli - 47

Excused: Senators Benton and Rockefeller - 2

SUBSTITUTE SENATE BILL NO. 5765, 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

Senator McAuliffe moved to withdraw the motion to reconsider the vote on Engrossed Substitute Senate Bill No. 5084.

#### MOTION

At 6:30 p.m., on motion of Senator Eide, the Senate adjourned until 9:00 a.m. Wednesday, March 9, 2005.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate