

**EIGHTEENTH DAY**

**NOON SESSION**

Senate Chamber, Olympia, January 26, 2006

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

**MOTION**

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

**MOTION**

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

**REPORTS OF STANDING COMMITTEES**

January 24, 2006

SB 6005 Prime Sponsor, Rockefeller: Regarding preservation of state publications by the state library services. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6005 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Fairley, Haugen, Kline, McCaslin, Mulliken, Pridemore and Roach

Passed to Committee on Ways & Means.

January 24, 2006

SB 6152 Prime Sponsor, Kastama: Regarding penalties for violations of the public disclosure act. Reported by Committee on Government Operations & Elections

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

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

MINORITY recommendation: Without recommendation. Signed by Senator Roach

Passed to Committee on Rules for second reading.

January 25, 2006

SB 6175 Prime Sponsor, Jacobsen: Concerning the regulation of surface mining. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 6175 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Hargrove, Morton, Oke, Stevens and Swecker

Passed to Committee on Ways & Means.

January 25, 2006

SB 6180 Prime Sponsor, Jacobsen: Allowing the department of natural resources to exchange certain state lands. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: That Substitute Senate Bill No. 6180 be substituted therefor, and the substitute bill do pass. Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Fraser, Hargrove, Morton, Oke, Stevens and Swecker

Passed to Committee on Ways & Means.

January 25, 2006

SB 6281 Prime Sponsor, Jacobsen: Funding mountains to Sound greenway outdoor recreation projects. Reported by Committee on Natural Resources, Ocean & Recreation

MAJORITY recommendation: Without recommendation. Signed by Senators Jacobsen, Chair; Doumit, Vice Chair; Fraser, Hargrove, Oke, Spanel and Swecker

MINORITY recommendation: Do not pass. Signed by Senators Morton and Stevens

Passed to Committee on Ways & Means.

January 24, 2006

SB 6293 Prime Sponsor, Pflug: Authorizing employer tax incentives for the employment of students in math and science programs. Reported by Committee on International Trade & Economic Development

MAJORITY recommendation: Do pass as amended. Signed by Senators Shin, Chair; Sheldon, Vice Chair; Doumit, Eide, Pflug, Roach and Zarelli

Passed to Committee on Ways & Means.

January 24, 2006

SB 6326 Prime Sponsor, Shin: Providing a source of funding for customized work force training. Reported by Committee on International Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6326 be substituted therefor, and the substitute bill do pass. Signed by Senators Shin, Chair; Sheldon, Vice Chair; Doumit, Eide, Pflug, Roach and Zarelli

Passed to Committee on Ways & Means.

January 24, 2006

SB 6328 Prime Sponsor, Shin: Creating a joint legislative task force on aerospace manufacturing. Reported by Committee on International Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6328 be substituted therefor, and the substitute bill do pass. Signed by Senators Shin, Chair; Sheldon, Vice Chair; Doumit, Eide, Pflug and Roach

Passed to Committee on Ways & Means.

January 24, 2006

SB 6330 Prime Sponsor, Shin: Establishing the Washington trade corps fellowship program. Reported by Committee on International Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6330 be substituted therefor, and the substitute bill do

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pass. Signed by Senators Shin, Chair; Sheldon, Vice Chair; Doumit, Eide, Pflug, Roach and Zarelli

Passed to Committee on Ways & Means.

January 23, 2006

SB 6337 Prime Sponsor, Haugen: Changing compensation requirements for members of the governing body of diking and drainage districts. Reported by Committee on Government Operations & Elections

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

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

Passed to Committee on Rules for second reading.

January 25, 2006

SB 6437 Prime Sponsor, McAuliffe: Providing for adoption of course equivalencies for career and technical courses. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6437 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

Passed to Committee on Rules for second reading.

January 25, 2006

SB 6438 Prime Sponsor, Weinstein: Modifying school district levy provisions. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: Do pass. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt and Shin

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

Passed to Committee on Ways & Means.

January 25, 2006

SB 6466 Prime Sponsor, Kohl-Welles: Creating the department of early learning. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6466 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Eide, Kohl-Welles, Rasmussen, Rockefeller and Shin

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

Passed to Committee on Ways & Means.

January 25, 2006

SB 6483 Prime Sponsor, Kohl-Welles: Expanding apprenticeship opportunities for high school graduates. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That Substitute Senate Bill No. 6483 be substituted therefor, and the substitute bill do pass. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt, Schoesler and Shin

Passed to Committee on Rules for second reading.

January 24, 2006

SB 6604 Prime Sponsor, Prentice: Providing excise tax relief for aerospace businesses. Reported by Committee on International Trade & Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6604 be substituted therefor, and the substitute bill do pass. Signed by Senators Shin, Chair; Sheldon, Vice Chair; Doumit, Eide, Pflug, Roach and Zarelli

Passed to Committee on Ways & Means.

January 24, 2006

SCR 8416 Prime Sponsor, Kastama: Moving the September 2006 legislative assembly to a location east of the Cascade Mountains. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 8416 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Fairley, Haugen, Kline, McCaslin and Pridemore

MINORITY recommendation: Do not pass. Signed by Senator Benton

MINORITY recommendation: Without recommendation: Signed by Senator Roach

Passed to Committee on Rules for second reading.

#### REPORTS OF STANDING COMMITTEES GUBERNATORIAL APPOINTMENTS

January 23, 2006

SGA 9334 TONI M. ASPIN, appointed October 1, 2005, for the term ending September 30, 2010, as Member, Board of Trustees, Peninsula Community College District No. 1. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Schmidt and Shin

Passed to Committee on Rules for second reading.

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SGA 9372 STACY PEDERSON, appointed July 6, 2005, for the term ending May 31, 2006, as Member, Board of Trustees, Western Washington University. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Schmidt and Shin

Passed to Committee on Rules for second reading.

January 23, 2006

SGA 9389 RICHARD D. ZWICKER, appointed October 1, 2005, for the term ending September 30, 2010, as Member, Board of Trustees, Renton Technical College District No. 27. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Schmidt and Shin

Passed to Committee on Rules for second reading.

January 23, 2006

SGA 9391 SHOUBEE LIAW, reappointed December 10, 2005, for the term ending September 30, 2010, as Member, Board of Trustees, Shoreline Community College District No. 7. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Schmidt and Shin

Passed to Committee on Rules for second reading.

January 23, 2006

SGA 9396 KAREN VANDER ARK, appointed November 1, 2005, for the term ending September 30, 2010, as Member, Board of Trustees, Highline Community College District No. 9. Reported by Committee on Early Learning, K-12 & Higher Education

MAJORITY recommendation: That said appointment be confirmed. Signed by Senators McAuliffe, Chair; Pridemore, Vice Chair, Higher Education; Weinstein, Vice Chair, Early Learning & K-12; Berkey, Carrell, Delvin, Eide, Kohl-Welles, Pflug, Rasmussen, Rockefeller, Schmidt and Shin

Passed to Committee on Rules for second reading.

## MOTION

On motion of Eide, all measures listed on the Standing Committee report were referred to the committees as designated with the exception of Senate Bill No. 6005 and Senate Bill No. 6326 which were referred to the Committee on Ways & Means..

## MOTION

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

## MESSAGES FROM THE STATE OFFICES

January 25, 2006

## 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 DSHS - High Risk Juvenile Offenders Report. This report is mandated under RCW 13.40.212(2).

If you have any questions about the report, please call 360-902-8100.

Sincerely,

Robin Arnold-Williams, Secretary  
The DSHS - High Risk Juvenile Offenders Report is on file in the Office of the Secretary of the Senate.

## MESSAGES FROM THE STATE OFFICES

January 25, 2006

## 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 DSHS - Naturalization Facilitation Report. This report is mandated under RCW 74.08A.130.

If you have any questions about the report, please call 360-725-4612.

Sincerely,

Robin Arnold-Williams, Secretary  
The DSHS - Naturalization Facilitation Report is on file in the Office of the Secretary of the Senate.

## MOTION

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

## MESSAGE FROM THE HOUSE

January 25, 2006

MR. PRESIDENT:

The House has passed the following bill(s):  
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1343,  
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

## MESSAGE FROM THE HOUSE

January 25, 2006

MR. PRESIDENT:

The House has passed the following bill(s):

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 SUBSTITUTE HOUSE BILL NO. 2155,  
 HOUSE BILL NO. 2330,  
 HOUSE BILL NO. 2332,  
 HOUSE BILL NO. 2338,  
 HOUSE BILL NO. 2379,  
 SUBSTITUTE HOUSE BILL NO. 2527,  
 SUBSTITUTE HOUSE BILL NO. 2545,  
 SUBSTITUTE HOUSE BILL NO. 2546,  
 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

SB 6833 by Senators Mulliken and Rasmussen

AN ACT Relating to the use of conservation easements; amending RCW 36.70A.060 and 36.70A.070; adding a new section to chapter 36.70A RCW; and creating new sections.

Referred to Committee on Government Operations & Elections.

SB 6834 by Senators Roach, Benson and Benton

AN ACT Relating to the special sex offender sentencing alternative; and creating new sections.

Referred to Committee on Judiciary.

SB 6835 by Senators Roach and Rasmussen

AN ACT Relating to property tax exemptions for persons with disabilities related to the performance of military duties; amending RCW 84.36.381; and creating a new section.

Referred to Committee on Ways & Means.

SB 6836 by Senator Mulliken

AN ACT Relating to requiring senate confirmation for members of the growth management hearings boards; and amending RCW 36.70A.260.

Referred to Committee on Government Operations & Elections.

SB 6837 by Senator Mulliken

AN ACT Relating to development regulations review by counties with low population densities; and reenacting and amending RCW 36.70A.130.

Referred to Committee on Government Operations & Elections.

SB 6838 by Senators Jacobsen and Honeyford

AN ACT Relating to the relationship between liquor manufacturers, importers, or distributors and nonprofit organizations holding a liquor license; amending RCW 66.24.375; and reenacting and amending RCW 66.28.010.

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

SB 6839 by Senator Haugen

AN ACT Relating to transportation accounts and revenue distributions; amending RCW 46.68.035, 46.16.086, 46.16.162, 46.68.135, and 46.68.290; adding a new section to chapter 46.68 RCW; and creating a new section.

Referred to Committee on Transportation.

SB 6840 by Senators Morton and Poulsen

AN ACT Relating to energy efficiency; and amending RCW 19.260.020, 19.260.030, 19.260.040, 19.260.050, and 19.260.070.

Referred to Committee on Water, Energy & Environment.

SB 6841 by Senators Stevens and Hargrove

AN ACT Relating to establishing the family assessment response demonstration program; adding a new chapter to Title 74 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Human Services & Corrections.

SB 6842 by Senators Kohl-Welles and Honeyford

AN ACT Relating to allowing for financial arrangements between the holders of a sports/entertainment facility license and manufacturers, importers, and distributors; and reenacting and amending RCW 66.28.010.

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

SB 6843 by Senators Thibaudeau, Pridemore, Fairley, Jacobsen and Kohl-Welles

AN ACT Relating to the Washington death with dignity act; amending RCW 42.56.360; adding a new chapter to Title 70 RCW; repealing RCW 70.122.100; prescribing penalties; and providing an effective date.

Referred to Committee on Health & Long-Term Care.

SB 6844 by Senators Shin and Berkey

AN ACT Relating to a study of the top ten United States of America biotechnology and biomedical device business clusters by the joint legislative audit and review committee; and adding a new section to chapter 44.28 RCW.

Referred to Committee on International Trade & Economic Development.

SB 6845 by Senators Fraser, Kastama and Pridemore

AN ACT Relating to the population threshold for cities and counties eligible to use the design-build procedure; amending RCW 39.10.902; and reenacting and amending RCW 39.10.051.

Referred to Committee on Government Operations & Elections.

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SB 6846 by Senators McAuliffe, Pridemore, Weinstein, Thibaudeau, Kohl-Welles, Berkey and Rasmussen

AN ACT Relating to a college in the high school program that is distinct from the running start program; amending RCW 28A.150.275, 28A.225.290, 28A.600.160, and 28A.600.300; adding new sections to chapter 28A.600 RCW; and creating a new section.

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

SB 6847 by Senator Finkbeiner

AN ACT Relating to reducing unfunded liabilities in plan 1 of the public employees' retirement system, plan 1 of the teachers' retirement system, plan 3 of the public employees' retirement system, plan 3 of the teachers' retirement system, and plan 3 of the school employees' retirement system; amending RCW 41.31.010 and 41.31.020; adding new sections to chapter 41.45 RCW; creating a new section; decodifying RCW 41.31.030; repealing RCW 41.31A.010, 41.31A.020, 41.31A.030, and 41.31A.040; and providing an effective date.

Referred to Committee on Ways & Means.

SB 6848 by Senators Kohl-Welles, Esser, Haugen, Benson and Benton

AN ACT Relating to disclosure of import vehicles; and amending RCW 46.70.011, 46.70.101, and 46.70.180.

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

SB 6849 by Senators Prentice, Delvin, Kohl-Welles and McAuliffe

AN ACT Relating to the extension of local taxes to fund arts, cultural and heritage institutions and programs, tourism promotion, publicly owned sports and entertainment facilities, and other civic amenities; amending RCW 67.28.180, 82.14.0485, 82.14.049, and 82.14.360; and creating new sections.

Referred to Committee on Ways & Means.

SB 6850 by Senators Jacobsen and Keiser

AN ACT Relating to the distribution of beer and wine by wineries and breweries located inside and outside Washington state; amending RCW 66.24.170, 66.24.240, 66.24.206, 66.24.210, 66.24.270, 66.24.290, 66.28.180, and 42.56.270; reenacting and amending RCW 66.24.244, 66.28.070, and 66.28.180; prescribing penalties; providing effective dates; providing an expiration date; and declaring an emergency.

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

SB 6851 by Senators Prentice and Fairley

AN ACT Relating to closure of mobile home parks and manufactured housing communities; and amending RCW 59.21.030 and 59.20.060.

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

SJM 8038 by Senators McAuliffe, Pridemore, Kohl-Welles, Shin, Berkey, Weinstein, Kline and Rasmussen

Petitioning Congress to raise funding levels of the No Child Left Behind Act.

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

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

ESHB 1343 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives P. Sullivan, Walsh, Simpson, Green, Buri, Kessler, Haler, Morrell, McCoy, Williams, Linville, Hasegawa, Roberts, Sells, McDermott, Chase and Ormsby)

AN ACT Relating to active duty members of the national guard; adding a new section to chapter 38.40 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SHB 2155 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Lantz and Shabro)

AN ACT Relating to state publication preservation by state library services within the office of the secretary of state; amending RCW 27.04.045, 40.06.010, 40.06.020, 40.06.030, 40.06.040, 40.06.050, 40.07.020, and 40.07.030; and creating a new section.

Referred to Committee on Government Operations & Elections.

HB 2330 by Representatives Blake, Buck, Upthegrove, Linville, Sump and B. Sullivan

AN ACT Relating to a crab pot buoy tag program; and amending RCW 77.70.430.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 2332 by Representatives Buck, Blake, Upthegrove, Haler and B. Sullivan

AN ACT Relating to recreational fishing for albacore tuna; and amending RCW 77.32.010.

Referred to Committee on Natural Resources, Ocean & Recreation.

HB 2338 by Representatives Kirby, Roach, Chase, Dickerson, Ericks, Simpson, Upthegrove and Schual-Berke

AN ACT Relating to the extension of the mortgage lending fraud prosecution account; amending RCW 36.22.181, 43.320.140, and 43.320.1401; and providing expiration dates.

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

HB 2379 by Representatives Lantz, Serben and Rodne  
 AN ACT Relating to nonprobate assets under will; and amending RCW 11.11.020 and 11.11.040.

Referred to Committee on Judiciary.

SHB 2527 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Nixon and Talcott)

AN ACT Relating to state employees; and adding a new section to chapter 41.06 RCW.

Referred to Committee on Government Operations & Elections.

SHB 2545 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, Nixon, Conway, Morrell, Bailey, McCoy, Green, Springer, McCune, Kilmer and P. Sullivan)

AN ACT Relating to veterans' scoring criteria in examinations; and amending RCW 41.04.010.

Referred to Committee on Government Operations & Elections.

SHB 2546 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, Nixon, Conway, Morrell, Bailey, Campbell, McCoy, Green, Rodne, Springer, McCune, Kilmer, Moeller and P. Sullivan)

AN ACT Relating to the definition of veteran; reenacting and amending RCW 41.04.007; and repealing RCW 73.08.060.

Referred to Committee on Government Operations & Elections.

MOTION

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

MOTION

At 12:06 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Friday, January 27, 2006.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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