#### TWENTY-THIRD DAY

#### NOON SESSION

Senate Chamber, Olympia, January 31, 2006

The Senate was called to order at 12:00 noon by President Pro Tempore. 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 30, 2006

SB 5236 Prime Sponsor, Kohl-Welles: Providing additional funding to the prevailing wage program of the department of labor and industries by discontinuing the transfer of moneys from the public works administration account to the general fund-state account. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 5236 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Brandland, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau

Passed to Committee on Rules for second reading.

January 30, 2006

<u>SB 6132</u> Prime Sponsor, Prentice: Creating a use tax exemption when converting or merging a federal, foreign, or out-of-state credit union into a state charter. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Brandland, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau

Passed to Committee on Rules for second reading.

January 30, 2006

<u>SB 6230</u> Prime Sponsor, Parlette: Extending the state sales and use tax credit for certain public facilities districts. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6230 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Brandland, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Schoesler and Thibaudeau

Passed to Committee on Rules for second reading.

January 30, 2006

<u>SB 6252</u> Prime Sponsor, Morton: Creating a temporary permit for the sale of one thousand or fewer rabbits. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6252 be substituted therefor, and the substitute bill do pass. Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Jacobsen, Morton, Schoesler and Sheldon

Passed to Committee on Rules for second reading.

January 30, 2006

<u>SB 6268</u> Prime Sponsor, Kastama: Addressing transportation concurrency under the growth management act. Reported by Committee on Government Operations & Elections

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

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

Passed to Committee on Transportation.

January 30, 2006

SB 6269 Prime Sponsor, Kastama: Creating a public school facilities element under the growth management act. Revised for 1st Substitute: Studying public school facility needs. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6269 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Benton, Haugen, Kline, Mulliken, Pridemore and Roach

Passed to Committee on Ways & Means.

January 30, 2006

SB 6280 Prime Sponsor, Regala: Removing the irrevocable dedication requirement for exemption from property taxes for nonprofit entities. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Brandland, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau

Passed to Committee on Rules for second reading.

January 30, 2006

SB 6291 Prime Sponsor, Kohl-Welles: Modifying provisions for cosmetology licensing exemptions. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That Substitute Senate Bill No. 6291 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Honeyford, Keiser and Parlette

Passed to Committee on Rules for second reading.

TWENTY-THIRD DAY, JANUARY 31, 2006

January 30, 2006

<u>SB 6338</u> Prime Sponsor, Haugen: Regarding the property tax exemption for seniors and for persons retired due to disability. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Doumit, Vice Chair, Operating Budget; Brandland, Pflug, Pridemore, Rasmussen, Roach, Schoesler and Thibaudeau

Passed to Committee on Rules for second reading.

January 26, 2006

<u>SB 6352</u> Prime Sponsor, Kohl-Welles: Protecting agricultural workers. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That Substitute Senate Bill No. 6352 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Brown, Keiser and Prentice

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

Passed to Committee on Rules for second reading.

January 30, 2006

<u>SB 6369</u> Prime Sponsor, Haugen: Providing excise tax exemptions for water services provided by small water systems. Reported by Committee on Ways & Means

MAJORITY recommendation: That Substitute Senate Bill No. 6369 be substituted therefor, and the substitute bill do pass. Signed by Senators Prentice, Chair; Doumit, Vice Chair, Operating Budget; Brandland, Kohl-Welles, Parlette, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau

Passed to Committee on Rules for second reading.

January 26, 2006

SB 6399 Prime Sponsor, Kohl-Welles: Improving unemployment insurance collection and penalty tools. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That Substitute Senate Bill No. 6399 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Brown, Hewitt, Honeyford, Keiser, Parlette and Prentice

Passed to Committee on Rules for second reading.

January 30, 2006

<u>SB 6541</u> Prime Sponsor, Prentice: Regarding appeal bond requirements against signatories of the tobacco master settlement agreement. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Brandland, Pflug, Pridemore, Rasmussen, Regala, Roach and Schoesler

Passed to Committee on Rules for second reading.

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<u>SB 6573</u> Prime Sponsor, Zarelli: Maintaining and enhancing the viability of agriculture. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: That Substitute Senate Bill No. 6573 be substituted therefor, and the substitute bill do pass. Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Jacobsen, Morton, Schoesler and Sheldon

Passed to Committee on Government Operations & Elections

January 30, 2006

<u>SB 6577</u> Prime Sponsor, Prentice: Modifying the electronic administration of the real estate excise tax. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Doumit, Vice Chair, Operating Budget; Brandland, Kohl-Welles, Pflug, Pridemore, Rasmussen, Regala, Roach, Rockefeller, Schoesler and Thibaudeau

Passed to Committee on Rules for second reading.

January 30, 2006

SB 6637 Prime Sponsor, Keiser: Concerning qualifications for adult family home providers. Reported by Committee on Health & Long-Term Care

MAJORITY recommendation: Do pass. Signed by Senators Keiser, Chair; Thibaudeau, Vice Chair; Benson, Brandland, Deccio, Franklin, Johnson, Kastama, Kline and Parlette

Passed to Committee on Rules for second reading.

January 30, 2006

SB 6701 Prime Sponsor, Rasmussen: Reaffirming Washington state's eminent domain laws with a right of first refusal. Revised for 1st Substitute: Reaffirming existing Washington state eminent domain laws. Reported by Committee on Government Operations & Elections

MAJORITY recommendation: That Substitute Senate Bill No. 6701 be substituted therefor, and the substitute bill do pass. Signed by Senators Kastama, Chair; Berkey, Vice Chair; Haugen, Kline, McCaslin and Pridemore

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

MINORITY recommendation: Without recommendation: Signed by Senator Benton

Passed to Committee on Rules for second reading.

January 30, 2006

SB 6704 Prime Sponsor, Rasmussen: Modifying the excise taxation of the manufacturing, selling, and processing of certain food products. Reported by Committee on Agriculture & Rural Economic Development

MAJORITY recommendation: Do pass. Signed by Senators Rasmussen, Chair; Shin, Vice Chair; Delvin, Jacobsen, Morton, Schoesler and Sheldon

Passed to Committee on Ways & Means.

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SB 6731 Prime Sponsor, Fraser: Prohibiting sellers of travel from promoting travel for sex tourism. Reported by Committee on Labor, Commerce, Research & Development

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

Passed to Committee on Rules for second reading.

January 30, 2006

SCR 8417 Prime Sponsor, Kohl-Welles: Establishing a committee on gambling policy setting. Reported by Committee on Labor, Commerce, Research & Development

MAJORITY recommendation: That Substitute Senate Bill No. 8417 be substituted therefor, and the substitute bill do pass. Signed by Senators Kohl-Welles, Chair; Franklin, Vice Chair; Honeyford, Keiser and Parlette

Passed to Committee on Rules for second reading.

#### **MOTION**

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

#### **MOTION**

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

## MESSAGE FROM THE HOUSE

January 30, 2006

MR. PRESIDENT:

The House has passed the following bill{s}:
SUBSTITUTE HOUSE BILL NO. 2419
HOUSE BILL NO. 2544
HOUSE BILL NO. 2567
HOUSE CONCURRENT RESOLUTION NO. 4417
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

#### MESSAGE FROM THE HOUSE

January 30, 2006

MR. PRESIDENT:

The House has passed the following bill{s}:
ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 2393
and the same is herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

#### **MOTION**

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

# INTRODUCTION AND FIRST READING

<u>SB 6875</u> by Senators Eide, Pflug, Brandland, Mulliken, Rasmussen, Benton and Benson

AN ACT Relating to small business tax relief; amending RCW 82.32.045; adding a new section to chapter 82.04 RCW; creating a new section; repealing RCW 82.04.4451; and providing an effective date.

Referred to Committee on Ways & Means.

Stevens, Hargrove, Oke, Roach, Benton, Benson, Zarelli, Sheldon, Johnson, Honeyford, Hewitt, Schoesler, Morton, Parlette and Delvin

AN ACT Relating to prohibiting the superintendent of public instruction from encouraging or promoting the teaching of sexual orientation; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

# SB 6877 by Senator Kline

AN ACT Relating to crimes against personal property; amending RCW 9A.48.070, 9A.48.080, 9A.48.090, 9A.56.010, 9A.56.030, 9A.56.040, 9A.56.050, 9A.56.060, 9A.56.096, 9A.56.150, 9A.56.160, 9A.56.170, and 9A.82.050; adding a new section to chapter 9A.48 RCW; adding a new section to chapter 9A.56 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SB 6878 by Senators Doumit, Schoesler, Pridemore, Roach, Kline, Morton, Benton, Brandland and Rasmussen

AN ACT Relating to renewing a concealed pistol license by members of the armed forces; and amending RCW 9.41.070.

Referred to Committee on Government Operations & Elections.

<u>SB 6879</u> by Senators Esser, Poulsen, Morton, Finkbeiner, Kline and Rasmussen

AN ACT Relating to smart grid energy technology; amending RCW 28B.20.296 and 82.63.010; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; providing an effective date; and providing expiration dates.

Referred to Committee on Water, Energy & Environment.

SB 6880 by Senators Kline, Weinstein and McCaslin

AN ACT Relating to a commission on psychoactive substance control; and creating a new section.

Referred to Committee on Health & Long-Term Care.

# SJM 8040 by Senator Thibaudeau

Requesting the creation of a department of peace and nonviolence.

Referred to Committee on Government Operations & Elections.

#### INTRODUCTION AND FIRST READING OF HOUSE BILLS

<u>ESHB 1020</u> by House Committee on Technology, Energy & Communications (originally sponsored by Representatives Morris and B. Sullivan)

AN ACT Relating to siting electrical transmission under the energy facility site evaluation council; amending RCW 80.50.020, 80.50.060, and 80.50.090; adding a new section to chapter 80.50 RCW; and creating a new section.

Referred to Committee on Water, Energy & Environment.

<u>SHB 1257</u> by House Committee on Financial Institutions & Insurance (originally sponsored by Representatives Roach, Kirby, Newhouse, Simpson, Holmquist, Haler, Upthegrove, O'Brien and Nixon)

AN ACT Relating to motorcycle or motor-driven cycle insurance coverage; and amending RCW 48.22.030.

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

HB 1331 by Representatives Conway, Alexander, Wood, DeBolt, Simpson, Strow, Chase and Ormsby

AN ACT Relating to electrical contractor licenses; and amending RCW 19.28.041.

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

SHB 1348 by House Committee on Judiciary (originally sponsored by Representatives Williams, Newhouse and Lantz)

AN ACT Relating to jurisdiction over judgments; and amending RCW 3.66.020, 3.66.040, 3.62.060, and 12.04.130.

Referred to Committee on Judiciary.

SHB 1841 by House Committee on Commerce & Labor (originally sponsored by Representatives Wood, Kenney, Conway, Strow, Sells, Simpson, Hasegawa and Santos)

AN ACT Relating to electrical trainees; and amending RCW 19.28.161.

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

ESHB 1850 by House Committee on Health Care (originally sponsored by Representatives Schual-Berke and Cody)

AN ACT Relating to retired volunteer medical workers; amending RCW 43.70.110 and 43.70.250; adding a new section to chapter 18.130 RCW; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Health & Long-Term Care.

ESHB 1883 by House Committee on Select Committee on Hood Canal (originally sponsored by Representatives McCoy, Pearson, Eickmeyer, Upthegrove and Haigh)

AN ACT Relating to collection and preservation of oral histories about Hood Canal; adding a new section to chapter 28B.40 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Government Operations & Elections.

HB 2367 by Representatives O'Brien, Kirby, Strow, McCoy and B. Sullivan

AN ACT Relating to the certification of tribal police officers; amending RCW 43.101.085 and 43.101.380; adding a new section to chapter 43.101 RCW; and providing an effective date.

Referred to Committee on Judiciary.

SHB 2419 by House Committee on State Government Operations & Accountability (originally sponsored by Representatives Haigh, Nixon, Clibborn and McDermott)

AN ACT Relating to hosting the national conference of lieutenant governors; amending RCW 42.52.150; creating new sections; and declaring an emergency.

<u>HB 2544</u> by Representatives P. Sullivan, Jarrett, Green, Dunshee, Upthegrove, McCoy, Ericks, Simpson, Schual-Berke, Lantz, Ormsby, Springer, Kilmer and Kagi

AN ACT Relating to authorization for projects recommended by the public works board; creating a new section; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 2567 by Representatives Wallace, Ericks, Morrell, Kilmer, Lovick, Campbell, Green, Lantz, Springer and Moeller

AN ACT Relating to the possession of methamphetamine precursors; adding a new section to chapter 9.91 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

SHJM 4003 by House Committee on Transportation (originally sponsored by Representatives Ericksen, Kessler, Haler, O'Brien, Talcott, Chase, Dickerson and B. Sullivan)

Requesting Congress to consider Washington for magnetic levitation transportation funding.

Referred to Committee on Transportation.

<u>HJM 4026</u> by Representatives Haler, Takko, Newhouse, Nixon, Moeller, Grant, Morris, B. Sullivan and Woods

Requesting the Columbia generating station be used for the commercial production of hydrogen.

Referred to Committee on Water, Energy & Environment.

HCR 4415 by Representatives Kessler, Armstrong and Dunn

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Approving the names of certain state facilities.

<u>HCR 4417</u> by Representatives Kessler, Armstrong, Morrell, Springer, Pearson, Sells, Green, Kilmer, Kristiansen, Ericks and Hankins

Honoring the recipients of the State Medal of Valor in Joint Session.

#### **MOTION**

On motion of Senator Eide, all measures listed on the Introduction and First Reading report were referred to the committees as designated with the exception of Substitute House Bill No. 2419, House Concurrent Resolution No. 4415 and House Concurrent Resolution No. 4417 were placed on the second reading calendar under suspended of the rules.

# MOTION

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

#### MOTION

Senator Kohl-Welles moved adoption of the following resolution:

# SENATE RESOLUTION 8703

By Senators Kohl-Welles, Brown, Hewitt, McAuliffe, Pridemore, Rockefeller, Regala, Doumit and Keiser

WHEREAS, Participation in athletics is one of the most effective ways for girls and women in the United States to develop leadership skills, discipline, initiative, and self-confidence; and

WHEREAS, Sport and fitness activities contribute to girls' and women's emotional and physical well-being; and

WHEREAS, The communication, competition, and cooperation skills learned through athletic experience play a key role in the contributions of athletes to the home, workplace, and society: and

WHEREAS, Early motor skill training and enjoyable experiences of physical activity strongly encourage enduring habits of physical fitness; and

WHEREAS, Girls and women who participate in sports have higher levels of self-esteem, less depression, and a reduced risk for heart disease, breast cancer, and other illness; and

WHEREAS, The bonds built among girls and women through athletics help break down the social barriers of racism and prejudice; and

WHEREAS, 58,789 female athletes participate in high school sports and athletic activities in Washington, constituting 43 percent of the total number of athletes as compared to the national average of girls participating in high school sports of 41 percent; and

WHEREAS, High school athletic teams in the state of Washington have achieved many accomplishments that serve as an inspiration to young women to promote the values of teamwork and cooperation; and

teamwork and cooperation; and
WHEREAS, Washington high schools have fostered
outstanding achievements in girls' and women's sports,
including: Jenny Baker, Eatonville High School girls' soccer,
National Soccer Coaches Association of America
(NSCAA)/Adidas Girls' High School All-American Team for the
second consecutive year; Bellarmine Preparatory School girls'
soccer, Washington Interscholastic Activities Association
(WIAA) 4A Girls' State Champions in 2005 and 2004; Connell
High School girls' cross country, WIAA 2A State Academic

Champions for a team GPA of 4.0; and Holy Names Academy girls' cross country, WIAA 3A Academic Champions for a team GPA of 4.0; and

WHEREAS, Washington colleges and universities have fostered outstanding achievements in women's sports, including: Corrie McDaniel, Seattle Pacific University, National Collegiate Athletic Association (NCAA) Woman of the Year for Washington State; Western Washington University women's rowing team, winner of the 2005 NCAA Division II National Championship; Gonzaga University women's soccer, 1st National ranking; Cortney Kjar, University of Puget Sound, First Team All-American and Division III National Woman's Soccer Player of the year; Eastern Washington University women's soccer, AVCA/Molten Team Academic Award for a team GPA of 3.3 or above for the eighth consecutive year; Laura Valass, Whitman College Nordic skiing, NCAA All-American, Academic All-District first team; and Kate Soma, University of Washington, NCAA pole vault title; and

WHEREAS, Student-athletes graduate at a higher rate than nonathlete college students, 62 percent compared to 60 percent, respectively; and

WHEREAS, Institutions of higher education continue to produce elite athletes competing with pride, commitment, and passion. The participation of Washington female collegiate athletes is among the highest in the country at 48 percent of total athletes. The participation rate of female athletes in community colleges in Washington is 46 percent of total athletes. Currently, there are 222 female athletes participating at Central Washington University, 215 female athletes participating at Eastern Washington University, 192 female athletes participating at Pacific Lutheran University, 149 female athletes participating at Seattle Pacific University, 158 female athletes participating at Gonzaga University, 48 female athletes participating at Western Washington University, 116 female athletes participating at Western Washington University, 116 female athletes participating at Whitman College, and 172 female athletes participating at Whitman College; and

where sparticipating at Whitworth College; and WHEREAS, The number of funded research projects focusing on the specific needs of female athletes is limited, and the information provided by the projects is imperative to the health and performance of future female woman athletes; NOW, THEREFORE, BE IT RESOLVED, That the

NOW, THEREFORE, BE IT RESOLVED, That the Washington State Senate recognize Washington Girls and Women in Sports Day on February 5, 2006, and encourage others to observe the day with appropriate ceremonies and activities.

Senator Kohl-Welles spoke in favor of adoption of the resolution.

The President Pro Tempore declared the question before the Senate to be the adoption of Senate Resolution No. 8703.

The motion by Senator Kohl-Welles carried and the resolution was adopted by voice vote.

## MOTION

At 12:06 p.m., on motion of Senator Eide, the Senate adjourned until 10:00 a.m. Wednesday, February 1, 2006.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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