

THIRD DAY, JANUARY 10, 2007

2007 REGULAR SESSION

**THIRD DAY**

**MORNING SESSION**

Senate Chamber, Olympia, Wednesday, January 10, 2007

The Senate was called to order at 10:00 a.m. 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**

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

**MESSAGE FROM THE STATE OFFICES**

December 8, 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 Washington Apple Commission, Accountability Audit Report. If you have any questions about the report, please call 360-902-0370.

Sincerely,  
State Auditor, Brian Sonntag

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

**MESSAGE FROM THE STATE OFFICES**

January 12, 2007

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

Sincerely,  
State Auditor, Brian Sonntag

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

**MESSAGE FROM THE STATE OFFICES**

January 5, 2007

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 Evergreen State College Housing Audit Report. If you have any questions about the report, please call 360-902-0370.

Sincerely,  
State Auditor, Brian Sonntag

The Evergreen State College Housing Audit Report is on file in the Office of the Secretary of the Senate.

**MESSAGE FROM THE STATE OFFICES**

January 2, 2007

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 State Dept. of Ag, Implementation of Section 192. This report is mandated under RCW 15.110.060. If you have any questions about the report, please call 360-902-1812.

Sincerely,  
Mary Beth Lang, Assistant to the Director  
The Washington State Dept. of Ag, Implementation of Section 192 is on file in the Office of the Secretary of the Senate.

**MESSAGE FROM THE STATE OFFICES**

January 5, 2007

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 State Department of Health, Adoption Data Collection System. This report is mandated under Substitute Senate Bill No. 6635.

Sincerely,  
Mary C. Selecky, Secretary  
The Washington State Department of Health, Adoption Data Collection System is on file in the Office of the Secretary of the Senate.

**MESSAGE FROM THE STATE OFFICES**

December 1, 2006

STATE OF WASHINGTON

Olympia, Washington 98504-5000

Mr. Thomas Hoemann  
Secretary of the Senate  
P.O. Box 40482

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Olympia, Washington 98504-0482

2007 REGULAR SESSION  
INTRODUCTION AND FIRST READING

Dear Mr. Hoemann:

Enclosed is Dept. of Social & Health Services, Foster & Adoptive Home Placement. This report is mandated under RCW 74.13.031.

If you have any questions about the report, please call 360-902-7919.

The Dept. of Social & Health Services, Foster & Adoptive Home Placement is on file in the Office of the Secretary of the Senate.

MESSAGE FROM THE STATE OFFICES

December 31, 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 Washington State Dept. Community, Trade & Ec. Dev., Recommendation of the Hope Card Committee.

The Washington State Dept. Community, Trade & Ec. Dev., Recommendation of the Hope Card Committee 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 9, 2007

MR. PRESIDENT:

The Speaker has signed:  
HOUSE CONCURRENT RESOLUTION NO. 4400,  
HOUSE CONCURRENT RESOLUTION NO. 4401,  
HOUSE CONCURRENT RESOLUTION NO. 4402,  
HOUSE CONCURRENT RESOLUTION NO. 4403,  
and the same are herewith transmitted.

RICHARD NAFZIGER, Chief Clerk

SIGNED BY THE PRESIDENT

The President signed:  
SENATE CONCURRENT RESOLUTION NO. 8400,

SIGNED BY THE PRESIDENT

The President signed:  
HOUSE CONCURRENT RESOLUTION NO. 4400,  
HOUSE CONCURRENT RESOLUTION NO. 4401,  
HOUSE CONCURRENT RESOLUTION NO. 4402,  
HOUSE CONCURRENT RESOLUTION NO. 4403,

MOTION

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

SB 5070 by Senators Carrell, Regala, Hargrove, Kline, Weinstein, Stevens, Brandland, Parlette, McCaslin, Kastama, Holmquist, Zarelli, Pridemore, Schoesler, Clements, Rasmussen, Swecker, Roach, Franklin, Delvin, Sheldon, Eide, Spanel, Hewitt, Hatfield, Keiser, Pflug, McAuliffe, Berkey, Haugen, Fairley, Murray, Tom, Kohl-Welles, Shin and Kilmer

AN ACT Relating to reentry of offenders into the community; amending RCW 9.94A.728, 9.94A.737, and 72.09.460; adding new sections to chapter 72.09 RCW; adding new sections to chapter 43.43 RCW; adding a new section to chapter 59.18 RCW; adding a new section to chapter 35.82 RCW; adding a new chapter to Title 72 RCW; creating new sections; making appropriations; and providing expiration dates.

Referred to Committee on Human Services & Corrections.

SB 5071 by Senators Fairley, Kohl-Welles, Shin and Rasmussen

AN ACT Relating to visitation rights for grandparents; amending RCW 26.09.004 and 26.10.160; adding a new section to chapter 26.09 RCW; creating a new section; and repealing RCW 26.09.240.

Referred to Committee on Human Services & Corrections.

SB 5072 by Senators Honeyford and Schoesler

AN ACT Relating to the exemption of fraternal organizations from property taxation; amending RCW 84.36.840; reenacting and amending RCW 84.36.805; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Government Operations & Elections.

SB 5073 by Senators Honeyford, Schoesler and Delvin

AN ACT Relating to phasing out building permit moratoriums for cities with unprocessed water right permit applications; and amending RCW 19.27.097.

Referred to Committee on Water, Energy & Telecommunications.

SB 5074 by Senators Honeyford, Poulsen, Schoesler and Delvin

AN ACT Relating to watershed planning; and amending RCW 90.82.060.

Referred to Committee on Water, Energy & Telecommunications.

SB 5075 by Senators Honeyford, Rasmussen, Hewitt, Clements, Schoesler, Roach and Parlette

AN ACT Relating to outdoor burning; and amending RCW 70.94.743.

Referred to Committee on Water, Energy & Telecommunications.

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SB 5076 by Senators Honeyford, Rasmussen, Schoesler, Clements, Shin, Sheldon and Parlette

AN ACT Relating to agricultural operations, activities, and practices; amending RCW 7.48.310; reenacting and amending RCW 7.48.305; and creating a new section.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5077 by Senators Honeyford, Rasmussen, Schoesler, Clements, Sheldon, Roach and Parlette

AN ACT Relating to exempting propane fuel sold to farm fuel users for nonhighway use from the retail sales and use tax; amending RCW 82.08.865 and 82.12.865; and providing an effective date.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5078 by Senators Honeyford and Kline

AN ACT Relating to approaching stationary emergency vehicles or police vehicles; and amending RCW 46.61.212, 46.61.100, and 46.61.120.

Referred to Committee on Transportation.

SB 5079 by Senators Marr, Kline and McCaslin

AN ACT Relating to including supreme court and court of appeals commissioners to solemnize marriages; and amending RCW 26.04.050.

Referred to Committee on Judiciary.

SB 5080 by Senators Marr, Swecker, Murray, Weinstein, Kauffman, Rasmussen, Hatfield, Hobbs, Berkey, Pridemore, Regala, Tom, McCaslin, Oemig, Jacobsen and Rockefeller

AN ACT Relating to extending waste tire removal fees; amending RCW 70.95.510, 70.95.521, 70.95.530, and 70.95.555; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Transportation.

SB 5081 by Senators Marr, Swecker, Kauffman and Murray

AN ACT Relating to requesting the issuance and sale of general obligation bonds for category C state highway improvements; and amending RCW 47.10.812 and 47.10.813.

Referred to Committee on Transportation.

SB 5082 by Senators Spanel, Swecker, Murray and Kohl-Welles

AN ACT Relating to time periods for collective bargaining by state ferry employees; and amending RCW 47.64.170, 47.64.210, and 47.64.300.

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

SB 5083 by Senators Kilmer, Swecker, Murray and Keiser

AN ACT Relating to the use of automated traffic safety cameras in state highway work zones; amending RCW 46.63.170; and prescribing penalties.

Referred to Committee on Transportation.

SB 5084 by Senators Murray, Swecker, Haugen and Delvin

AN ACT Relating to rail transit safety plans; and amending RCW 35.21.228, 35A.21.300, 36.01.210, 36.57.120, 36.57A.170, 81.112.180, and 81.104.115.

Referred to Committee on Transportation.

SB 5085 by Senators Haugen, Swecker and Murray

AN ACT Relating to increasing the proportionate share of earnings from surplus balance investments that are deposited in transportation-related accounts; and reenacting and amending RCW 43.84.092.

Referred to Committee on Transportation.

SB 5086 by Senators Haugen, Swecker and Murray

AN ACT Relating to increasing the population threshold for state highway maintenance responsibility in cities and towns; and amending RCW 47.24.020.

Referred to Committee on Transportation.

SB 5087 by Senators Haugen, Swecker and Murray

AN ACT Relating to compliance with the federal REAL ID Act of 2005; adding a new section to chapter 43.41 RCW; and adding new sections to chapter 46.20 RCW.

Referred to Committee on Transportation.

SB 5088 by Senators Haugen, Swecker and Shin

AN ACT Relating to vehicles boarding ferries; and adding a new section to chapter 46.61 RCW.

Referred to Committee on Transportation.

SB 5089 by Senators Regala, Zarelli, Eide, Shin, Franklin, Keiser, Rockefeller, Weinstein, Pridemore, Marr, Hobbs, Rasmussen, Murray, Prentice, Fairley, Fraser, Spanel, Berkey, Tom, Kohl-Welles, McAuliffe and Kline

AN ACT Relating to conforming Washington's tax structure to the streamlined sales and use tax agreement; amending RCW 82.32.020, 82.08.037, 82.12.037, 82.02.210, 82.32.030, 82.14.020, 82.14.390, 82.32.520, 82.04.065, 82.04.065, 82.08.0289, 82.08.0289, 82.04.060, 82.04.190, 82.14B.020, 82.72.010, 82.32.555, 35A.82.055, 35A.82.060, 35A.82.060, 35A.82.065, 35.21.712, 35.21.714, 35.21.714, 35.21.715, 35.21.860, 35.102.020, 82.04.530, 82.16.010, 82.08.0283, 82.12.0277, 82.08.803, 82.12.803, 82.04.470, 82.12.035, 82.08.010, 82.08.010, 82.32.430, and 82.32.330; amending 2004 c 153 s 502 (uncodified); reenacting and amending RCW 82.04.050, 82.14B.030, and 82.08.050; adding new sections to chapter 82.32 RCW; adding new sections to chapter 82.14 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to

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chapter 44.28 RCW; creating new sections; providing an effective date; providing contingent effective dates; and providing expiration dates.

Referred to Committee on Ways & Means.

SB 5090 by Senators Kastama, Shin, Franklin, Kilmer, Marr, Kauffman, Murray and Rasmussen

AN ACT Relating to innovation partnership zones; amending RCW 39.102.070 and 82.14.370; adding a new section to chapter 43.330 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Economic Development, Trade & Management.

SB 5091 by Senators Fairley, Marr, Keiser, Kauffman, Franklin, Jacobsen, Regala, Kohl-Welles, McAuliffe, Kline and Kilmer

AN ACT Relating to implementing the part D drug copayment program; and amending RCW 74.09.520.

Referred to Committee on Health & Long-Term Care.

SB 5092 by Senators Marr, Brown, Kilmer, Kauffman, Murray, Shin and Rasmussen

AN ACT Relating to contracts with associate development organizations for economic development services; amending RCW 43.330.080; adding new sections to chapter 43.330 RCW; and creating a new section.

Referred to Committee on Economic Development, Trade & Management.

SB 5093 by Senators Marr, Keiser, Franklin, Shin, Fairley, Hobbs, Weinstein, Kauffman, Pridemore, Oemig, Eide, Brown, Tom, Kohl-Welles, Regala, McAuliffe, Spanel, Rockefeller and Rasmussen

AN ACT Relating to health care services for children; amending RCW 74.09.402; adding new sections to chapter 74.09 RCW; adding a new section to chapter 28A.210 RCW; and repealing RCW 74.09.405, 74.09.415, 74.09.425, 74.09.435, and 74.09.450.

Referred to Committee on Health & Long-Term Care.

SB 5094 by Senators Sheldon, Swecker, Hatfield, Hargrove, Honeyford, Haugen, Schoesler, Clements and Rasmussen

AN ACT Relating to the sales and use tax for public facilities in counties; and amending RCW 82.14.370.

Referred to Committee on Economic Development, Trade & Management.

SB 5095 by Senators McCaslin and Delvin

AN ACT Relating to expanding the DNA identification system to include DNA samples from persons arrested on criminal charges; and amending RCW 43.43.735 and 43.43.754.

Referred to Committee on Judiciary.

SB 5096 by Senators McCaslin, Murray, Marr, Sheldon, Hatfield and Rasmussen

AN ACT Relating to primary elections costs; amending RCW 29A.04.410 and 29A.04.420; and adding a new section to chapter 29A.04 RCW.

Referred to Committee on Government Operations & Elections.

SB 5097 by Senators Rockefeller, McAuliffe, Swecker, Kastama, Regala, Weinstein, Eide, Oemig, Pridemore, Kohl-Welles, Keiser, Shin, Berkey, Murray, Kline and Rasmussen

AN ACT Relating to safe school plans; and amending RCW 28A.320.125.

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

SB 5098 by Senators Rockefeller, Keiser, Weinstein, Fairley, Marr, Murray, Kastama, Kohl-Welles, Rasmussen, McAuliffe, Kauffman, Kilmer, Tom and Shin

AN ACT Relating to the guaranteed opportunities scholarship; amending RCW 28B.95.020, 28B.95.030, and 28B.95.060; reenacting and amending RCW 43.79A.040; adding a new section to chapter 28B.95 RCW; and adding a new chapter to Title 28B RCW.

Referred to Committee on Higher Education.

SB 5099 by Senator Rockefeller

AN ACT Relating to the office of regulatory assistance; amending RCW 43.42.010, 43.131.401, and 43.131.402; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Government Operations & Elections.

SB 5100 by Senators Hobbs, McAuliffe, Regala, Fairley, Shin, Weinstein, Murray, Keiser, Prentice, Kline, Spanel, Fraser, Tom, Kohl-Welles and Rasmussen

AN ACT Relating to information for students regarding health insurance; and adding a new section to chapter 28A.210 RCW.

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

SB 5101 by Senators Hobbs, McAuliffe, Fairley, Weinstein, Marr, Shin, Oemig, Fraser, Kline, Regala, Rasmussen, Tom, Kohl-Welles and Haugen

AN ACT Relating to waiving tuition and fees for public and vocational school teachers and other certificated instructional staff; and amending RCW 28B.15.558.

Referred to Committee on Higher Education.

SB 5102 by Senators McAuliffe, Pridemore, Fairley, Shin, Berkey, Kohl-Welles, Delvin, Rasmussen, Prentice, Hobbs, Jacobsen and Kilmer

AN ACT Relating to modifying the legislative youth

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advisory council; amending RCW 28A.300.801; creating a new section; and declaring an emergency.

Referred to Committee on Agriculture & Rural Economic Development.

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

SB 5109 by Senators Rockefeller, Poulsen, Kohl-Welles and Murray

SB 5103 by Senators McAuliffe, Pridemore, Shin, Weinstein, Kohl-Welles, Berkey, Hobbs, Fairley, Rasmussen, Keiser, Prentice and Kline

AN ACT Relating to the department of ecology's adoption of rules to implement California's motor vehicle emissions standards; and amending RCW 70.120A.010.

AN ACT Relating to safety belts on school buses; amending RCW 46.37.510 and 46.61.688; adding a new section to chapter 46.04 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Water, Energy & Telecommunications.

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

SB 5110 by Senators Fraser and Brandland

AN ACT Relating to creating the water quality capital account; adding a new section to chapter 70.146 RCW; providing an effective date; and declaring an emergency.

SB 5104 by Senators McAuliffe, Tom, Rockefeller, Shin, Oemig, Berkey, Brandland, Fairley, Pflug, Delvin, Rasmussen, Kohl-Welles, Keiser, Zarelli, Prentice, Eide, Kline, Hobbs, Clements and Kilmer

Referred to Committee on Ways & Means.

AN ACT Relating to the applied baccalaureate degree pilot program; amending RCW 28B.50.810; and creating a new section.

SB 5111 by Senators Fraser and Brandland

AN ACT Relating to state general obligation bonds and related accounts; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on Higher Education.

Referred to Committee on Ways & Means.

SB 5105 by Senators McAuliffe, Brandland, Kohl-Welles, Tom, Rockefeller, Hobbs, Pridemore, Shin, Oemig, Delvin, Berkey, Rasmussen, Eide, Keiser, Zarelli, Prentice, Kline, Clements, Marr, Kilmer and Parlette

SB 5112 by Senators Schoesler, Kohl-Welles, Rasmussen, Pridemore, Clements, Sheldon, Morton, Hatfield and Honeyford

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.

AN ACT Relating to auctioning vessels; and amending RCW 88.02.230 and 46.70.011.

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

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

SB 5106 by Senators Jacobsen, Kohl-Welles, Murray and Rasmussen

SB 5113 by Senators Schoesler, Rasmussen, Holmquist, Clements, Morton, Hatfield and Pridemore

AN ACT Relating to emergency preparedness planning for service animals and household pets; adding a new section to chapter 38.52 RCW; and creating a new section.

AN ACT Relating to barley straw for water clarification; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Agriculture & Rural Economic Development.

Referred to Committee on Agriculture & Rural Economic Development.

SB 5107 by Senators Haugen and Swecker

SJR 8206 by Senators Brown, Zarelli, Eide, Hewitt, Haugen, Franklin, Kilmer, Kauffman, Marr, Rasmussen, Berkey, Sheldon, Keiser, Tom, McAuliffe, Parlette and Rockefeller

AN ACT Relating to requesting the issuance and sale of general obligation bonds for state highway improvements; and amending RCW 47.10.812, 47.10.813, 47.10.861, and 47.10.873.

Creating the budget stabilization account in the state Constitution.

Referred to Committee on Transportation.

Referred to Committee on Ways & Means.

SB 5108 by Senators Haugen, Rasmussen, Jacobsen, Shin, Spanel, Swecker, Brandland, Hatfield and Parlette

#### 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 Senate Bill No. 5075 which was referred to the Committee on Water, Energy & Telecommunications and Senate Bill No. 5080 which was referred to the Committee on Transportation.

AN ACT Relating to farmland preservation; adding a new chapter to Title 89 RCW; and providing an expiration date.

#### MOTION

At 10:06 a.m., on motion of Senator Eide, the Senate

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adjourned until 12:00 noon, Thursday, January 11, 2007.

BRAD OWEN, President of the Senate

THOMAS HOEMANN, Secretary of the Senate

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	Speaker Signed	2	5095	Introduction & 1st Reading	4
4401	President Signed	2	5096	Introduction & 1st Reading	4
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4402	President Signed	2	5098	Introduction & 1st Reading	4
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	Speaker Signed	2	5101	Introduction & 1st Reading	4
5070	Introduction & 1st Reading	2	5102	Introduction & 1st Reading	4
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5074	Introduction & 1st Reading	2	5106	Introduction & 1st Reading	5
5075	Introduction & 1st Reading	2	5107	Introduction & 1st Reading	5
	Other Action	5	5108	Introduction & 1st Reading	5
5076	Introduction & 1st Reading	3	5109	Introduction & 1st Reading	5
5077	Introduction & 1st Reading	3	5110	Introduction & 1st Reading	5
5078	Introduction & 1st Reading	3	5111	Introduction & 1st Reading	5
5079	Introduction & 1st Reading	3	5112	Introduction & 1st Reading	5
5080	Introduction & 1st Reading	3	5113	Introduction & 1st Reading	5
	Other Action	5	8206	Introduction & 1st Reading	5
5081	Introduction & 1st Reading	3	8400	President Signed	2
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5084	Introduction & 1st Reading	3	Dept. of Community Trade & Economic Development	2	
5085	Introduction & 1st Reading	3	Dept. of Health Adoption Data	1	
5086	Introduction & 1st Reading	3	Dept. of Social & Health Services	1	
5087	Introduction & 1st Reading	3	Evergreen State College Audit Report	1	
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5089	Introduction & 1st Reading	3			
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