

FIFTY NINTH LEGISLATURE - REGULAR SESSION

TWENTY-SECOND DAY

House Chamber, Olympia, Monday, January 31, 2005

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Will Livesly-O'Neill and Rachael Bake. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Reverend Deborah Heathcock, Episcopal Diocese of Olympia.

Reading of the Journal of the previous day was dispensed with and it was ordered to stand approved.

MESSAGE FROM THE SENATE

January 28, 2005

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE SENATE BILL NO. 5151, and the same is herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION & FIRST READING

HB 1597 by Representatives Lantz, Haler, Simpson, Fromhold, P. Sullivan, Shabro, Moeller, Dickerson, Darneille, McDermott and Hudgins

AN ACT Relating to county law library funding; and amending RCW 27.24.070.

Referred to Committee on Judiciary.

HB 1598 by Representatives Wood, Wallace, Woods and Skinner; by request of County Road Administration Board

AN ACT Relating to the population thresholds for membership of the county road administration board; and amending RCW 36.78.040.

Referred to Committee on Transportation.

HB 1599 by Representatives Takko, Wallace and Woods; by request of County Road Administration Board

AN ACT Relating to the definition of "county engineer"; and amending RCW 36.75.010.

Referred to Committee on Transportation.

HB 1600 by Representatives Takko, Wallace and Woods; by request of County Road Administration Board

AN ACT Relating to county road construction projects reporting requirements; and amending RCW 36.77.065 and 36.81.130.

Referred to Committee on Transportation.

HB 1601 by Representatives Ormsby, Holmquist and Pettigrew

AN ACT Relating to the dissolution of joint housing authorities; and adding a new section to chapter 35.82 RCW.

Referred to Committee on Housing.

HB 1602 by Representatives Haigh, Hinkle and Hudgins

AN ACT Relating to public records requests; and amending RCW 42.17.320.

Referred to Committee on State Government Operations & Accountability.

HB 1603 by Representatives Simpson, Shabro, Upthegrove, Murray, Chase, Campbell, Dickerson, McDonald, Hankins, Woods, Armstrong, Wood, O'Brien, Skinner, McDermott and Hudgins; by request of Freight Mobility Strategic Investment Board

AN ACT Relating to establishing dedicated funding for freight mobility; amending RCW 43.84.092; reenacting and amending RCW 43.84.092; adding a new section to chapter 47.06A RCW; creating new sections; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Transportation.

HB 1604 by Representatives O'Brien, Lovick, Ericks, Simpson and Hasegawa

AN ACT Relating to elections; amending RCW 29A.04.311, 29A.12.010, 29A.12.020, 29A.12.040, 29A.12.060, 29A.12.080, 29A.12.130, 29A.12.140, 29A.12.160, 29A.12.160, 29A.40.091, 29A.40.110, and 29A.48.050; adding a new section to chapter 29A.36 RCW; adding new sections to chapter 29A.60 RCW; repealing RCW 29A.12.030, 29A.12.050, 29A.12.150, and 42.17.710; providing an effective date; and providing an expiration date.

Referred to Committee on State Government Operations & Accountability.

HB 1605 by Representatives Upthegrove, Dickerson, Schual-Berke, Cody, McDermott, Hunter, B. Sullivan, Simpson, Morrell, Murray, Chase, Roberts, Kenney and Santos

AN ACT Relating to protecting children from area-wide soil contamination; adding a new section to chapter 74.15 RCW; and adding a new chapter to Title 70 RCW.

Referred to Committee on Natural Resources, Ecology & Parks.

HB 1606 by Representatives Green, Skinner, Cody, Bailey, Clibborn, Williams, Morrell and Schual-Berke

AN ACT Relating to fairness in the informal dispute resolution process; amending RCW 18.20.195; and adding a new section to chapter 18.51 RCW.

Referred to Committee on Health Care.

HB 1607 by Representatives Strow, Kenney, Walsh, McCoy, Ormsby, Murray, Chase, Dickerson, Hasegawa, Roberts, Santos and Hudgins

AN ACT Relating to resident tuition rates for American Indian students; and amending RCW 28B.15.0131.

Referred to Committee on Higher Education.

HB 1608 by Representatives Grant, Holmquist, Linville, Buri, Wallace, Newhouse, Hinkle, Walsh, Quall, Kenney, Armstrong, Clements, Kristiansen, P. Sullivan, Blake, Haler, Kessler, Morrell, Chase, Skinner, McDermott and Santos

AN ACT Relating to the potato commission; amending RCW 15.66.270; adding a new chapter to Title 15 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 1609 by Representatives Grant, Walsh, Lovick, Clements, Quall, Jarrett, Murray, DeBolt, Clibborn, Morris, O'Brien, McCoy, Green, Ericksen, Kessler, Hunt, Williams, Chase, Linville, Sells, Armstrong, P. Sullivan, Haigh and Santos

AN ACT Relating to excluding self-service laundry from the definition of retail sale for excise tax purposes; reenacting and amending RCW 82.04.050; creating a new section; and providing an effective date.

Referred to Committee on Finance.

HB 1610 by Representatives Miloscia, Haler, Conway, Santos, Upthegrove, Priest, Appleton, Kirby, Simpson and Clibborn

AN ACT Relating to authorizing local governments to seek voter approval for a fixed multiyear regular property tax dollar rate; and amending RCW 84.55.050.

Referred to Committee on Finance.

HB 1611 by Representatives B. Sullivan, Upthegrove, Williams, Chase, Dickerson, Linville and McDermott

AN ACT Relating to creating an invasive species council; and adding a new chapter to Title 77 RCW.

Referred to Committee on Natural Resources, Ecology & Parks.

HB 1612 by Representatives Kilmer, Skinner, Cody, Bailey, Murray, Haigh, Kenney, McDermott and Santos

AN ACT Relating to University of Washington dental school faculty; and amending RCW 18.32.195.

Referred to Committee on Health Care.

HB 1613 by Representatives Haigh, Nixon, Green, Lantz, Priest and Schindler

AN ACT Relating to the preservation of claim rights of a contractor, subcontractor, or supplier on construction contracts; amending RCW 4.24.370 and 4.24.380; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1614 by Representatives Green, Talcott, Conway and Darneille

AN ACT Relating to correctional programs, facilities, and institutions on the grounds of a state hospital; adding a new section to chapter 72.09 RCW; and declaring an emergency.

Referred to Committee on Criminal Justice & Corrections.

HB 1615 by Representatives Pettigrew, Kristiansen and Linville; by request of Department of Agriculture

AN ACT Relating to managing livestock nutrients; amending RCW 90.64.005, 90.64.010, 90.64.020, 90.64.023, 90.64.026, 90.64.028, 90.64.030, 90.64.040, 90.64.050, 90.64.110, 90.64.150, 43.21B.001, 43.21B.110, 43.21B.300, and 43.21B.310; adding a new chapter to Title 16 RCW; creating a new section; recodifying RCW 90.64.005, 90.64.010, 90.64.050, 90.64.110, 90.64.020, 90.64.120, 90.64.026, 90.64.028, 90.64.023, 90.64.030, 90.64.040, 90.64.100, 90.64.813, and 90.64.150; decodifying RCW 90.64.900 and 90.64.901; repealing RCW 90.64.015, 90.64.017, 90.64.070, 90.64.080, 90.64.130, 90.64.140, 90.64.160, and 90.64.800; prescribing penalties; and providing an effective date.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 1616 by Representatives Hunter, Talcott, Conway, Darneille, McCune, Nixon, Morrell, Linville, Schual-Berke and Kilmer

AN ACT Relating to educational staff associate positions; and amending RCW 28A.150.410.

Referred to Committee on Appropriations.

HB 1617 by Representatives O'Brien, Kagi, Anderson, Curtis, Orcutt, McDonald, Simpson, Nixon, Linville, Armstrong, Haigh and Hunter

AN ACT Relating to the discontinuation of the nursing facility bed tax; creating a new section; repealing RCW 74.46.091, 74.46.535, 82.71.010, 82.71.020, and 82.71.030; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1618 by Representatives Morrell, Orcutt, Cody, McDonald, Armstrong, Clibborn, Grant and Haigh

AN ACT Relating to the boarding home business and occupation tax; amending RCW 82.04.290 and 82.04.460; reenacting and amending RCW 82.04.050 and 82.04.190; creating a new section; repealing RCW 82.04.4337 and 82.04.2908; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1619 by Representatives Fromhold, Orcutt and Williams

AN ACT Relating to syrup taxes; adding a new section to chapter 82.04 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 1620 by Representatives Kirby, Campbell, Williams, McDonald and Hasegawa

AN ACT Relating to insurers having a financial interest in automotive repair facilities; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1621 by Representative McDonald

AN ACT Relating to acceptable forms of identification for liquor purchases; and amending RCW 66.16.040.

Referred to Committee on Commerce & Labor.

HB 1622 by Representatives P. Sullivan, Crouse and Morris

AN ACT Relating to regulating liquified petroleum gas; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Technology, Energy & Communications.

HB 1623 by Representatives Sommers, Anderson, Morris, Armstrong, Hinkle, Kenney, Priest, Linville, Kessler, Hunt, Williams, Chase, Kilmer, Hunter and Hudgins; by request of Governor Gregoire

AN ACT Relating to the strategic financing of life sciences research; amending RCW 43.79.480 and 42.30.110; reenacting and amending RCW 42.17.310, 42.17.310, and 42.17.2401; adding a new section to chapter 82.04 RCW; adding a new chapter to Title 43 RCW; creating new sections; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Technology, Energy & Communications.

HB 1624 by Representatives Schual-Berke, Cody, Green, Morrell, Roberts, Appleton, Moeller, Simpson, Williams, Murray, Chase, Dickerson, Darneille, Haigh, Kagi and Santos

AN ACT Relating to meeting the health needs of children; amending RCW 28A.305.130 and 28A.150.260; adding a new section to chapter 28A.210 RCW; adding a new chapter to Title 18 RCW; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

Referred to Committee on Health Care.

HB 1625 by Representatives Clibborn, Condotta, Lantz, Armstrong, Morrell, Hinkle, Buri, Bailey, Grant, Pettigrew, Linville, Priest, Moeller, Simpson, Williams, Tom, Ericks, P. Sullivan, Darneille, Kilmer, Kagi, Hunter and O'Brien

AN ACT Relating to employer disclosure of employee information; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 1626 by Representatives Dickerson, Conway, Cody, Murray, McCoy, Simpson, Darneille, Williams, Pettigrew, Kagi and Kenney

AN ACT Relating to Washington's family care law; amending RCW 49.12.265, 49.12.270, and 49.12.290; amending 1988 c 236 s 1 (uncodified); and adding a new section to chapter 49.12 RCW.

Referred to Committee on Commerce & Labor.

HB 1627 by Representatives Kagi, Moeller, Williams, Chase, Dickerson, Darneille, McDermott and Santos

AN ACT Relating to the assault weapons ban of 2005; amending RCW 9.41.010 and 9.94A.515; reenacting and amending RCW 9.94A.515; adding a new section to chapter 9.41 RCW; prescribing penalties; providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1628 by Representatives Wallace, Dunn, Morrell, B. Sullivan, Uptegrove, McDonald and Woods

AN ACT Relating to transporting unregistered snowmobiles; and amending RCW 46.10.020.

Referred to Committee on Transportation.

HB 1629 by Representatives O'Brien, Dunn, Murray, Chase and Darneille

AN ACT Relating to revising distribution of funds for operating and maintenance of very low-income housing projects; and amending RCW 36.22.178 and 18.85.540.

Referred to Committee on Housing.

HB 1630 by Representatives Holmquist, Grant, Newhouse, Kretz, Kristiansen, Hinkle and Buri

AN ACT Relating to clarifying that withdrawals for stock-watering are not limited to five thousand gallons a day; and amending RCW 90.44.050.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 1631 by Representatives Clibborn, Fromhold, Moeller and Wallace

AN ACT Relating to using revenues under the county conservation futures levy; and amending RCW 84.34.230 and 84.34.240.

Referred to Committee on Local Government.

HB 1632 by Representatives Grant, Condotta, Conway, Crouse and Armstrong

AN ACT Relating to sampling activities of licensees under Title 66 RCW; amending RCW 66.24.360, 66.24.371, 66.28.040, and 66.28.155; and reenacting and amending RCW 66.28.010.

Referred to Committee on Commerce & Labor.

HB 1633 by Representatives Talcott, Hunter, Priest, Anderson, Tom, Haigh, Curtis, Buri, McDonald, Serben, Nixon, Quall, Cox, Schual-Berke, Rodne, Shabro, Hinkle, Alexander, Woods, Miloscia, Haler, Armstrong, Holmquist, Skinner and Clibborn

AN ACT Relating to digital learning programs; adding a new section to chapter 28A.150 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Education.

HB 1634 by Representatives Grant, Haler, Walsh, Hankins, Darneille and Haigh

AN ACT Relating to allowing terminally ill members to remove themselves from their retirement plan; amending RCW 41.40.023, 41.32.010, and 41.35.030; adding new sections to chapter 41.40 RCW; adding new sections to chapter 41.32 RCW; adding new sections to chapter 41.35 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HB 1635 by Representatives Kessler, Haler, Clibborn, Jarrett, O'Brien, Hankins, Ericks, Grant, Buck, Chase and Kenney

AN ACT Relating to ambulance and emergency medical service funding; amending RCW 35.21.766; and creating a new section.

Referred to Committee on Local Government.

HB 1636 by Representatives Pettigrew, Roberts, Kagi, Clements, Darneille, Hunt, Green, Kenney, Appleton, Chase, Jarrett, Kessler, Moeller, Morrell, Williams, Ormsby, Murray, Dickerson, Conway, Lantz, Wood, Haigh, McDermott, Santos and Hudgins

AN ACT Relating to child care workers; adding new sections to chapter 74.13 RCW; and making appropriations.

Referred to Committee on Children & Family Services.

HB 1637 by Representatives Upthegrove, Dickerson, Moeller, Dunshee, McCoy, B. Sullivan, Chase, Williams, Sells, Simpson, Lantz, Hunt, O'Brien and Kagi

AN ACT Relating to priority consideration of voluntary buffers in open space plans, public benefit rating systems, and assessed valuation schedules; and amending RCW 84.34.055.

Referred to Committee on Local Government.

HB 1638 by Representatives Upthegrove, Dickerson, Moeller, Dunshee, McCoy, B. Sullivan, Chase, Williams, Sells, Simpson, Lantz, Hunt, O'Brien and Kagi

AN ACT Relating to designating forest lands of long-term commercial significance; and adding a new section to chapter 36.70A RCW.

Referred to Committee on Local Government.

HB 1639 by Representatives Upthegrove, Dickerson, Moeller, Dunshee, Sells, B. Sullivan, Simpson, Lantz, Williams, O'Brien, Hunt and Chase

AN ACT Relating to considering water quality when preparing and reviewing growth management plans and regulations; adding a new section to chapter 36.70A RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1640 by Representatives Morrell, Chase, Dunn, McCoy, O'Brien, Appleton and Lantz

AN ACT Relating to resolving manufactured/mobile home landlord and tenant disputes; amending RCW 59.22.050; adding a new section to chapter 34.12 RCW; adding a new chapter to Title 59 RCW; prescribing penalties; providing effective dates; and declaring an emergency.

Referred to Committee on Housing.

HB 1641 by Representatives Kretz, Blake, Ahern, Buri, Ericks, Serben, DeBolt, Schindler, Kristiansen, Condotta, Orcutt, Strow, Cox, Buck and Armstrong

AN ACT Relating to decriminalizing vessel registration violations; amending RCW 88.02.020, 88.02.090, and 88.02.110; and prescribing penalties.

Referred to Committee on Natural Resources, Ecology & Parks.

HJR 4207 by Representatives Holmquist, Ahern, Curtis, Schindler, Orcutt, Roach, Dunn, Condotta, Rodne, McCune, Buri, Armstrong, Ericksen, Serben, Kristiansen, Kretz, Anderson, Talcott, Campbell, Woods and Pearson

Protecting the name of marriage, protecting the legal incidents of marriage and limiting court jurisdiction over marriage.

Referred to Committee on Juvenile Justice & Family Law.

HJR 4208 by Representatives Talcott, Ahern, Curtis, Schindler, Dunn, Roach, McCune, Condotta, Rodne, Buri, Armstrong, Ericksen, Serben, Kristiansen, Kretz, Holmquist, Anderson, McDonald, Strow, Woods and Pearson

Limiting court jurisdiction over marriage.

Referred to Committee on Juvenile Justice & Family Law.

There being no objection, the bills and resolutions listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

HB 1009 Prime Sponsor, Representative Morris: Allowing electronic payment of utility bills. Reported by Committee on Technology, Energy & Communications January 27, 2005

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chairman; Kilmer, Vice Chairman; Ericks; Hudgins; P. Sullivan; Takko and Wallace.

MINORITY recommendation: Do not pass. Signed by Representatives Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Nixon and Sump.

Passed to Committee on Rules for second reading.

HB 1016 Prime Sponsor, Representative Campbell: Limiting when the presence of a dog may affect the availability of homeowner's insurance. Reported by Committee on Financial Institutions & Insurance January 27, 2005

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Santos; Schual-Berke; Simpson and Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse and Serben.

Passed to Committee on Rules for second reading.

HB 1020 Prime Sponsor, Representative Morris: Regarding electrical transmission. Reported by Committee on Technology, Energy & Communications January 27, 2005

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chairman; Kilmer, Vice Chairman; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Ericks; Hudgins; Nixon; P. Sullivan; Sump; Takko and Wallace.

Passed to Committee on Rules for second reading.

HB 1138 Prime Sponsor, Representative Ericksen: Regulating fees for using an automated teller machine. Reported by Committee on Financial Institutions & Insurance January 27, 2005

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; Santos; Schual-Berke; Serben; Simpson and Williams.

Passed to Committee on Rules for second reading.

January 27, 2005

HB 1141 Prime Sponsor, Representative Conway: Changing the expiration date of the Washington real estate research account. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse; Hudgins and McCoy.

Passed to Committee on Rules for second reading.

January 27, 2005

HB 1146 Prime Sponsor, Representative Roach: Funding group life insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass as amended:

On page 2, beginning on line 29, after "may" strike all material through "elect," on line 31, and insert "(; if seventy-five percent of the then insured employees or labor union members or public employee association members or members of the Washington state patrol elect,))"

Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; Santos; Schual-Berke; Serben; Simpson and Williams.

Passed to Committee on Rules for second reading.

January 27, 2005

HB 1157 Prime Sponsor, Representative Roach: Allowing title insurance companies to provide a guarantee covering its agents. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass as amended:

On page 2, line 2, after "authorized" insert ", or eligible under chapter 48.15 RCW,"

On page 2, line 30, after "authorized" insert ", or eligible under chapter 48.15 RCW,"

On page 3, line 9, after "authorized" insert ", or eligible under chapter 48.15 RCW,"

Signed by Representatives Kirby, Chairman; Ericks, Vice Chairman; Roach, Ranking Minority Member; Tom, Assistant Ranking Minority Member; Newhouse; Santos; Schual-Berke; Serben; Simpson and Williams.

Passed to Committee on Rules for second reading.

January 27, 2005

HB 1160 Prime Sponsor, Representative Conway: Reducing workplace violence in state hospitals. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse; Hudgins and McCoy.

Passed to Committee on Rules for second reading.

January 27, 2005

HB 1310 Prime Sponsor, Representative Hudgins: Requiring mandatory electronic data reporting under Title 51 RCW for workers' compensation self-insurers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse; Hudgins and McCoy.

Passed to Committee on Rules for second reading.

January 27, 2005

HB 1312 Prime Sponsor, Representative Wood: Modifying the boilers and unfired pressure vessel law. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse; Hudgins and McCoy.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports sheet under the fifth order of business were referred to the committees so designated.

There being no objection, the House advanced to the eleventh order of business.

There being no objection, the House adjourned until 9:55 a.m., February 1, 2005, the 23rd Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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