

FIFTY NINTH LEGISLATURE - REGULAR SESSION

SECOND DAY

House Chamber, Olympia, Tuesday, January 10, 2006

The House was called to order at 9:55 a.m. by the Speaker.

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

MESSAGE FROM THE SENATE

January 9, 2006

Mr. Speaker:

The Senate has passed:

HOUSE CONCURRENT RESOLUTION NO. 4412,
HOUSE CONCURRENT RESOLUTION NO. 4413,
HOUSE CONCURRENT RESOLUTION NO. 4414,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION & FIRST READING

HB 2502 by Representatives Grant, Walsh, Newhouse, Buck and Kretz

AN ACT Relating to restoring economic viability by modifying smoking prohibitions and enforcement; amending RCW 70.160.030 and 70.160.070; adding new sections to chapter 70.160 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 2503 by Representatives Sommers, Upthegrove, Ericks, Linville, Simpson, Green, McIntire, Hudgins and Kagi; by request of Office of Financial Management

AN ACT Relating to creating the pension funding stabilization account; adding a new section to chapter 41.45 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2504 by Representatives Anderson, Dunn, Rodne and Shabro

AN ACT Relating to the payment of sales and use taxes by state and local governments; amending RCW 82.04.190, 82.04.280, 82.04.280, and 82.12.0284; reenacting and amending RCW 82.04.050; adding a new section to chapter

82.08 RCW; adding a new section to chapter 82.12 RCW; repealing RCW 82.08.0256, 82.12.0257, 82.08.0271, 82.12.930, 82.08.0275, 82.12.0269, 82.08.0278, 82.12.0274, 82.08.0285, 82.12.0279, 82.08.834, and 82.12.834; providing an effective date; providing a contingent effective date; and providing a contingent expiration date.

Referred to Committee on Finance.

HB 2505 by Representatives Anderson and Rodne

AN ACT Relating to defining a highly qualified teacher; and adding a new section to chapter 28A.410 RCW.

Referred to Committee on Education.

HB 2506 by Representatives Anderson and Rodne

AN ACT Relating to requiring adoption of the mathematics syllabus used by the Singapore ministry of education; amending RCW 28A.655.070; adding a new section to chapter 28A.655 RCW; and creating a new section.

Referred to Committee on Education.

HB 2507 by Representatives Kenney, Shabro, Hasegawa, Morrell, Rodne, Lantz and Ormsby

AN ACT Relating to degree-granting institutions of higher education; amending RCW 28B.85.010, 28B.85.020, and 28B.85.040; adding a new section to chapter 28B.85 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Higher Ed & Workforce Ed.

HB 2508 by Representatives Chandler and Newhouse

AN ACT Relating to tribal community impact contributions; and adding a new section to chapter 9.46 RCW.

Referred to Committee on Commerce & Labor.

HB 2509 by Representatives Takko, Morrell, Simpson and Dickerson

AN ACT Relating to local ballot measures authorizing taxes; and amending RCW 29A.36.071, 29A.36.210, and

84.55.050.

Referred to Committee on Local Government.

HB 2510 by Representatives Priest, Morrell, B. Sullivan and Rodne

AN ACT Relating to early settlement offers in actions for injuries resulting from health care; amending RCW 7.70.070; and adding new sections to chapter 7.70 RCW.

Referred to Committee on Judiciary.

HB 2511 by Representatives Nixon, Dunn, Condotta and Rodne

AN ACT Relating to restricting when communications are considered campaign contributions; and amending RCW 42.17.020.

Referred to Committee on State Government Operations & Accountability.

HB 2512 by Representatives Nixon, Rodne and Talcott

AN ACT Relating to clarifying canvassing standards for special absentee ballots; and amending RCW 29A.40.050.

Referred to Committee on State Government Operations & Accountability.

HB 2513 by Representatives Nixon and Rodne

AN ACT Relating to modifying county auditor duties; and amending RCW 29A.04.216.

Referred to Committee on State Government Operations & Accountability.

HB 2514 by Representatives Nixon, Rodne, Moeller and Talcott

AN ACT Relating to the costs of elections; and amending RCW 29A.04.410.

Referred to Committee on State Government Operations & Accountability.

HB 2515 by Representative Nixon

AN ACT Relating to public records; amending RCW 42.56.290; reenacting and amending RCW 42.17.310; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 2516 by Representatives Nixon and Rodne

AN ACT Relating to public records; amending RCW 42.56.120, 42.17.253, and 42.56.040; reenacting and amending RCW 42.56.550; adding a new section to chapter 42.56 RCW; recodifying RCW 42.17.253; and providing an effective date.

Referred to Committee on State Government Operations & Accountability.

HB 2517 by Representatives Cody, Conway, Chase, Morrell, Appleton, Green, Wood, Hasegawa, Hudgins, Ormsby, Miloscia, Dickerson, Kenney, Moeller, McDermott, Sells, Hunt, Williams, Simpson, Roberts, Schual-Berke, Lantz, McIntire and Kagi

AN ACT Relating to establishing minimum labor standards for certain large employers as related to health care services expenditures; adding a new chapter to Title 49 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2518 by Representatives Nixon, Dunn, Rodne and Talcott

AN ACT Relating to providing for a special election if an election is declared void; amending RCW 29A.68.110; and adding a new section to chapter 29A.68 RCW.

Referred to Committee on State Government Operations & Accountability.

HB 2519 by Representatives Nixon, Roberts and Talcott

AN ACT Relating to expanding the continuity of government act; amending RCW 42.14.010, 42.14.030, and 42.14.035; creating a new section; and providing an expiration date.

Referred to Committee on State Government Operations & Accountability.

HB 2520 by Representative Nixon

AN ACT Relating to recodifying and making technical corrections to public disclosure law; amending RCW 7.07.050, 15.53.9018, 18.20.390, 29A.60.165, 48.31.405, 42.56.250, 42.56.270, 42.56.330, 42.56.360, 74.15.310, 74.15.320, 74.15.330, 74.42.640, and 90.64.190; adding new sections to chapter 42.56 RCW; recodifying RCW 42.17.253, 42.17.31922, and 42.17.31923; and providing an effective date.

Referred to Committee on State Government Operations & Accountability.

HB 2521 by Representatives Nixon and Simpson

AN ACT Relating to identification documents; adding new sections to chapter 19.192 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Technology, Energy & Communications.

HB 2522 by Representatives Nixon and Ericks

AN ACT Relating to disclosure of documented investigations of and complaints against public school employees; amending RCW 28A.320.160 and 42.56.070; and providing an effective date.

Referred to Committee on State Government Operations & Accountability.

HB 2523 by Representatives Nixon, Anderson, Rodne and Talcott

AN ACT Relating to auditing the signature verification process in elections; amending RCW 29A.04.530; and adding new sections to chapter 29A.04 RCW.

Referred to Committee on State Government Operations & Accountability.

HB 2524 by Representatives Nixon, Rodne and Talcott

AN ACT Relating to performance and outcome measure reviews; amending RCW 43.09.435; adding new sections to chapter 43.06 RCW; recodifying RCW 43.09.435 and 43.09.460; and repealing RCW 43.09.430, 43.09.440, 43.09.445, 43.09.450, 43.09.455, 43.09.460, 43.88.162, and 2.56.200.

Referred to Committee on State Government Operations & Accountability.

HB 2525 by Representatives Nixon and Talcott

AN ACT Relating to dates for special elections; and amending RCW 29A.04.321 and 29A.04.330.

Referred to Committee on State Government Operations & Accountability.

HB 2526 by Representatives Nixon, Anderson and Talcott

AN ACT Relating to voter challenges; and amending RCW 29A.08.830.

Referred to Committee on State Government Operations & Accountability.

HB 2527 by Representatives Nixon and Talcott

AN ACT Relating to state employees; and amending RCW 41.06.490.

Referred to Committee on State Government Operations & Accountability.

HB 2528 by Representatives Nixon, Dunn, McCune and Talcott

AN ACT Relating to clarifying the circumstances under which provisional ballots may be counted; amending RCW 29A.60.195, 29A.08.625, and 29A.08.113; and creating a new section.

Referred to Committee on State Government Operations & Accountability.

HB 2529 by Representatives Nixon, McCune and Miloscia

AN ACT Relating to use of nontraditional addresses for voter registration purposes; amending RCW 29A.08.112 and 29A.08.107; and adding a new section to chapter 29A.04 RCW.

Referred to Committee on State Government Operations & Accountability.

HB 2530 by Representative Nixon

AN ACT Relating to disclosure of accident reports; amending RCW 46.52.080 and 46.52.083; adding new sections to chapter 42.56 RCW; recodifying RCW 46.52.080 and 46.52.083; and providing an effective date.

Referred to Committee on State Government Operations & Accountability.

HB 2531 by Representatives Nixon, Dunn and Talcott

AN ACT Relating to enhancing guidelines for the signature verification process in elections; and amending RCW 29A.04.530.

Referred to Committee on State Government Operations & Accountability.

HB 2532 by Representative Nixon

AN ACT Relating to election audits; and adding a new section to chapter 29A.60 RCW.

Referred to Committee on State Government Operations & Accountability.

HB 2533 by Representative Nixon

AN ACT Relating to sexual misconduct with a minor; amending RCW 9A.44.093 and 9A.44.096; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 2534 by Representatives Nixon, Rodne and Woods

AN ACT Relating to full disclosure of vehicle taxes and license fees; amending RCW 46.16.210; and creating a new section.

Referred to Committee on Transportation.

HB 2535 by Representatives Darneille, Green, Roberts and Conway

AN ACT Relating to allowing public facilities districts to finance remodeling or reconstruction of existing minor league baseball stadiums and related parking facilities; amending RCW 35.57.040, 35.57.100, 35.57.110, and 82.14.390; and reenacting and amending RCW 35.57.020.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 2536 by Representatives Conway, McCoy, Condotta, Simpson and B. Sullivan; by request of Department of Labor & Industries

AN ACT Relating to allowing an injured worker to change total permanent disability pension options under certain circumstances; and amending RCW 51.32.067.

Referred to Committee on Commerce & Labor.

HB 2537 by Representatives Conway, Condotta, McCoy, Hudgins and B. Sullivan; by request of Department of Labor & Industries

AN ACT Relating to establishing a pilot program to allow employers to assist employees in completing applications for industrial insurance benefits; and amending RCW 51.28.015.

Referred to Committee on Commerce & Labor.

HB 2538 by Representatives Conway, Hudgins and McCoy; by request of Department of Labor & Industries

AN ACT Relating to authorizing the department to request

and superior court to grant warrants pursuant to chapter 49.17 RCW; amending RCW 49.17.070; adding a new section to chapter 49.17 RCW; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 2539 by Representatives Schual-Berke, Morrell, Simpson, Roberts, Moeller and Hudgins

AN ACT Relating to disaster medical assistance teams; adding a new section to chapter 38.08 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 2540 by Representatives Schual-Berke and Morrell

AN ACT Relating to access to individual health insurance coverage; amending RCW 48.41.040, 48.41.060, 48.41.100, 48.41.110, 48.41.160, 48.41.190, 48.43.005, 48.43.018, and 48.43.041; and providing an effective date.

Referred to Committee on Health Care.

HB 2541 by Representative Schual-Berke

AN ACT Relating to the release of student information; and amending RCW 28A.230.180.

Referred to Committee on Education.

HB 2542 by Representatives Schual-Berke, Moeller, Morrell, Appleton, Ericks and Green

AN ACT Relating to performance measures for emergency preparedness; amending RCW 70.05.120; adding a new chapter to Title 70 RCW; making an appropriation; and declaring an emergency.

Referred to Committee on Health Care.

HB 2543 by Representatives Kilmer, Crouse, Nixon, Hudgins, Morrell, Green and Lantz; by request of Military Department

AN ACT Relating to the enhanced 911 advisory committee; and amending RCW 38.52.530.

Referred to Committee on Technology, Energy & Communications.

HB 2544 by Representatives P. Sullivan, Jarrett, Green, Dunshee, Upthegrove, McCoy, Ericks, Simpson, Schual-Berke, Lantz, Ormsby, Springer, Kilmer and Kagi; by request of Department of Community, Trade, and Economic Development

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 Capital Budget.

HB 2545 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 State Government Operations & Accountability.

HB 2546 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; and reenacting and amending RCW 41.04.007.

Referred to Committee on State Government Operations & Accountability.

HB 2547 by Representatives Nixon, Anderson, B. Sullivan and Rodne

AN ACT Relating to violations of the open public meetings act; amending RCW 42.30.120; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 2548 by Representatives Nixon and Rodne

AN ACT Relating to penalties for violations of the public records act; reenacting and amending RCW 42.56.550; adding a new section to chapter 42.56 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Criminal Justice & Corrections.

HB 2549 by Representatives Nixon and Talcott

AN ACT Relating to strengthening voter secrecy; and amending RCW 29A.16.060 and 29A.60.230.

Referred to Committee on State Government Operations & Accountability.

HB 2550 by Representatives Dunshee, Jarrett, Ormsby, Newhouse, Ericks, Cox, Linville and Springer

AN ACT Relating to amending the 2005-2007 capital budget; amending RCW 43.155.050; amending 2005 c 488 s 138 (uncodified); reenacting and amending RCW 43.155.050; adding a new section to 2005 c 488 (uncodified); providing an effective date; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Budget.

HB 2551 by Representative Dunshee

AN ACT Relating to campaign contributions by limited liability companies; and amending RCW 42.17.660.

Referred to Committee on State Government Operations & Accountability.

HB 2552 by Representative Sommers; by request of Governor Gregoire

AN ACT Relating to fiscal matters; amending RCW 43.135.025 and 43.135.035; amending 2005 c 518 ss 101, 109, 110, 111, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 401, 402, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 513, 514, 515, 516, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 701, 702, 703, 704, 705, 713, 716, 720, 801, 802, 803, 804, 805, 806, 948, and 963 (uncodified); adding new sections to 2005 c 518 (uncodified); making appropriations; providing an expiration date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2553 by Representatives Kirby and Morrell; by request of Insurance Commissioner

AN ACT Relating to regulating service contracts and guarantee protection products; amending RCW 48.110.010, 48.110.015, 48.110.020, 48.110.030, 48.110.040, 48.110.050, 48.110.060, 48.110.070, 48.110.080, 48.110.090, 48.110.100, 48.110.110, 48.110.120, 48.110.130, 48.110.140, and 48.110.900; adding new sections to chapter 48.110 RCW; repealing RCW 48.96.005, 48.96.010, 48.96.020, 48.96.025, 48.96.030, 48.96.040, 48.96.045, 48.96.047, 48.96.050, 48.96.060, 48.96.900, and 48.96.901; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 2554 by Representatives Hinkle, Dunn, Anderson, Talcott, McDonald, Serben, B. Sullivan, Cody and Rodne

AN ACT Relating to improving the quality of health care through the use of health information technologies; amending RCW 41.05.021; adding a new section to chapter 82.04 RCW; providing an effective date; and providing an expiration date.

Referred to Committee on Health Care.

HB 2555 by Representatives Hinkle, Condotta, Talcott, McDonald, Serben, Rodne and Holmquist

AN ACT Relating to health insurance; and amending RCW 48.21.045, 48.44.023, 48.46.066, and 70.47.060.

Referred to Committee on Health Care.

HB 2556 by Representatives Hinkle, Condotta, Talcott, Serben and Rodne

AN ACT Relating to a consumer-directed medicaid coverage plan; and creating new sections.

Referred to Committee on Health Care.

HB 2557 by Representatives Condotta, Hinkle, Talcott, McDonald, Serben, Linville, Rodne and Holmquist

AN ACT Relating to the public employees' benefits board; amending RCW 41.05.006; and reenacting and amending RCW 41.05.065.

Referred to Committee on Health Care.

HB 2558 by Representatives Pettigrew, Kretz and Linville; by request of Department of Agriculture

AN ACT Relating to dead animal disposal; amending RCW 16.68.020; adding a new section to chapter 16.36 RCW; and recodifying RCW 16.68.020.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 2559 by Representatives Hasegawa, Pettigrew and Linville; by request of Department of Agriculture

AN ACT Relating to registration fees for weighing and measuring devices; amending RCW 19.94.175; and providing an effective date.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 2560 by Representatives Conway, Wood, Condotta, Fromhold and P. Sullivan; by request of Liquor Control Board

AN ACT Relating to the limit on spirits, beer, and wine restaurant licenses; and amending RCW 66.24.420.

Referred to Committee on Commerce & Labor.

HB 2561 by Representatives Conway, Wood, Kessler, Hunter, Simpson, Fromhold and Condotta; by request of Liquor Control Board

AN ACT Relating to the shipment of wine from wine manufacturers directly to Washington consumers; amending RCW 66.24.210; adding new sections to chapter 66.20 RCW; and repealing RCW 66.12.190, 66.12.200, 66.12.210, and 66.12.220.

Referred to Committee on Commerce & Labor.

HB 2562 by Representatives Wood, Conway, Fromhold and Condotta; by request of Liquor Control Board

AN ACT Relating to flavored malt beverage; and amending RCW 66.04.010.

Referred to Committee on Commerce & Labor.

HB 2563 by Representatives Wood, Conway, Fromhold and Condotta; by request of Liquor Control Board

AN ACT Relating to processing liquor licenses; and amending RCW 66.24.010.

Referred to Committee on Commerce & Labor.

HB 2564 by Representatives Kilmer, Strow, Wallace, Appleton, Morrell, Haler, Eickmeyer, Haigh, Campbell, Upthegrove, Hasegawa, McCoy, Ericks, Linville, Darneille, Green, Lantz, Ormsby, Woods, Moeller and Conway

AN ACT Relating to protecting persons with veteran or military status from discrimination; amending RCW 49.60.010, 49.60.020, 49.60.030, 49.60.040, 49.60.120, 49.60.130, 49.60.175, 49.60.176, 49.60.180, 49.60.190, 49.60.200, 49.60.215, 49.60.223, 49.60.224, and 49.60.225; and reenacting and amending RCW 49.60.222.

Referred to Committee on State Government Operations

& Accountability.

HB 2565 by Representatives Kilmer, Haler, Wallace, Strow, Clibborn, Morrell, McCoy, Appleton, Ericks, Linville, Simpson, Green and Springer

AN ACT Relating to a worker training business and occupation tax credit; amending RCW 82.04.4333; providing an effective date; and providing an expiration date.

Referred to Committee on Commerce & Labor.

HB 2566 by Representatives Kilmer, Haler, Morrell, Linville, Green, Ormsby, Wallace, Upthegrove, McCoy, Ericks, Simpson, Roberts and Springer

AN ACT Relating to the job skills program; amending RCW 28C.04.410 and 28C.04.420; and making an appropriation.

Referred to Committee on Higher Ed & Workforce Ed.

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 Criminal Justice & Corrections.

HB 2568 by Representatives Morrell, Campbell, Williams, Wallace, Roberts and Appleton

AN ACT Relating to the use of wireless communication devices by holders of instruction permits and intermediate licenses; amending RCW 46.20.055 and 46.20.075; and providing an effective date.

Referred to Committee on Transportation.

HB 2569 by Representatives Morrell, Roach, Campbell, Williams, Kilmer, Clibborn, Conway, Blake, Eickmeyer, Flannigan, Wallace, Roberts, Upthegrove, McCoy, McDonald, Green, Dickerson, Lantz and Springer

AN ACT Relating to the property tax deferral program; amending RCW 84.38.100; and creating a new section.

Referred to Committee on Finance.

HB 2570 by Representatives Morrell, Campbell, Green, Conway, Sells, Chase, Cody, Williams, Kilmer, Wallace, Clibborn, Flannigan, Roberts, Lovick,

Hasegawa, Darneille, O'Brien, Murray, Hunt, Schual-Berke, Lantz, Moeller and Kagi

AN ACT Relating to protecting the health of minors by prohibiting tobacco product sampling; amending RCW 70.155.010, 70.155.050, 70.155.090, 70.155.100, 82.24.120, and 82.24.230; creating a new section; repealing RCW 70.155.060 and 82.24.270; and prescribing penalties.

Referred to Committee on Health Care.

HB 2571 by Representatives Morrell, Cody, Conway, Blake, Eickmeyer, Wallace, Flannigan, Roberts and Hasegawa

AN ACT Relating to collecting health care services debt under the homestead exemption; and amending RCW 6.13.030.

Referred to Committee on Judiciary.

HB 2572 by Representatives Morrell, Clibborn, Green, Flannigan, Eickmeyer, Conway, Dickerson, Blake, Cody, Wallace, Roberts, Appleton, Hasegawa, McCoy, Linville, Simpson, Chase, Darneille, O'Brien, Murray, B. Sullivan, Ormsby, Springer, Moeller and Kagi

AN ACT Relating to establishment of the small employer health insurance partnership program; adding a new chapter to Title 70 RCW; and making appropriations.

Referred to Committee on Health Care.

HB 2573 by Representatives Morrell, Wallace, Clibborn, Cody, Flannigan, Simpson, Green, Ormsby, Springer, Kilmer, Moeller, Kagi and Conway; by request of Governor Gregoire

AN ACT Relating to health information technology; amending RCW 41.05.021 and 41.05.075; and creating a new section.

Referred to Committee on Health Care.

HB 2574 by Representatives Cody, Morrell, Green and Upthegrove

AN ACT Relating to hospital charity care and debt collection policies; amending RCW 70.170.020 and 70.170.060; and adding a new section to chapter 70.170 RCW.

Referred to Committee on Health Care.

HB 2575 by Representatives Cody, Morrell and Moeller; by request of Governor Gregoire

AN ACT Relating to establishing a state health technology assessment program; amending RCW 41.05.013; adding new sections to chapter 70.14 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 2576 by Representatives Williams, Green, O'Brien, Kirby, Hunt, Ericks, Simpson, Lovick, McCoy, Lantz, Ormsby, Springer and Conway

AN ACT Relating to protection of sexual assault victims; amending RCW 9A.46.060, 10.14.130, 10.31.100, 19.220.010, 26.50.035, 26.50.110, 59.18.575, and 10.31.100; reenacting and amending RCW 9.41.300 and 26.50.160; adding a new chapter to Title 7 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2577 by Representatives Upthegrove, Green, Appleton, Haler, Morrell, Clibborn, Hunt, Hudgins, Takko and Moeller

AN ACT Relating to motor vehicle sales; and amending RCW 46.70.180.

Referred to Committee on Commerce & Labor.

HB 2578 by Representatives Upthegrove, B. Sullivan and Dickerson

AN ACT Relating to outfalls in Puget Sound; and creating new sections.

Referred to Committee on Natural Resources, Ecology & Parks.

HB 2579 by Representatives Upthegrove, Lantz, Dickerson, Appleton, Morrell, Hasegawa, Quall, Hunter, Haler, O'Brien, Murray, Hunt, Schual-Berke, Ormsby, Springer and Moeller

AN ACT Relating to educational assessments; amending RCW 28A.230.095; creating a new section; and making an appropriation.

Referred to Committee on Education.

HB 2580 by Representatives Upthegrove, Schual-Berke, P. Sullivan, Simpson and McCune

AN ACT Relating to the excise taxation of persons that inspect, test, and label canned salmon; amending RCW 82.04.280 and 82.04.280; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; providing an effective date; providing a contingent effective

date; and providing a contingent expiration date.

Referred to Committee on Finance.

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

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

There being no objection, the Committee on Juvenile Justice & Family Law was relieved of further consideration on HOUSE BILL NO. 2466, and the bill was referred to the Committee on Children & Family Services.

SIGNED BY THE SPEAKER

The Speaker signed:

HOUSE CONCURRENT RESOLUTION NO. 4412,
HOUSE CONCURRENT RESOLUTION NO. 4413,
HOUSE CONCURRENT RESOLUTION NO. 4414,

The Senate appeared at the Chamber doors and requested admission. The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Brad Owen, President Pro Tempore Rosa Franklin, Majority Leader Lisa Brown and Minority Leader Mike Hewitt to seats on the Rostrum. The Senators were invited to sit within the Chamber.

JOINT SESSION

The Speaker (Representative Lovick presiding) called upon President Owen to preside.

The President called the Joint Session to order. The Clerk called the roll of House members. The Clerk called the roll of Senate members. A quorum of the Legislature was present.

President Owen: "The purpose of the Joint Session is to receive the state of the state message from Her Excellency, Governor Christine Gregoire."

The President appointed a special committee to escort the Supreme Court Justices to the House Chamber: Representatives Appleton, Jarrett, Kretz and Lantz, and Senators Carrell, Esser Kline and Rasmussen.

The President appointed a special committee to escort the statewide elected officials to the House Chamber: Representatives Conway, Curtis, Miloscia, and Schindler, and Senators Eide, Haugen, Mulliken and Benson.

The President appointed a special committee to advise Her Excellency, Governor Christine Gregoire, that the joint

session had assembled and to escort her to the House Chamber: Representatives Ahern and Haigh, and Senators Fraser and Oke.

The Supreme Court Justices arrived, were escorted to the Floor of the House Chamber and were introduced: Chief Justice Gerry L. Alexander, and Justices Charles W. Johnson, Barbara A. Madsen, Richard B. Sanders, Bobbe J. Bridge, Tom Chambers, Susan J. Owens, Mary Fairhurst and Jim Johnson.

The statewide elected officials arrived, were escorted to the floor of the House and were introduced: Secretary of State Sam Reed, State Treasurer Mike Murphy, State Auditor Brian Sonntag, Superintendent of Public Instruction Terry Bergeson, Commissioner of Public Lands Doug Sutherland, Insurance Commissioner Mike Kreidler and Attorney General Rob McKenna.

The President introduced the special guests present in the Chambers: Former Governors Al Rosellini and Booth Gardner, Congressman Dave Reichert, King County Executive Ron Simms and Oscar Eason, Regional President, NAACP.

The President introduced the members of the Diplomatic Corps: H. Ronald Masnik, Consul of Belgium and President of the Consular Association of Washington; Miguel Angel Velasquez, Consul of Peru and Vice President of the Consular Association of Washington; Jeffrey Parker, Consul General of Canada; Jorge Gilbert, Consul of Chile; Frank Brozovich, Consul of Croatia; Vassos M. Demetrious, Consul of Cyprus; Kazuo Tanaka, Consul General of Japan; Kim, Jae-gouk, Consul General of The Republic of Korea; Victor Lapatinskas, Consul of Lithuania; Jorge Madrazo, Consul of Mexico; Vladimir Volnov, Consul General of the Russian Federation; Philippe Goetschel, Consul of Switzerland; John Gokeen, Consul General of Turkey; Gary Furlong, Consul General of Uzbekistan and Robert Chen, Director General, Taipei Economic and Cultural Office.

Governor Christine Gregoire and her husband Mike Gregoire and daughters Courtney and Michelle Gregoire arrived, were escorted to the Rostrum and were introduced.

The flags were escorted to the Rostrum by the Washington State Patrol Color Guard. The President led the Chamber in the Pledge of Allegiance. The prayer was offered by Dr. Don Argue, President, Northwest University.

Dr. Argue: "With the Psalmist of old we declare: "O Lord our Lord, how majestic is your name in all the earth! When we consider your heavens, the work of your fingers, the moon and the stars, we ask what is man that you care for us?"

On this important day in our great State, we observe not a victory of party, but a celebration of freedom. A day that symbolizes a beginning, a renewal. We are reminded of the

words of Thomas Jefferson that the rights of man come not from the generosity of the State but from the hand of God. That all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. We declare today, that united there is little that we cannot accomplish in a host of cooperative ventures. Divided there is little we can do. Civility is never a sign of weakness.

We specifically pray for our leader, Governor Christine Gregoire and her family. Grant her great wisdom. For all elected and appointed leaders, we pray for your blessing and wisdom. While they are conducting the affairs of State, strengthen and protect their families.

May all of us accept the personal responsibility for the great opportunities and challenges that face our State. Especially for children and families, the poor and those who suffer the terrible impact of prejudice and racism. In righteousness may we speak for those who cannot speak for themselves.

May we all be reminded that what we are doing here is service to others above our own self interests. Today we declare and affirm your great commandment, that we will "love our neighbor as ourselves".

The prophet Micah wrote "He has shown thee what is good, and what the Lord requires of us, to do Justly, to love Mercy, and to walk Humbly with your God."

May we rules Justly, love Mercy, and walk in Humility.

We pause to remember those in our armed services, serving around the world. Protect them, bring them home safely. May a just and lasting peace be declared. We are reminded that dark yesterdays can turn into bright tomorrows.

The responsibilities of those gathered today are huge. May we all remember the words of Scripture that "Righteousness exalts a nation: but sin is a reproach to any people." As we govern, may we be righteous.

Now with the Psalmist we pray "May the words of my mouth and the meditation of my heart be acceptable in your sight, O Lord, my strength and my redeemer." Amen."

The President introduced Governor Christine Gregoire.

STATE OF THE STATE ADDRESS

Governor Christine Gregoire: "Mr. President, Mr. Speaker, Mr. Chief Justice, distinguished justices of the court, honored officials, members of the Washington State Legislature, former Governors Rosellini and Gardner, Congressman Inslee, Congressman Reichert, King County Executive Sims, members of the Consular Association of Washington, my fellow citizens:

Good evening. It is an honor to stand before you for this State of the State Address. To honor our achievements, to appraise the "State of our State," and to preview greater things to come.

Joining me at the rostrum are my daughters, Courtney and Michelle. This is a big day for our family. This afternoon we were at the Temple of Justice to attend Courtney's swearing in

ceremony to the Washington State Bar. Mike and I are obviously very proud of her and delighted, as some of you have heard me say, that she is now going to actually be paid to argue. Michelle is a college junior and will study abroad this year. Now, more than ever, the study abroad experience is vital for young people so they can better understand the truly competitive global world. My daughters are my best friends, my passion, and a constant reminder of the incredible challenge we face to prepare our children to pursue their dreams.

While the fifth member of our family isn't with us, in light of recent days I'd like to paraphrase from a speech delivered in 1944 by President Franklin Roosevelt. Some have not been content with attacks on me, or my spouse, or on my daughters. No, not content with that, they now include my little dog, Franz. Well, of course, I don't resent attacks, and my family doesn't resent attacks, but Franz does resent them. You know, as soon as he learned that the fiction writers had concocted a story he couldn't defend himself and was a cost to taxpayers, his Pomeranian soul was furious. He has not been the same dog since. Our family dog Franz has a real kinship with FDR's dog Fala.

Also joining me is my husband and best friend Mike – also known as First Mike. Mike is a retired Medicaid fraud investigator and a Vietnam combat veteran. Mike has worked extremely hard in the last year for Veterans. Thanks to his work, the work of Veteran's organizations, and the support of this Legislature, last session was one of the most productive in history for former servicemen and women. It was a fitting outcome considering the incredible debt we owe them. Mike served as a member of our bipartisan team that last year successfully worked to persuade the Base Realignment Commission to keep the doors of Washington's key military installations open. It was a major victory for our communities, for our economy, and for the men and women who serve this country and have come to love our state.

I would also like to thank Dr. Don Argue who gave today's opening prayer. He shares my belief that the best solutions for many of our problems lie not with government, but with people and organizations in our communities.

Last, and certainly not least, let me introduce some very special guests. The safety of our troops in Iraq and the plight of hurricane victims were heavy on all our minds in 2005. Our National Guard troops have been on the front lines fighting in Iraq and were among the first responders to the devastation left by Hurricanes Katrina and Rita. We owe these troops a hearty thank you and are indebted to them for their selfless service to others. God Bless them. They serve as a symbol of the patriotism of all of our citizens.

Obviously we can't have all our troops here, but I would like to introduce Staff Sergeant Dale Flory, an Iraq combat veteran. Staff Sergeant Flory, on behalf of the people of Washington, thank you and your colleagues for your service and we are delighted to have you home safe. Next I would like to introduce Master Sergeant Michael Readnour. Washington's National Guard was one of the first to step forward and help

the people of the Gulf Coast after Katrina's devastation. They represent the outpouring of generosity by our citizens who opened their hearts, wallets, and homes to our fellow citizens of the Gulf Coast. Master Sergeant Readnour, thank you and your colleagues for your commitment to service and your willingness to leave your families behind in order to help those in need.

Sadly, 45 men and women who called Washington home died in Iraq and Afghanistan in 2005. I would like to ask you to join me in a moment of silence for these brave soldiers and their families. Thank you.

In the last year I have been all around this great state and met a lot of people. I found their values and dreams are very similar. They value personal responsibility, service to others, and providing new opportunities for our kids and families. Consider Megan and Martin Clubb, owners and operators of L'Ecole Number 41 Winery in the Walla Walla Valley. They are carrying on the great vision of Megan's parents, Jean and Baker Ferguson, who had the foresight to recognize the extraordinary wine producing potential of Washington. Or consider Tatyana Fedorchuk, a 39-year-old mother of five and immigrant from Ukraine. She is building a new life by taking English classes and earning nursing assistant credentials at Everett Community College. And Barbara and Steve LeVette who live on Hood Canal. Concerned about failing septic systems fouling Hood Canal, they rallied their homeowners association to develop an innovative treatment plan through a public-private partnership.

I tell these stories because they are an important reminder that this is a state of diverse people who are doing exciting things.

Our job isn't to get in the way, but to offer help where needed and carry on the values that have made this state great. In this magnificent building it is easy to think that our work is terribly difficult and incredibly important. But our work isn't as tough as what people face back home. Running a small business. Becoming a proud new American. Protecting the environment. Raising a family. Keeping their loved ones safe. Keeping a job. Providing a helping hand to a neighbor. Our job is to represent them in a way that is worthy of their struggles.

A year ago, we fought for the people. In 2005 we began building a brighter future by putting partisan politics aside, by being bold and demanding change, and by relying on traditional Washington values of opportunity, responsibility, and service to others. This year, we need to build on that success. We need to continue improvements in our education system. We need to make our families safer and more secure. We need to improve access to quality health care. We need to keep our economy growing. And we need to protect our quality of life.

That foundation – the outstanding legislative session of 2005 – has already elevated Washington to a new level of opportunity. In our state the news is good. Our economy has turned the corner with 85,000 new jobs—that's a seven-year high. And around the world, I am pleased to report that Washington State is viewed like a small nation. When you say,

"I'm from Washington" in Japan and China, they know that means Washington State. And our reputation is stellar – we are about quality – quality products, quality agriculture – like our cherries and wine – and a quality environment.

Going beyond our promise, we're providing health insurance to 73,000 additional children. This is a major step toward our vision to guarantee every child has health insurance by 2010.

We made education our number one investment in 2005.

Voters recognized how critical smaller class sizes are by passing Initiative 728. But it wasn't until last year that we fully implemented the will of the voters, and we went one step further, we set up the Education Legacy Trust Account to permanently fund smaller class sizes. To attract and retain quality teachers we fully funded another citizens' initiative – teacher salaries. And we took down the "no vacancy" signs at our colleges and universities so nearly 8,000 more students could attend.

The transportation package was truly a bi-partisan effort by legislators who knew that leadership involves risk. Let's have a big hand for you who fought and won passage of our historic transportation package last year – with a special "bow and hurrah" to the leadership of Rep. Ed Murray, Senator Mary Margaret Haugen, Rep. Beverly Woods, and Senator Dan Swecker, and for our voters who supported the plan even though gas prices at the pumps were stretching their family and business budgets to the limits.

Another important bi-partisan vote produced the Life Sciences Discovery Fund. To be honest with you, I don't believe we understand yet the vast potential this initiative has for our state. This bold investment in a 21st century industry will lead to medical breakthroughs that will save the lives of friends and loved ones by finding cures to some of our most dreaded diseases like Parkinsons and Cancer. And it will help ensure for human wellness that we continue to produce the highest quality and safest agriculture in the world.

Having been a caseworker myself, I understand the challenge of protecting our children. So, I signed an executive order requiring social service workers to get to a child's doorstep within 24 hours of being notified of a life in danger.

Keeping our promise, we've implemented an initiative to make government more accountable and transparent – and we're well ahead of our goal to eliminate 1,000 state government middle managers.

We also took important steps to improve and protect our quality of life. At certain times of the year, Hood Canal, one of the jewels of our state, becomes a dead zone where aquatic life is killed off. We are working to bring Hood Canal back to life with real on-the-ground projects that work. We adopted tough emission standards for new cars and required new "green building" standards for public buildings. There was much, much more. For example we took steps to ramp up our fight against the ravages of meth.

It is important to note that even though we were handed a \$2.2 billion budget shortfall, we did all this without a general tax increase -- no sales tax, no business and occupation and no

property tax increases.

So we had a good year – a very good year in 2005. But you know what, we aren't done yet.

One area where we need work is early learning. Let me be candid with you. How would you grade a system where less than 50 percent of the kids are prepared to learn when they reach kindergarten? Or a system where half a dozen early learning programs in state government are spread across numerous agencies and have no clear vision? We know children with early learning success are more likely to finish school, more likely to go to college, less likely to be unemployed and less likely to commit crimes. Our children are born to learn, and the first and best teacher in a child's life is the parent. But when parents and their families want help with care outside the home, we must be there for our kids. We need less bureaucracy. We need to stop falling behind the rest of the country. We need to make sure our children are ready to learn when they hit kindergarten.

Business leaders understand the value of early learning. They know it is an investment in the future. So we're creating public-private partnerships because this is about communities, and no one wants government to tell them how to parent. For the last month or so we have seen the battle lines forming over requiring certain performance standards for our students. I traveled to Europe and Asia and witnessed firsthand our competition and, believe me, we don't let our children down with high standards. We let them down if we retreat. And we fail them again if we don't prepare them to succeed. Before we talk about lowering standards, shouldn't we first:

Show all our students – boys and girls, black and white, Hispanic, Native American, Asian, rich and poor- we believe in them?

Demonstrate we support their teachers by paying them a decent wage?

Provide individualized help to students so they can achieve the standards?

And develop alternative assessments for those who need them?

I have talked to hundreds of high school students in the last year, and I will tell you, I believe in them. I will not give up on them. And I will not accept 1/3 of our students dropping out of high school. I have learned that if we entrust students with responsibility for their own future, they will do amazing things. Many students do not feel their high school classes relate to their future. Programs like Navigation 101 challenge students to choose alternative careers and enroll in courses needed to achieve that dream. As a result, students engage in more rigorous coursework because they are in charge of their future.

We have "Running Start" for college. But what about kids who don't want to go to college? We need Running Start for the trades.

Education and health care are interwoven: An unhealthy child can't learn. Too many working families and senior citizens in Washington are uninsured or underinsured and only an accident or illness away from financial hardship. There are too many disparities in health care. This is inconsistent with our values. I believe health care is a basic right and not a perk.

Late last year I met with Pam Roberts, a single mom in the Spokane Valley. Like a lot of parents, she is struggling to cope with overwhelming home energy bills. We have watched as gas prices increased a dollar a gallon over the past year.

I am challenging you to pass, in the first week of this session, initial assistance for our neighbors and friends who are struggling with high home heating bills. Washington families shouldn't be left in the cold while the oil companies cash in on record returns.

For the longer term, I am proposing an energy agenda that will help reduce our dependence on foreign oil and create another 21st century industry in Washington. Farmers like Ted Durfey in Sunnyside are ready to grow the biofuel business in Washington. But they need help getting started. With a strategic investment of low interest loans we can help launch this 21st-Century industry and provide new markets for energy crops like canola or mustard. It's time we have an energy policy based on Washington grown and Washington owned.

As we work to create and attract business, we need to remember that our quality of life is key to our success. Our natural resources not only provide beauty and recreation, they are the lifeblood of our economy. That's why environmentalists, local government, sportsmen, tribal and business leaders have all joined our renewed efforts to preserve and protect Puget Sound. There's work we must do now. My budget includes money to speed the cleanup of toxic waste, restore salmon habitat, help homeowners repair failing septic systems, and improve oil spill prevention and response.

We're approaching the clean up of Puget Sound by embracing what we call the Washington Way: a bottom-up, grassroots strategy that sparks citizen energy and engages our farmers, environmentalists, and landowners who live and work near the Sound. It is a legacy we must leave.

Sadly, too many of the 2005 headlines told terrible tales of hurricanes, tsunamis, and attacks by sex offenders and terrorists. The lesson is we have to be prepared and invest in our personal safety and security. I am, therefore, proposing actions to help protect Washington families. My budget includes funds to improve tsunami warnings in our coastal communities, improve our earthquake readiness and strengthen detection and tracking of a pandemic flu. I also requested additional funding for the state patrol for ferry security and highway safety. Our families need to know when a sex offender is moving into the community. We need to toughen the penalties for sex offenders who fail to register.

We have been blessed with higher than expected revenue. My supplemental budget pays the bills, makes targeted investments and saves money for the future. I know some of

you want to spend more money. So did I. I know some of you want to cut taxes. So did I. As we look ahead to the next year, we will need every dime just to cover the increased cost of our existing services, particularly in education and health care.

Our state budgeting has been a roller coaster. We spend when we have a surplus and we struggle to make painful cuts when the economy slumps. It is time to even out the ride. While the roller coaster is fun at the amusement park, it is no model for state budgeting. By treating our budget like a Washington family budget – we will ensure stability and avoid tax increases or Draconian cuts tomorrow.

So my budget pays the bills and keeps the retirement system sound. It makes targeted investments for the future, and it puts money aside to pay the bills that will come due in a year.

Saving the amount of new revenue I propose is something that has never been done before – but its time has come. It's a budget that is practical, prudent, and responsible. I accept the fact that we may have differences over how to spend this supplemental budget.

But let me be clear, I cannot sign a budget that next year would require cuts harmful to the people of this state.

As I look out over this great chamber, I am reminded of nine voices that once echoed here fell silent last year. These are the voices of those who put service to others over their self-interests and who shared our Washington values of responsibility and opportunity.

In March we lost Rep. Ruth Fisher-our state's original "Steel Magnolia." On a sidewalk precisely twenty-five feet outside Heaven's gate, Ruth stands puffing on a Marlboro Light in grudging respect for the passage of Initiative 901. Her rich life and commitment to the greater good offer proof that "surliness" is next to "Godliness!"

We also lost Senators Dick Hemstad, Martin Durkan, and Bob Bailey, and Representatives Charles Kilbury, Stan Bradley, Russ Austin, Geraldine McCormick and Speaker Tom Swayze.

They were Democrats and Republicans, and each was emblematic of what our collective credo should be: that public service transcend partisanship and that politics is about getting real things done for Washington families. Let's continue to honor their spirit of responsibility, opportunity, and service to others.

Each of us, irrespective of our political party, owes it to the families of our great state not to lose our way; each of us must see ourselves through history's lens, and create a legacy by building on our success. We cannot be distracted by partisan politics, special interests, or political maneuvering. We are all here to serve others. That is our call to duty.

So in the spirit of responsibility, opportunity and service, let's get to work and build on the foundation we created together last year.

Thank you, God Bless you, and God Bless the people of Washington State."

The President asked the special committee to escort

Governor Gregoire and her family from the House Chamber.

The President asked the special committee to escort the statewide elected officials from the House Chamber.

The President asked the special committee to escort the Supreme Court Justices from the House Chamber.

On motion of Representative Kessler, the Joint Session was dissolved. The Speaker (Representative Lovick presiding) assumed the chair.

The Sergeant at Arms of the House and the Sergeant at Arms of the Senate escorted President of the Senate Owen, President Pro Tempore Franklin, Majority Leader Brown and Minority Mike Hewitt and members of the Washington State Senate from the House Chamber.

There being no objection, the House reverted to the fifth order of business.

REPORTS OF STANDING COMMITTEES

January 9, 2006

HB 2370 Prime Sponsor, Representative Green: Funding low-income home energy assistance. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Bailey; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Kagi; Kenney; Kessler; Linville; McDermott; McIntire; Miloscia; Pearson; Priest; Schual-Berke; P. Sullivan and Talcott.

MINORITY recommendation: Signed by Representatives Anderson, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

January 10, 2006

HB 2424 Prime Sponsor, Representative Grant: Providing sales and use tax exemptions for users of farm fuel. Reported by Committee on Finance

MAJORITY recommendation: Do pass. Signed by Representatives McIntire, Chairman; Hunter, Vice Chairman; Orcutt, Ranking Minority Member; Roach, Assistant Ranking Minority Member; Ahern; Condotta; Conway; Ericks; Hasegawa; Santos and Shabro.

Passed to Committee on Agriculture & Rural Economic Development.

There being no objection, HOUSE BILL NO. 2370 and HOUSE BILL NO. 2424 were placed on the Second Reading calendar.

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

MOTION

On motion of Representative Kessler, the House adjourned until 10:00 a.m., January 11, 2005, the 3th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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