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SIXTY-FIRST LEGISLATURE - REGULAR SESSION

TWENTY NINTH DAY

House Chamber, Olympia, Monday, February 9, 2009

The House was called to order at 11:30 a.m. by the Speaker (Representative Morris presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Rose Hopper and Emily Hunter. The Speaker (Representative Morris presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Randy McKown, Christian Science Church, Olympia.

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

RESOLUTION

HOUSE RESOLUTION NO. 2009-4606, by Representatives Warnick, Hinkle, Wallace, and Sells

WHEREAS, Dr. Jerilyn S. McIntyre, the 13th president of Central Washington University, has retired from the Office of the President on December 31, 2008; and

WHEREAS, Dr. McIntyre is the first woman to have served as the university's president, a post she assumed in July 2000; and

WHEREAS, Dr. McIntyre earned her Bachelor of Arts in History and Master of Arts in Journalism at Stanford University and received her Doctor of Philosophy in History and Communications from the University of Washington; and

WHEREAS, Dr. McIntyre served on the faculty at California State University at Chico, at the University of Iowa, and at the University of Utah, where she also served as vice-president for academic affairs and as interim president; and

WHEREAS, Dr. McIntyre, has led the university through a period of unprecedented growth in enrollment, which has increased 26 percent since 2001; and

WHEREAS, Dr. McIntyre has made diversity a priority, increasing the percentage of students of color from 12.9 percent in 2000 to 20.6 percent in fall 2007; and

WHEREAS, Dr. McIntyre established the Performing Arts and Presidential Speaker Series, which has brought nationally renowned speakers and artists to central Washington; and

WHEREAS, Dr. McIntyre's commitment to stewardship of public facilities has won national recognition, beautified CWU's residential and University Center campuses, and energized student life and enriched programs; and

WHEREAS, President McIntyre launched the university's first comprehensive fund-raising campaign, a 21.7 million dollar initiative over the span of three years;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives extend to Dr. Jerilyn S. McIntyre their sincere thanks for her service to the people of Washington and her work to expand educational opportunity for the citizens of our state; and

BE IT FURTHER RESOLVED, That copies of this resolution be transmitted by the Chief Clerk of the House of Representatives to Dr. Jerilyn S. McIntyre and the Board of Trustees of Central Washington University.

Representative Warnick moved adoption of House Resolution No. 4606.

Representatives Warnick, Sells and Hinkle spoke in favor of adoption of the resolution.

HOUSE RESOLUTION NO. 4606 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Morris presiding) introduced Dr. Jerilyn McIntyre and her husband David Smith, and asked the Chamber to acknowledge her.

INTRODUCTION AND FIRST READING

HB 2052 by Representative Cody

AN ACT Relating to delaying implementation of the health insurance partnership; amending RCW 70.47A.030, 70.47A.040, and 70.47A.070; and repealing 2007 c 260 s 11 (uncodified).

Referred to Committee on Health Care & Wellness.

HB 2053 by Representatives Cox and Schmick

AN ACT Relating to exempting certain cities from the national pollutant discharge elimination system municipal separate storm sewer systems permit program; adding a new section to chapter 90.48 RCW; and creating a new section.

Referred to Committee on Agriculture & Natural Resources.

HB 2054 by Representative Kirby

AN ACT Relating to asbestos-related liabilities and consumer and worker injuries; adding a new chapter to Title 23 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2055 by Representative Chase

AN ACT Relating to community college global affairs centers; adding a new section to chapter 28B.50 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 2056 by Representatives Chase and Condotta

AN ACT Relating to visitation rights for grandparents; amending RCW 26.09.240 and 26.10.160; and adding new sections to chapter 26.10 RCW.

Referred to Committee on Judiciary.

HB 2057 by Representatives Hope, Bailey, Haler, McCune, Rodne, Schmick, Kristiansen, Pearson, Kelley and Condotta

AN ACT Relating to reducing sales tax on new home construction to increase economic activity; and amending RCW 82.08.020.

Referred to Committee on Finance.

HB 2058 by Representatives Hope, Kristiansen, Haler, Pettigrew, McCune, Pearson, Warnick, Cox, Schmick, Hinkle, Rodne, Smith, Bailey, Johnson, Kelley and Condotta

AN ACT Relating to an annual sales and use tax holiday to assist families with educational supplies; amending RCW 82.12.040; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Finance.

HB 2059 by Representatives Hope, Ericksen, Johnson, McCune, Haler, Bailey, Kristiansen, Cox, Warnick, Schmick, Rodne, Smith and Kelley

AN ACT Relating to tax incentives for motor vehicle purchases to reduce air pollution; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Finance.

HB 2060 by Representatives Hope, Kristiansen, Haler, Cox, McCune, Rodne, Smith, Warnick, Schmick, Bailey, Johnson, Armstrong and Condotta

AN ACT Relating to providing tax relief to motor vehicle dealers; amending RCW 82.08.020; adding a new section to chapter 82.04 RCW; and providing an expiration date.

Referred to Committee on Finance.

HB 2061 by Representative Kirby

AN ACT Relating to the modernization and clarification of the powers of the public deposit protection commission in regard to banks, savings banks, and savings associations as public depositaries; amending RCW 39.58.010, 39.58.040, 39.58.050, 39.58.060, 39.58.100, 39.58.103, 39.58.105, 39.58.108,

39.58.130, 39.58.135, 39.58.140, and 39.58.750; adding new sections to chapter 39.58 RCW; creating a new section; repealing RCW 39.58.065; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 2062 by Representative Pearson

AN ACT Relating to the definition of a professional archaeologist; and amending RCW 27.53.030.

Referred to Committee on State Government & Tribal Affairs.

HB 2063 by Representatives Orcutt, McCune, Herrera, Smith, Hope, Kelley and Morrell

AN ACT Relating to notice of the incarcerated status of a convicted felon in any solicitation posted on the internet by or on behalf of the incarcerated felon; adding a new chapter to Title 9 RCW; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

HB 2064 by Representatives Orcutt, Morrell, Angel and Cody

AN ACT Relating to requiring continuing education for pharmacy technicians; and amending RCW 18.64A.020.

Referred to Committee on Health Care & Wellness.

HB 2065 by Representatives Orcutt, Blake and Maxwell

AN ACT Relating to issuing firearms certificates to retired law enforcement officers; and amending RCW 36.28A.090.

Referred to Committee on Judiciary.

HB 2066 by Representatives Orcutt, Newhouse, Hope, McCune, Warnick, Kelley and Chandler

AN ACT Relating to excluding the value of rebates from sales and use taxation; amending RCW 82.08.010; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2067 by Representatives Orcutt, Anderson, Warnick, McCune and Herrera

AN ACT Relating to allowing valuation increases to be spread over time; amending RCW 84.04.030, 84.40.020, 84.40.030, 84.40.040, 84.40.045, 84.41.041, 84.48.010, 84.48.065, 84.48.075, 84.48.080, 84.12.270, 84.12.280, 84.12.310, 84.12.330, 84.12.350, 84.12.360, 84.16.040, 84.16.050, 84.16.090, 84.16.110, 84.16.120, 84.36.041, 84.52.063, and 84.70.010; adding a new section to chapter 84.04 RCW; adding a new section to chapter 84.40 RCW; and creating a new section.

Referred to Committee on Finance.

HB 2068 by Representatives Goodman, Hurst, Priest, O'Brien, Miloscia, Seaquist, Cody, Appleton, Roberts, Campbell and Morrell

AN ACT Relating to criminal background checks; amending RCW 74.39A.009, 43.20A.710, and 43.43.837; providing an effective date; and declaring an emergency.

Referred to Committee on Health Care & Wellness.

HB 2069 by Representative Sullivan

AN ACT Relating to creating community facilities districts; amending RCW 84.52.052; adding new sections to chapter 84.52 RCW; adding a new section to chapter 82.02 RCW; adding a new title to the Revised Code of Washington; and creating new sections.

Referred to Committee on Community & Economic Development & Trade.

HB 2070 by Representatives Sullivan, Dammeier and Kenney

AN ACT Relating to the state board of health adopting rules that impact school districts; adding a new section to chapter 28A.210 RCW; creating a new section; and providing an expiration date.

Referred to Committee on Ways & Means.

HB 2071 by Representatives Green, Kagi, Miloscia, Pettigrew, Nelson, Haler, Priest, Goodman, Conway, Ormsby, Santos and Kenney

AN ACT Relating to increasing the earning potential of parents of needy families; amending RCW 74.08A.260; adding a new section to chapter 74.08A RCW; and creating a new section.

Referred to Committee on Early Learning & Children's Services.

HB 2072 by Representatives Wallace, Clibborn and Wood

AN ACT Relating to advancing effective transportation for persons with special transportation needs; amending RCW 47.06B.010, 47.06B.020, 47.06B.030, 47.06B.050, 36.57A.060, 35.58.2795, 36.57.070, 35.58.240, 81.112.030, 36.73.020, and 47.80.023; adding new sections to chapter 47.06B RCW; adding new sections to chapter 43.20A RCW; adding new sections to chapter 43.70 RCW; adding a new section to chapter 28A.300 RCW; adding new sections to chapter 47.01 RCW; adding a new section to chapter 36.57A RCW; adding a new section to chapter 36.57 RCW; adding new sections to chapter 35.58 RCW; adding a new section to chapter 81.112 RCW; creating a new section; and repealing RCW 47.06B.900 and 47.06B.901.

Referred to Committee on Transportation.

HB 2073 by Representatives Wallace, Flannigan, Moeller, Kagi and Dickerson

AN ACT Relating to consent to medical care by a minor; and adding a new section to chapter 70.01 RCW.

Referred to Committee on Judiciary.

HB 2074 by Representatives Hunter and Springer

AN ACT Relating to annexations in counties with more than one million five hundred thousand residents; amending RCW 35.13.130 and 35A.14.120; adding new sections to chapter 35.13 RCW; adding new sections to chapter 35A.14 RCW; adding a new section to chapter 35.13A RCW; and creating a new section.

Referred to Committee on Local Government & Housing.

HB 2075 by Representative Hunter

AN ACT Relating to the excise taxation of certain products and services provided or furnished electronically; amending RCW 82.04.190, 82.08.010, 82.12.010, 82.12.020, 82.04.060, 82.04.070, 82.04.110, 82.04.120, 82.04.2907, 82.04.297, 82.04.363, 82.04.4282, 82.04.470, 82.04.480, 82.04.065, 82.08.02525, 82.08.0253, 82.08.02535, 82.08.02537, 82.08.0256, 82.08.02565, 82.08.0257, 82.08.0273, 82.08.805, 82.08.995, 82.12.0251, 82.12.02525, 82.12.0255, 82.12.0257, 82.12.0258, 82.12.0259, 82.12.02595, 82.12.0272, 82.12.0284, 82.12.0345, 82.12.0347, 82.12.805, 82.12.860, 82.12.995, 82.32.730, 82.08.195, 48.14.080, 82.02.020, 82.04.44525, 82.08.040, 82.08.130, 82.12.035, 82.12.040, 82.14.465, 82.16.010, 82.32.020, and 82.32.023; reenacting and amending RCW 82.04.050; adding new sections to chapter 82.04 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 82.14 RCW; adding a new section to chapter 82.32 RCW; creating new sections; repealing RCW 82.08.705, 82.12.705, and 35.21.717; providing an effective date; and declaring an emergency.

Referred to Committee on Finance.

HB 2076 by Representatives Hope, O'Brien, Kristiansen, Haler, Warnick, McCune, Alexander, Cox, Schmick, Rodne, Smith, Bailey, Johnson and Armstrong

AN ACT Relating to returning savings to the motor vehicle fund by suspending the requirement to purchase art for transportation buildings; and amending RCW 43.17.200.

Referred to Committee on Transportation.

HB 2077 by Representatives Goodman, O'Brien, Kirby, Kagi, Roberts and Chase

AN ACT Relating to delayed sentencing for offenders with a standard range under one year; amending RCW 9.94A.500; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Public Safety & Emergency Preparedness.

HB 2078 by Representatives Roberts, O'Brien, Walsh, Jacks, Appleton, Goodman, Dickerson, Green, Kagi, Chase, Wood, Kenney and Haler

AN ACT Relating to persons with developmental disabilities who are in correctional facilities or jails; and adding a new chapter to Title 71A RCW.

Referred to Committee on Human Services.

HB 2079 by Representatives Cody, Ericksen and Morrell

AN ACT Relating to the office of financial management's access to health professional licensing information; and amending RCW 43.370.020.

Referred to Committee on Health Care & Wellness.

HJR 4206 by Representatives Orcutt, Anderson, Warnick, McCune and Herrera

Providing for value averaging.

Referred to Committee on Finance.

HJR 4207 by Representatives Orcutt, Alexander, Hope, Warnick, McCune, Herrera, Shea, Short, Bailey, Dammeier, Chandler, Newhouse and Kristiansen

Amending the state Constitution to include an expenditure limit.

Referred to Committee on Ways & Means.

HJR 4208 by Representatives Orcutt, Hope, Herrera, Warnick, McCune, Armstrong and Kristiansen

Placing restrictions on tax increases.

Referred to Committee on Finance.

HJR 4209 by Representatives Bailey, Alexander, Dammeier, Smith, Ross, Chandler, Warnick, Newhouse, Kristiansen and Haler

Requiring extraordinary revenue growth to be transferred to the budget stabilization account.

Referred to Committee on Ways & Means.

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

February 5, 2009

HB 1018 Prime Sponsor, Representative Appleton: Modifying when a special election may be held. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1051 Prime Sponsor, Representative Morrell: Improving veterans' access to services. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1121 Prime Sponsor, Representative Rodne: Creating the Washington state flag account. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1195 Prime Sponsor, Representative Haigh: Regarding payment of undisputed claims. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Referred to Committee on Capital Budget.

February 5, 2009

HB 1196 Prime Sponsor, Representative Haigh: Increasing the dollar limit for small works roster projects. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1197 Prime Sponsor, Representative Haigh: Regarding alternative public works contracting procedures. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Referred to Committee on Capital Budget.

February 5, 2009

HB 1199 Prime Sponsor, Representative Haigh: Regarding retainage of funds on public works projects. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1363 Prime Sponsor, Representative Hunt: Modifying provisions relating to candidate filing. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1364 Prime Sponsor, Representative Hunt: Making technical corrections to election provisions. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1404 Prime Sponsor, Representative Armstrong: Naming public spaces in the Washington state heritage center. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Flannigan; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 3, 2009

HB 1431 Prime Sponsor, Representative Sells: Designating certain state routes as highways of statewide significance. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong; Cox; Driscoll; Ericksen; Finn; Herrera; Johnson; Klippert; Kristiansen; Moeller; Morris; Rolfes; Sells; Shea; Simpson; Springer; Takko; Upthegrove; Williams and Wood.

Passed to Committee on Rules for second reading.

February 3, 2009

HB 1433 Prime Sponsor, Representative Liias: Addressing liability for damages to state property resulting from the illegal operation of a vehicle. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong; Cox; Driscoll; Ericksen; Finn; Herrera; Johnson; Klippert; Kristiansen; Moeller; Morris; Rolfes; Sells; Shea; Simpson; Springer; Takko; Upthegrove; Williams and Wood.

Passed to Committee on Rules for second reading.

February 5, 2009

HB 1580 Prime Sponsor, Representative Kessler: Establishing a pilot local water management program in one qualified jurisdiction. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Jacks, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kretz; Liias; McCoy; Nelson; Ormsby; Pearson; Van De Wege and Warnick.

Referred to Committee on General Government Appropriations.

There being no objection, the bills listed on the day's committee reports 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 10, 2009, the 30th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

