

FIFTY NINTH LEGISLATURE - REGULAR SESSION

TWENTY THIRD DAY

House Chamber, Olympia, Tuesday, February 1, 2005

The House was called to order at 9:55 a.m. by the Speaker (Representative Lovick presiding).

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

INTRODUCTION & FIRST READING

HB 1642 by Representatives Murray, Woods, Campbell and Simpson

AN ACT Relating to restructuring of certain transportation agencies; amending RCW 47.01.041, 47.01.071, 44.75.020, 44.75.030, 44.75.040, 44.75.050, 44.75.080, 44.75.090, 44.75.100, 44.75.110, 44.75.120, 35.58.2796, 36.78.070, 41.40.037, 43.10.101, 43.79.270, 43.79.280, 43.88.020, 43.88.030, 43.88.230, 43.105.160, 43.105.190, 44.04.260, 44.28.088, 44.40.025, 44.40.070, 44.40.100, 46.01.320, 46.01.325, 46.16.705, 46.16.715, 46.16.725, 46.23.040, 46.73.010, 47.01.145, 47.01.280, 47.04.210, 47.04.220, 47.06.110, 47.06A.020, 47.12.360, 47.17.850, 47.26.167, 47.26.170, 47.46.030, 47.46.040, 47.74.020, 47.76.340, 79A.05.125, 81.80.395, 81.104.110, 82.33.020, 82.70.060, and 82.80.070; reenacting and amending RCW 47.01.101 and 90.03.525; reenacting RCW 43.59.150; adding a new section to chapter 47.01 RCW; creating new sections; repealing RCW 44.28.161, 44.40.010, 44.40.013, 44.40.015, 44.40.030, 44.40.040, 44.40.090, 44.40.140, 44.40.150, 44.40.161, and 53.08.350; providing an effective date; and providing an expiration date.

Referred to Committee on Transportation.

HB 1643 by Representative B. Sullivan

AN ACT Relating to liability immunity for municipal or nonprofit owned skate parks that charge nominal fees; and reenacting and amending RCW 4.24.210.

Referred to Committee on Judiciary.

HB 1644 by Representatives B. Sullivan and Lovick

AN ACT Relating to interrogation and waiver; and amending RCW 13.40.140.

Referred to Committee on Juvenile Justice & Family Law.

HB 1645 by Representatives B. Sullivan, Holmquist, Upthegrove, Dickerson, Blake, Kristiansen, Linville, Lantz, Morris, Orcutt, Lovick, Campbell, Chase, Nixon, Williams, Wood, Schual-Berke, Ormsby, Rodne, Sells, Hinkle and Simpson

AN ACT Relating to incentives for the use of clean-burning alternative fuels and equipment in student transportation programs; amending RCW 82.38.080; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on .

HB 1646 by Representatives B. Sullivan, Holmquist, Uptegrove, Linville, Blake, Morris, Orcutt, Lovick, Campbell, Chase, Williams, Schindler, Wood, Rodne, Sells, Hinkle and Simpson

AN ACT Relating to tax incentives for alternative fuels; reenacting and amending RCW 82.04.260; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; adding a new section to chapter 84.36 RCW; adding a new section to chapter 82.29A RCW; adding a new section to chapter 82.04 RCW; creating a new section; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Technology, Energy & Communications.

HB 1647 by Representatives B. Sullivan, Morris, Chase, Williams, Sells, Linville and Simpson

AN ACT Relating to providing incentives for hydrogen and the alternative fuels marketplace; adding new sections to chapter 82.04 RCW; 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 expiration date; and declaring an emergency.

Referred to Committee on Technology, Energy & Communications.

HB 1648 by Representatives B. Sullivan, Appleton, Orcutt, Lovick, Campbell, Strow and Hinkle

AN ACT Relating to increasing the penalty for intercepting, recording, or divulging private communications in executive sessions; amending RCW 9.73.080; reenacting and amending RCW 9.94A.515; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Criminal Justice & Corrections.

HB 1649 by Representatives B. Sullivan, Santos, Nixon and Schindler

AN ACT Relating to limiting the authority to condemn property outside the boundaries of the condemning entity; amending RCW 35.58.320; and creating a new section.

Referred to Committee on Local Government.

HB 1650 by Representatives O'Brien, Newhouse, Lovick and Rodne; by request of Integrated Justice Information Board

AN ACT Relating to citations and infractions; amending RCW 46.61.021, 46.63.060, 46.64.015, 46.64.025, 7.80.070, 7.80.160, 7.84.050, 18.27.240, 18.106.190, 20.01.482, 43.63B.140, and 81.112.230; repealing RCW 18.27.280; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 1651 by Representatives O'Brien, Darneille and Lovick

AN ACT Relating to community notification and release of sex offender information; reenacting and amending RCW 42.17.310; and creating a new section.

Referred to Committee on State Government Operations & Accountability.

HB 1652 by Representatives Ericks, Appleton, Simpson, Kilmer, Eickmeyer, Woods, Lovick, Santos and Linville

AN ACT Relating to authorizing fire protection districts to establish or participate in health clinic services; and amending RCW 52.02.020.

Referred to Committee on Health Care.

HB 1653 by Representatives O'Brien, Moeller, Lovick, Clibborn, Roberts, B. Sullivan, Murray, Morrell, Ericks, Campbell, Chase and Santos

AN ACT Relating to environmental lead paint hazards; adding new sections to chapter 70.103 RCW; and creating a new section.

Referred to Committee on Housing.

HB 1654 by Representatives Ahern, O'Brien, Miloscia, Holmquist, Crouse, Curtis, Dunn, Nixon, Haler, McCune, Kretz, Schindler, Serben, McDonald, Roach, Shabro, Buri and Campbell

AN ACT Relating to ensuring health care provider and insurer right of conscience; adding new sections to chapter 9.02 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 1655 by Representatives Ahern, Dunn, Schindler, Crouse, Haler, Kretz, Serben, McDonald, McCune, Roach, Shabro, Buri, Condotta and Kristiansen

AN ACT Relating to the safety and well-being of children; adding new sections to chapter 9.68 RCW; repealing RCW 9.68.015, 9.68.050, 9.68.060, 9.68.070, 9.68.080, 9.68.090, 9.68.100, 9.68.110, 9.68.120, 9.68.130, and 9.68A.150; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 1656 by Representatives Ahern, Miloscia, Schindler, Dunn, Haler, Holmquist, Kretz, Crouse, Serben, McCune, Roach, Shabro, Kristiansen, Campbell and Nixon

AN ACT Relating to truth in describing sex education; adding new sections to chapter 28A.230 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 1657 by Representatives Takko, Buck, B. Sullivan, Orcutt, Blake, Wallace, Sells and Chase

AN ACT Relating to construction of bridges and trestles; and amending RCW 79.91.100.

Referred to Committee on Natural Resources, Ecology & Parks.

HB 1658 by Representatives Haigh, Pettigrew, Buri, Fromhold and Wood

AN ACT Relating to establishing the short line rail revitalization program; adding a new section to chapter 43.160 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 1659 by Representatives Santos, McCoy, Pettigrew, Kenney, Hunter, Chase, Dickerson, Simpson and Upthegrove

AN ACT Relating to equitable opportunity for all; creating new sections; and providing an expiration date.

Referred to Committee on Education.

HB 1660 by Representatives Moeller, Tom, Hasegawa, Ericks, Lantz, Flannigan, Appleton, Roberts, Curtis, Hunt, Green, Chase, Lovick, Orcutt, Morrell, Cody, McCune, Williams, Schual-Berke, Dickerson and Simpson

AN ACT Relating to the definition of "at-risk youth"; and amending RCW 13.32A.030.

Referred to Committee on Juvenile Justice & Family Law.

HB 1661 by Representatives Moeller, Hasegawa, Appleton, Hunt, Ericks, Chase, Curtis, Lovick, McCune and Cody

AN ACT Relating to transfer of juvenile proceedings; and amending RCW 13.40.060.

Referred to Committee on Juvenile Justice & Family Law.

HB 1662 by Representatives Kenney, Cox, Sells, Chase and Linville; by request of Governor Gregoire

AN ACT Relating to the Washington academy of sciences; adding a new chapter to Title 70 RCW; and creating a new section.

Referred to Committee on Higher Education.

HB 1663 by Representatives Kagi, Dickerson, Darneille, Walsh, Roberts, McDonald, Pettigrew, McIntire, Tom, Hunter, Nixon, Clibborn, Santos, Rodne, Kenney and Simpson

AN ACT Relating to development and funding of evidence-based prevention and intervention services; and adding a new chapter to Title 43 RCW.

Referred to Committee on Children & Family Services.

HB 1664 by Representatives Grant, Buri, Linville, Walsh and Schindler

AN ACT Relating to repealing and narrowing tax incentives for machinery and equipment used to reduce agricultural burning of cereal grains and grass grown for seed for air quality purposes; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; creating a new section; repealing RCW 82.08.840, 82.12.840, 82.04.4459, and 84.36.580; providing an effective date; providing expiration dates; and declaring an emergency.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 1665 by Representatives Shabro, Ahern, Roach and McCune

AN ACT Relating to the state veterans' song; and adding a new section to chapter 1.20 RCW.

Referred to Committee on State Government Operations & Accountability.

HB 1666 by Representatives Shabro, Lovick, Roach, Ahern, Chase, McCune and Schindler

AN ACT Relating to increasing penalties for manufacturing methamphetamine; amending RCW 69.50.401, 69.50.406, 69.50.415, 9.94A.518, 9.94A.533, 9.94A.610, and 13.40.0357; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 1667 by Representatives Shabro, Darneille, Roach, Chase, McDonald and Simpson

AN ACT Relating to a sales tax remittance for low-income persons; amending RCW 82.03.190 and 82.32.160; adding a new section to chapter 82.08 RCW; and providing an effective date.

Referred to Committee on Finance.

HB 1668 by Representatives Lantz and Priest; by request of Board For Judicial Administration

AN ACT Relating to the administrative office of the courts; amending RCW 2.14.110, 2.43.020, 2.43.030, 2.43.070, 2.56.010, 2.56.020, 2.56.030, 2.56.120, 2.56.150, 2.56.180, 2.68.020, 2.70.050, 3.46.030, 3.50.020, 3.66.010, 3.66.070, 9.73.230, 9.94A.855, 10.64.120, 10.98.080, 10.98.100, 10.98.160, 13.34.102, 13.40.430, 13.64.080, 13.70.130, 26.12.177, 26.12.802, 26.12.804, 26.18.210, 26.18.220, 26.19.011, 26.19.035, 26.19.050, 26.26.065, 26.50.030, 26.50.035, 35.20.030, 36.01.050, 36.18.018, 43.08.250, 43.70.540, 43.101.280, 46.20.286, 74.14C.100, and 82.14.310; amending 1983 c 199 s 2 (uncodified); and reenacting and amending RCW 9.94A.660 and 9.94A.850.

Referred to Committee on Judiciary.

HB 1669 by Representative Schual-Berke; by request of Insurance Commissioner

AN ACT Relating to health care grievance and appeal processes; amending RCW 41.05.017, 48.43.005, 48.43.055, 48.43.510, 48.43.530, 48.43.535, 48.43.545, 48.46.020, 48.46.030, 48.46.040, and 70.47.130; amending 2000 c 5 s 19 (uncodified); adding new sections to chapter 48.43 RCW; creating new sections; and repealing RCW 48.46.100.

Referred to Committee on Health Care.

HB 1670 by Representatives Darneille, Shabro, Kirby, Armstrong, Kessler, Hinkle, Grant, Chase, Hunt, Williams and Kenney

AN ACT Relating to regulation of indoor smoking for the purpose of protecting minors and public health; amending RCW 70.160.020, 70.160.030, 70.160.040, and 70.160.070; adding new sections to chapter 70.160 RCW; creating a new section; and repealing RCW 70.160.050 and 70.160.080.

Referred to Committee on Health Care.

HB 1671 by Representatives Kirby, Campbell, Williams and Wood

AN ACT Relating to allowing attorneys to recover actual costs for service of process; and amending RCW 4.84.010.

Referred to Committee on Judiciary.

HB 1672 by Representatives Conway, Hudgins, Green, Cody, Appleton, Morrell, Wood, McCoy, Kenney, Moeller and Chase

AN ACT Relating to reducing injuries among patients and health care workers; adding a new section to chapter 49.17 RCW; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 1673 by Representatives Clements, Armstrong, Dunn, Newhouse, Serben, McDonald, Anderson, Ahern, Condotta, Curtis, McCune, Alexander, Bailey, Cox, Hinkle, Shabro, Rodne, Holmquist, Schindler, Skinner, Buck, Kretz, Priest, Orcutt, Ericksen, Haler, Woods, Kristiansen, Strow, Crouse, Pearson and Talcott

AN ACT Relating to regulatory reform; amending RCW 34.05.570, 28A.300.040, 41.50.050, 43.06A.030, 43.19.011, 43.21A.064, 43.24.016, 43.27A.090, 43.30.215, 43.31C.060, 43.33.040, 43.33A.110, 43.59.070, 43.61.040, 43.63A.475, 43.70.580, 43.101.085, 43.115.040, 43.117.050, 43.121.050, 43.155.040, 43.160.050, 43.163.100, 43.180.040, 43.200.070, 43.210.060, 43.250.090, 43.320.040, 43.330.040, 47.01.071, 48.02.060, 48.44.050, 48.46.200, 66.08.0501, 77.04.055, 80.01.040, and 34.05.360; reenacting and amending RCW 34.05.328; adding a new section to chapter 43.17 RCW; adding a new section to chapter 34.05 RCW; adding a new chapter to Title 34 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on State Government Operations & Accountability.

HB 1674 by Representatives Condotta, Armstrong, Holmquist, Schindler, Serben, Kretz, Clements, Shabro, Skinner, McDonald, Haler, McCune, Ericksen, Newhouse, Alexander, Woods, Kristiansen, Dunn, Strow, Crouse, Bailey, Pearson, Rodne, Hinkle and Talcott

AN ACT Relating to simplifying and adding certainty to the calculation of workers' compensation benefits; amending RCW 51.08.178, 51.28.040, 51.32.050, 51.32.060, 51.32.072, 51.32.075, 51.32.080, 51.32.090, 51.32.095, 51.32.095, and 51.36.020; reenacting and amending RCW 51.32.090; adding new sections to chapter 51.08 RCW; adding a new section to chapter 51.32 RCW; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 1675 by Representatives Orcutt, Armstrong, Clements, Dunn, Newhouse, Serben, Curtis, McDonald, Condotta, Bailey, Ahern, McCune, Hinkle, Alexander, Cox, Shabro, Rodne, Holmquist, Schindler, Skinner, Buck, Kretz, Haler, Ericksen, Woods, Kristiansen, Campbell, Strow, Crouse, Pearson and Talcott

AN ACT Relating to revising excise tax provisions to encourage small business; amending RCW 82.32.030, 82.04.4451, and 82.32.045; providing an effective date; creating a new section; and declaring an emergency.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 1676 by Representatives Roach, Buri, Kretz, Walsh, Ahern, Haler, McDonald, Rodne, Hinkle, Armstrong, Bailey, McCune, Alexander, Cox, Shabro, Condotta, Holmquist, Schindler, Serben, Buck, Clements, Skinner, Priest, Orcutt, Ericksen, Newhouse, Woods, Kristiansen, Dunn, Campbell, Strow, Crouse, Pearson, Simpson and Talcott

AN ACT Relating to business and occupation tax exemptions for new businesses; adding a new section to chapter 82.04 RCW; and providing an effective date.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 1677 by Representatives Kessler, Buck, Hunt, DeBolt, Williams, P. Sullivan, Santos, Quall, Ormsby, Linville and Simpson

AN ACT Relating to the prescription drug assistance foundation; adding a new section to chapter 41.05 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 1678 by Representatives Condotta, Holmquist, Newhouse, Sump, Kretz, Ahern, Hinkle, Orcutt, Bailey, Schindler, Crouse, Kristiansen, Woods, Dunn, McCune and Rodne

AN ACT Relating to state mandates on political subdivisions of the state; and adding a new section to chapter 43.135 RCW.

Referred to Committee on Local Government.

HB 1679 by Representatives Fromhold, Orcutt and Conway

AN ACT Relating to the leasehold excise taxation of entertainment or public areas of an amphitheater; and amending RCW 82.29A.130.

Referred to Committee on Finance.

HB 1680 by Representatives Upthegrove, Jarrett, Moeller, B. Sullivan, Kirby, Cody, McDermott, Haler, Santos, Schual-Berke, Kenney and Simpson

AN ACT Relating to the creation of pilot projects for the promotion of safe neighborhoods through more effective community planning; adding a new chapter to Title 70 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1681 by Representatives B. Sullivan, Darneille, Chase, Appleton, Upthegrove and Lovick

AN ACT Relating to the joint task force on criminal background check processes; reenacting and amending 2004 c 41 s 2 (uncodified); providing an expiration date; and declaring an emergency.

Referred to Committee on Criminal Justice & Corrections.

HB 1682 by Representatives B. Sullivan, Darneille, Chase and Lovick

AN ACT Relating to creating a pilot program for live scan devices; creating a new section; and making an appropriation.

Referred to Committee on Criminal Justice & Corrections.

HB 1683 by Representatives B. Sullivan, Lovick, Ericks and O'Brien

AN ACT Relating to authorizing provisional remedies in civil forfeiture proceedings; amending RCW 69.50.505; and adding a new section to chapter 69.50 RCW.

Referred to Committee on Judiciary.

HB 1684 by Representatives Bailey, Curtis, Hinkle, Skinner, Armstrong, Condotta, Shabro, Talcott, Kristiansen, Strow, Serben, Roach, Schindler, McDonald and Rodne

AN ACT Relating to access to health insurance for small employers and their employees; and amending RCW 48.21.045, 48.44.023, and 48.46.066.

Referred to Committee on Health Care.

HB 1685 by Representatives Bailey, Curtis, Skinner, Orcutt, Armstrong, Shabro, Strow, Serben, Roach, Rodne, Schindler and Condotta

AN ACT Relating to health insurance policies; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care.

HCR 4404 by Representatives Kenney, Cox, Sells, Priest, Jarrett, Conway, Ormsby and Linville; by request of Workforce Training and Education Coordinating Board

Approving the 2004 update to the state comprehensive plan for work force training.

Referred to Committee on Higher Education.

ESSB 5151 by Senate Committee on Government Operations & Elections (originally sponsored by Senators Franklin, Oke, Regala, Benton, Rasmussen, Roach, Eide, Haugen, Berkey, Kline and Fairley)

AN ACT Relating to disposition of surplus property by a metropolitan park district; amending RCW 35.61.132; providing an expiration date; and declaring an emergency.

Referred to Committee on Local Government.

There being no objection, the bills, memorials 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

January 28, 2005

HB 1000 Prime Sponsor, Representative Clibborn: Allowing fax and electronic mail notice of special meetings. Reported by Committee on State Government Operations & Accountability

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chairman; Green, Vice Chairman; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; McDermott; Miloscia; Schindler and Sump.

Passed to Committee on Rules for second reading.

January 28, 2005

HB 1035 Prime Sponsor, Representative Kirby: Providing confidentiality to certain insurance commissioner examinations. Reported by Committee on State Government Operations & Accountability

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chairman; Green, Vice Chairman; Nixon, Ranking Minority Member; Clements, Assistant Ranking Minority Member; Miloscia; Schindler and Sump.

MINORITY recommendation: Without recommendation. Signed by Representatives McDermott.

Referred to Committee on Financial Institutions & Insurance.

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 eighth order of business.

There being no objection, the Rules Committee was relieved of HOUSE BILL NO. 1069, and the bill was placed on the second reading calendar.

There being no objection, the Rules Committee was relieved of the following bills, and the bills were placed on the second reading suspension calendar:

HOUSE BILL NO. 1024,
HOUSE BILL NO. 1055,
HOUSE BILL NO. 1125,
HOUSE BILL NO. 1139,
HOUSE BILL NO. 1183,
HOUSE BILL NO. 1202,
HOUSE BILL NO. 1206,

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

There being no objection, the House adjourned until 10:00 a.m., February 2, 2005, the 24th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

1000	Committee Report	8
1024	Other Action	9
1035	Committee Report	9
1055	Other Action	9
1069	Other Action	9
1125	Other Action	9
1139	Other Action	9
1183	Other Action	9
1202	Other Action	9
1206	Other Action	9
1642	Introduction & 1st Reading	1
1643	Introduction & 1st Reading	1
1644	Introduction & 1st Reading	1
1645	Introduction & 1st Reading	1
1646	Introduction & 1st Reading	2
1647	Introduction & 1st Reading	2
1648	Introduction & 1st Reading	2
1649	Introduction & 1st Reading	2
1650	Introduction & 1st Reading	2
1651	Introduction & 1st Reading	2
1652	Introduction & 1st Reading	3
1653	Introduction & 1st Reading	3
1654	Introduction & 1st Reading	3
1655	Introduction & 1st Reading	3
1656	Introduction & 1st Reading	3
1657	Introduction & 1st Reading	3

	Introduction & 1st Reading	3
1658	Introduction & 1st Reading	3
1659	Introduction & 1st Reading	4
1660	Introduction & 1st Reading	4
1661	Introduction & 1st Reading	4
1662	Introduction & 1st Reading	4
1663	Introduction & 1st Reading	4
1664	Introduction & 1st Reading	4
1665	Introduction & 1st Reading	4
1666	Introduction & 1st Reading	4
1667	Introduction & 1st Reading	5
1668	Introduction & 1st Reading	5
1669	Introduction & 1st Reading	5
1670	Introduction & 1st Reading	5
1671	Introduction & 1st Reading	5
1672	Introduction & 1st Reading	6
1673	Introduction & 1st Reading	6
1674	Introduction & 1st Reading	6
1675	Introduction & 1st Reading	6
1676	Introduction & 1st Reading	7
1677	Introduction & 1st Reading	7
1678	Introduction & 1st Reading	7
1679	Introduction & 1st Reading	7
1680	Introduction & 1st Reading	7
1681	Introduction & 1st Reading	7
1682	Introduction & 1st Reading	7

1683	Introduction & 1st Reading	8
1684	Introduction & 1st Reading	8
1685	Introduction & 1st Reading	8
5151-S	Introduction & 1st Reading	8

Draft