

FIFTY NINTH LEGISLATURE - REGULAR SESSION

SEVENTY FIFTH DAY

House Chamber, Olympia, Friday, March 25, 2005

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

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Justin Willis and Ramsey Larson. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Pastor Robert Christensen, Olympia-Lacey Church of God.

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

RESOLUTION

HOUSE RESOLUTION NO. 2005-4651, By Representatives Kenney and Morris

WHEREAS, Research answers the call of the unknown and expresses the best of human imagination and creativity; and

WHEREAS, Research leads to new therapies that alleviate disease and suffering; and

WHEREAS, Research leads to new services and technologies that improve the human condition; and

WHEREAS, Research helps us to understand and protect our environment and to use our natural resources more effectively and wisely; and

WHEREAS, Research celebrates our cultural and social differences and suggests ways that people from diverse backgrounds can work together more effectively; and

WHEREAS, Research is the bridge joining students and experts in the excitement of learning; and

WHEREAS, Research creates new products, new technology, and new markets that result in high paying jobs for the people of Washington; and

WHEREAS, Research enhances the efficiency and competitiveness of Washington's existing industry while simultaneously building the foundation for a new economy for a new century;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor the accomplishments of researchers at Washington's public institutions of higher education; and

BE IT FURTHER RESOLVED, That the House of Representatives of the State of Washington thank Washington's institutions of higher education for inspiring our

imaginations, for bringing economic and social benefits to our state, and for charting a better future for our students and our citizens.

Representative Kenney moved the adoption of the resolution.

Representatives Kenney and Cox spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4651 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Representative Lovick presiding) acknowledge the students and faculty present from the University of Washington and Washington State University. He introduced Dr. R. James Cook and Dr. Anjan Bose from WSU, and Professors Wick Haxton, Elizabeth Aylward and Jennifer Ruesink from the UW. He asked the chamber to acknowledge them.

MESSAGE FROM THE SENATE

March 24, 2005

Mr. Speaker:

The President has signed HOUSE BILL NO. 1049, and the same is herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION & FIRST READING

HB 2305 by Representatives Hunt, Williams, Green and Haigh

AN ACT Relating to changing the age to vote; amending RCW 29A.08.230; and providing a contingent effective date.

Referred to Committee on State Government Operations & Accountability.

HJM 4021 by Representatives Williams, Moeller, Hasegawa, Kirby, Chase, Sells, Hunt, Simpson, Wood, Ormsby and Darneille

Requesting the House of Representatives to strengthen its ethics rules.

Referred to Committee on State Government Operations & Accountability.

HJR 4213 by Representatives Hunt, Williams, Green and Haigh

Amending the Constitution to allow persons who are sixteen years of age to vote.

Referred to Committee on State Government Operations & Accountability.

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

REPORTS OF STANDING COMMITTEES

March 22, 2005

ESB 5045 Prime Sponsor, Senator Doumit: Allowing title insurance companies to provide a guarantee covering its agents. Reported by Committee on Financial Institutions & Insurance

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

Passed to Committee on Rules for second reading.

March 23, 2005

SB 5135 Prime Sponsor, Senator Kastama: Addressing volunteer fire fighters' and reserve officers' relief and pensions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; Talcott and Walsh.

Passed to Committee on Rules for second reading.

March 23, 2005

SB 5148 Prime Sponsor, Senator Kohl-Welles: Repealing the crime of "slander of a woman." Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

March 23, 2005

SSB 5169 Prime Sponsor, Senate Committee On Ways & Means: Authorizing unspent biotoxin testing and monitoring funds to carry over to future biennia. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; Talcott and Walsh.

Passed to Committee on Rules for second reading.

March 22, 2005

ESB 5194 Prime Sponsor, Senator Franklin: Including the longshore and harbor workers' compensation account within the Washington insurance guaranty association. Reported by Committee on Financial Institutions & Insurance

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

Passed to Committee on Rules for second reading.

March 22, 2005

SSB 5266 Prime Sponsor, Senate Committee On Financial Institutions, Housing & Consumer Protection: Reserving state authority to regulate customer financial transactions. Reported by Committee on Financial Institutions & Insurance

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

Passed to Committee on Rules for second reading.

March 23, 2005

SB 5347 Prime Sponsor, Senator Keiser: Requiring the department of social and health services to defend temporary managers in nursing homes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

March 22, 2005

SB 5358 Prime Sponsor, Senator Keiser: Regarding speech-language pathologists and audiologists. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander; Appleton; Clibborn; Condotta; Green; Hinkle; Lantz; Moeller; Morrell; Schual-Berke and Skinner.

Passed to Committee on Rules for second reading.

March 23, 2005

SB 5433 Prime Sponsor, Senator Kline: Changing the membership of the commission on judicial conduct. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

March 22, 2005

ESSB 5470 Prime Sponsor, Senate Committee On Health & Long-Term Care: Allowing the importation of certain prescription drugs from nondomestic wholesalers. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Appleton; Clibborn; Green; Lantz; Moeller; Morrell and Schual-Berke.

MINORITY recommendation: Do not pass. Signed by Representatives Bailey, Ranking Minority Member;

Curtis, Assistant Ranking Minority Member; Alexander; Condotta; Hinkle and Skinner.

Passed to Committee on Rules for second reading.

March 22, 2005

SSB 5471 Prime Sponsor, Senate Committee On Ways & Means: Authorizing a prescription drug purchasing consortium. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Appleton; Clibborn; Green; Lantz; Moeller; Morrell and Schual-Berke.

MINORITY recommendation: Do not pass. Signed by Representatives Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander; Condotta; Hinkle and Skinner.

Passed to Committee on Rules for second reading.

March 23, 2005

SSB 5497 Prime Sponsor, Senate Committee On Ways & Means: Allowing terminally ill members to remove themselves from their retirement plan. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; Talcott and Walsh.

Passed to Committee on Rules for second reading.

March 22, 2005

ESSB 5506 Prime Sponsor, Senate Committee On Financial Institutions, Housing & Consumer Protection: Placing restrictions on the marketing or merchandising of credit cards to students at the state's institutions of higher education. Reported by Committee on Financial Institutions & Insurance

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

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

Passed to Committee on Rules for second reading.

March 23, 2005

SB 5522 Prime Sponsor, Senator Franklin: Purchasing service credit lost due to injury. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; Talcott and Walsh.

Passed to Committee on Rules for second reading.

March 22, 2005

SSB 5558 Prime Sponsor, Senate Committee On Health & Long-Term Care: Establishing a prescription drug assistance foundation. Reported by Committee on Health Care

MAJORITY recommendation: Do pass as amended. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander; Appleton; Clibborn; Condotta; Green; Lantz; Moeller; Morrell; Schual-Berke and Skinner.

MINORITY recommendation: Without recommendation. Signed by Representatives Hinkle.

Passed to Committee on Rules for second reading.

March 23, 2005

SB 5974 Prime Sponsor, Senator Prentice: Providing information to pregnant women about opiate treatment programs. Reported by Committee on Children & Family Services

MAJORITY recommendation: Do pass. Signed by Representatives Kagi, Chairman; Roberts, Vice Chairman; Hinkle, Ranking Minority Member; Walsh, Assistant Ranking Minority Member; Darneille; Dickerson; Dunn; Haler and Pettigrew.

Passed to Committee on Rules for second reading.

March 23, 2005

SJR 8207 Prime Sponsor, Senator Kline: Changing the membership of the commission on judicial conduct. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

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

SECOND READING

SENATE BILL NO. 5794, By Senators Prentice, Swecker, Regala, Franklin, Kohl-Welles, McAuliffe and Rasmussen; by request of Department of Revenue

Authorizing the governor to enter into a cigarette tax agreement with the Puyallup Tribe of Indians.

The bill was read the second time.

There being no objection, the rules were suspended, the second reading considered the third and the bill was placed on final passage.

Representatives Dunshee, Orcutt and Conway spoke in favor of passage of the bill.

MOTIONS

On motion of Representative Santos, Representatives Appleton, Hasegawa, Kilmer, Lantz, McIntire, Sommers and Upthegrove were excused. On motion of Representative Clements, Representatives Armstrong, Crouse, Curtis, Sump and Tom were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Senate Bill No. 5794.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5794 and the bill passed the House by the following vote: Yeas - 86, Nays - 0, Absent - 0, Excused - 12.

Voting yea: Representatives Ahern, Alexander, Anderson, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Jarrett,

Kagi, Kenney, Kessler, Kirby, Kretz, Kristiansen, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Talcott, Wallace, Walsh, Williams, Wood, Woods, and Mr. Speaker - 86.

Excused: Representatives Appleton, Armstrong, Crouse, Curtis, Hasegawa, Kilmer, Lantz, McIntire, Sommers, Sump, Tom, and Upthegrove - 12.

SENATE BILL NO. 5794, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Dunshee:

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

HOUSE BILL NO. 2255,
SENATE BILL NO. 5148,
SENATE BILL NO. 5356,
SENATE BILL NO. 5506,
SENATE BILL NO. 5509,
SENATE JOINT MEMORIAL NO. 8000,
SENATE JOINT MEMORIAL NO. 8018,
SENATE BILL NO. 5433,
SENATE JOINT RESOLUTION NO. 8207,

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., March 28, 2005, the 78th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

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