

FIFTY NINTH LEGISLATURE - REGULAR SESSION

EIGHTEENTH DAY

House Chamber, Olympia, Thursday, January 26, 2006

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.

MESSAGE FROM THE SENATE

January 25, 2006

Mr. Speaker:

The Senate has passed SUBSTITUTE SENATE BILL NO. 6594, and the same is herewith transmitted.

Brad Hendrickson, Deputy Secretary

INTRODUCTION & FIRST READING

HB 3218 By Representatives Strow, Williams, O'Brien, Sells, Ahern and Green

AN ACT Relating to imposing mandatory minimum sentences on homicide-related crimes; amending RCW 9.94A.540; reenacting and amending RCW 9.94A.515; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 3219 by Representative Takko

AN ACT Relating to bail bond agents; and amending RCW 18.185.010.

Referred to Committee on Commerce & Labor.

HB 3220 by Representatives Cox, Haler, Condotta, Jarrett, Kristiansen, Kretz, Dunn and Woods

AN ACT Relating to coordination of statewide freight mobility planning and administration; amending RCW 47.06A.020, 47.06A.030, 47.76.210, 47.76.220, 47.76.230, 47.76.240, 47.76.250, 47.76.280, 47.76.290, 47.76.300, 47.76.310, 47.76.320, and 47.76.350; adding new sections to chapter 47.06A RCW; adding a new section to chapter 47.76 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 3221 by Representatives Moeller, Buck, Blake, Clements, Eickmeyer and Kretz

AN ACT Relating to alien firearm licenses; amending RCW 9.41.070, 9.41.097, and 9.41.097; adding a new section to chapter 9.41 RCW; repealing RCW 9.41.170; prescribing penalties; providing an effective date; and providing an expiration date.

Referred to Committee on Judiciary.

HB 3222 by Representatives Pettigrew, Haler, Chandler, Kretz, Hinkle, Kristiansen, Holmquist and Linville

AN ACT Relating to excise tax exemptions for the handling and processing of livestock manure; adding a new section to chapter 82.08 RCW; adding a new section to chapter 82.12 RCW; repealing RCW 82.08.890, 82.08.900, 82.12.890, and 82.12.900; and providing an effective date.

Referred to Committee on Finance.

HB 3223 by Representatives Kretz, Condotta, Dunn, Clements, Buri, Chandler, Newhouse, Orcutt, B. Sullivan, Kristiansen, Skinner, Sump, Schindler, McCune, Grant, Hinkle, Haler, Roberts and Ahern

AN ACT Relating to providing fairness in government control of property; amending RCW 36.70A.060 and 36.70A.172; adding a new section to chapter 8.26 RCW; adding new sections to chapter 64.40 RCW; and creating new sections.

Referred to Committee on Judiciary.

HB 3224 by Representatives Haigh, Kilmer, Sells, Roberts and Green

AN ACT Relating to military service; amending RCW 38.40.110; and reenacting and amending RCW 41.40.170.

Referred to Committee on State Government Operations & Accountability.

HB 3225 by Representatives Green and Morrell

AN ACT Relating to temporary management in boarding homes; and adding new sections to chapter 18.20 RCW.

Referred to Committee on Health Care.

HB 3226 by Representatives Green and Morrell

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

Referred to Committee on Health Care.

HB 3227 by Representative Conway

AN ACT Relating to forestry resources and rural development, establishing a system of collective bargaining for loggers and haulers of logs; and adding a new chapter to Title 19 RCW.

Referred to Committee on Commerce & Labor.

HB 3228 by Representatives Holmquist, Dunn and Ahern

AN ACT Relating to the impact on small businesses of general permits developed under chapter 90.48 RCW; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 3229 by Representatives Hunt, Alexander and Haler

AN ACT Relating to the population threshold for cities and counties eligible to use the design-build procedure; amending RCW 39.10.902; and reenacting and amending RCW 39.10.051.

Referred to Committee on State Government Operations & Accountability.

HB 3230 by Representatives Strow, O'Brien, Schual-Berke and Darneille

AN ACT Relating to requiring DNA evidence to be presented prior to imposition of the death penalty; adding a new section to chapter 10.95 RCW; creating new sections; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 3231 by Representatives Conway and Darneille

AN ACT Relating to essential state community justice facilities; amending RCW 72.05.020, 72.05.400, 72.65.010, 72.65.220, and 36.70A.200; adding a new section to chapter

72.05 RCW; adding a new section to chapter 72.65 RCW; adding a new section to chapter 36.70A RCW; and adding a new section to chapter 36.70 RCW.

Referred to Committee on Criminal Justice & Corrections.

HB 3232 by Representatives Tom, Cody and Nixon

AN ACT Relating to studying state policies on controlled substances; and creating a new section.

Referred to Committee on Health Care.

HB 3233 by Representatives McIntire, Haler, Kenney, Armstrong, Quall, Darneille and Chase

AN ACT Relating to the extension of local taxes to fund arts, cultural and heritage institutions and programs, tourism promotion, publicly owned sports and entertainment facilities, and other civic amenities; amending RCW 67.28.180, 82.14.0485, 82.14.049, and 82.14.360; and creating new sections.

Referred to Committee on Economic Development, Agriculture & Trade.

HB 3234 by Representatives Miloscia, Hunt, Darneille, Chase, Holmquist and Santos

AN ACT Relating to homeless tent encampments; and adding a new section to chapter 43.185C RCW.

Referred to Committee on Housing.

HB 3235 by Representative Ericksen

AN ACT Relating to using environmental mitigation moneys for agricultural preservation; adding a new section to chapter 47.12 RCW; and creating a new section.

Referred to Committee on Transportation.

HJR 4225 by Representatives Holmquist, Newhouse, Ahern, Schindler, McDonald, Sump, Roach, Kristiansen and Dunn

Amending the Constitution to require voter approval of property taxes.

Referred to Committee on Finance.

SSB 6594 by Senate Committee on Ways & Means (originally sponsored by Senators Regala, Prentice, Doumit, Eide, Keiser, Fairley, Franklin and Kline; by request of Governor Gregoire)

AN ACT Relating to conforming Washington's tax structure to the streamlined sales and use tax agreement; amending RCW 82.32.020, 82.08.037, 82.12.037, 82.02.210, 82.32.030, 82.14.020, 82.14.390, 82.32.520, 82.04.065, 82.04.065, 82.08.0289, 82.08.0289, 82.04.060, 82.04.190, 82.14B.020, 82.72.010, 82.32.555, 35A.82.055, 35A.82.060, 35A.82.060, 35A.82.065, 35.21.712, 35.21.714, 35.21.714, 35.21.715, 35.21.860, 35.102.020, 82.04.530, 82.16.010, 82.08.0283, 82.12.0277, 82.08.803, 82.12.803, 82.08.945, 82.12.945, 82.04.470, 82.08.010, 82.08.010, and 82.32.430; amending 2004 c 153 s 502 (uncodified); reenacting and amending RCW 82.04.050, 82.14B.030, 82.08.050, and 82.32.330; adding new sections to chapter 82.32 RCW; adding new sections to chapter 82.14 RCW; adding new sections to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; adding a new section to chapter 44.28 RCW; creating new sections; providing effective dates; providing a contingent effective date; and providing expiration dates.

Referred to Committee on Finance.

There being no objection, the bills 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

January 25, 2006

HB 1142 Prime Sponsor, Representative Chase: Prohibiting pyramid promotional schemes. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 23, 2006

HB 1371 Prime Sponsor, Representative Morrell: Modifying the nurse mandatory overtime prohibition. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Hudgins; Kenney and McCoy.

MINORITY recommendation: Signed by Representatives Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Holmquist.

Referred to Committee on Appropriations.

January 24, 2006

SHB 1374 Prime Sponsor, Representative Committee On Housing: Prohibiting restrictions on the location of mobile homes or manufactured homes based exclusively on age and dimensions. Reported by Committee on Housing

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Miloscia, Chairman; Springer, Vice Chairman; Holmquist, Ranking Minority Member; Dunn, Assistant Ranking Minority Member; McCune; Ormsby; Pettigrew; Schindler and Sells.

Passed to Committee on Rules for second reading.

January 23, 2006

HB 1395 Prime Sponsor, Representative Wood: Modifying provisions concerning the uniform regulation of business and professions. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

February 14, 2005

HB 1430 Prime Sponsor, Representative Wood: Authorizing the sale by spirit, beer, and wine licensees of malt liquor in containers that are capable of holding four gallons or more and are registered in accordance with RCW 66.28.200. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 23, 2006

HB 2369 Prime Sponsor, Representative Quall: Authorizing the Washington horse racing commission to expend a statutorily limited amount of its operating funds for the development of the equine industry, improvement of racing facilities, and equine

health research. Reported by Committee on Commerce & Labor

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

MINORITY recommendation: Do not pass substitute. Signed by Representatives Hudgins.

Referred to Committee on Appropriations.

January 25, 2006
HB 2382 Prime Sponsor, Representative Kretz: Providing limited liability immunity for injuries at bovine handling facilities. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

January 24, 2006
HB 2403 Prime Sponsor, Representative Morris: Promoting distributive generation. Reported by Committee on Technology, Energy & Communications

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

MINORITY recommendation: Signed by Representatives Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Hankins; Nixon and Sump.

Passed to Committee on Rules for second reading.

January 24, 2006
HB 2447 Prime Sponsor, Representative Condotta: Extending the expiration date for funding the construction of new regional centers. Reported by Committee on Finance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill 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 Rules for second reading.

January 24, 2006
HB 2462 Prime Sponsor, Representative Moeller: Establishing work groups to periodically review and update the child support schedule. Reported by Committee on Juvenile Justice & Family Law

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chairman; Moeller, Vice Chairman; McDonald, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Crouse; Lovick and Roberts.

Referred to Committee on Appropriations.

January 24, 2006
HB 2501 Prime Sponsor, Representative Schual-Berke: Regulating group health benefit plan coverage of mental health services. Reported by Committee on Health Care

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

Passed to Committee on Rules for second reading.

January 23, 2006
HB 2536 Prime Sponsor, Representative Conway: Allowing an injured worker to change total permanent disability pension options under certain circumstances. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 23, 2006
HB 2538 Prime Sponsor, Representative Conway: Authorizing the department to request and superior court to grant warrants pursuant to

chapter 49.17 RCW. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 23, 2006

HB 2560 Prime Sponsor, Representative Conway: Changing the formula cap on spirits, beer, and wine restaurant licenses. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Condotta, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Holmquist; Kenney and McCoy.

MINORITY recommendation: Do not pass substitute. Signed by Representatives Hudgins. Passed to Committee on Rules for second reading.

January 23, 2006

HB 2562 Prime Sponsor, Representative Wood: Regulating flavored malt beverage. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 23, 2006

HB 2563 Prime Sponsor, Representative Wood: Concerning the processing of liquor licenses. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2570 Prime Sponsor, Representative Morrell: Prohibiting tobacco product sampling. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Hinkle, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander; Appleton; Bailey; Clibborn; Condotta; Green; Lantz; Moeller; Morrell; Schual-Berke and Skinner.

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2608 Prime Sponsor, Representative Curtis: Defining performance of duty for the volunteer fire fighters' and reserve officers' relief and pension act. 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; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Haigh; Hinkle; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2680 Prime Sponsor, Representative Conway: Purchasing service credit in plan 2 and plan 3 of the teachers' retirement system for public education experience performed as a teacher in a public school in another state or with the federal government. 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; Anderson, Assistant Ranking Minority Member; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Haigh; Hinkle; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 23, 2006

HB 2681 Prime Sponsor, Representative Conway: Establishing minimum contribution rates for the public employees' retirement system, the public safety employees' retirement system, the school employees' retirement system, and the teachers' retirement system. Reported by Committee on Appropriations

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

Passed to Committee on Rules for second reading.

January 23, 2006

HB 2690 Prime Sponsor, Representative Crouse: Permitting members of the public employees' retirement system, the teachers' retirement system, the school employees' retirement system, the public safety employees' retirement system, plan 1 of the law enforcement officers' and fire fighters' retirement system, and the Washington state patrol retirement system to make a one-time purchase of additional service credit. 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; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2836 Prime Sponsor, Representative Sommers: Creating the reading achievement account. 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; Armstrong; Bailey; Buri; Clements; Cody; Conway; Darneille; Dunshee; Haigh; Hinkle; Hunter; Kagi;

Kenney; Kessler; Linville; McDermott; McIntire; Miloscia; Pearson; Schual-Berke; P. Sullivan; Talcott and Walsh.

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

Passed to Committee on Rules for second reading.

January 23, 2006

HB 2897 Prime Sponsor, Representative Condotta: Modifying the liquor licensee's caterer's endorsement to include passenger vessels. Reported by Committee on Commerce & Labor

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

Passed to Committee on Rules for second reading.

January 23, 2006

HB 2976 Prime Sponsor, Representative Sommers: Implementing a collective bargaining agreement with Western Washington University. 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; Armstrong; Bailey; Buri; Chandler; Clements; Cody; Conway; Darneille; Dunshee; Haigh; Hunter; Kagi; Kenney; Kessler; Linville; McDermott; McIntire; Miloscia; Pearson; Priest; Schual-Berke; P. Sullivan; Talcott and Walsh.

Passed to Committee on Rules for second reading.

January 24, 2006

HB 2992 Prime Sponsor, Representative Moeller: Notifying parents, guardians, and custodians when a juvenile is taken into custody. Reported by Committee on Juvenile Justice & Family Law

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chairman; Moeller, Vice Chairman; McDonald, Ranking Minority Member; McCune, Assistant Ranking Minority Member; Crouse; Lovick and Roberts.

Passed to Committee on Rules for second reading.

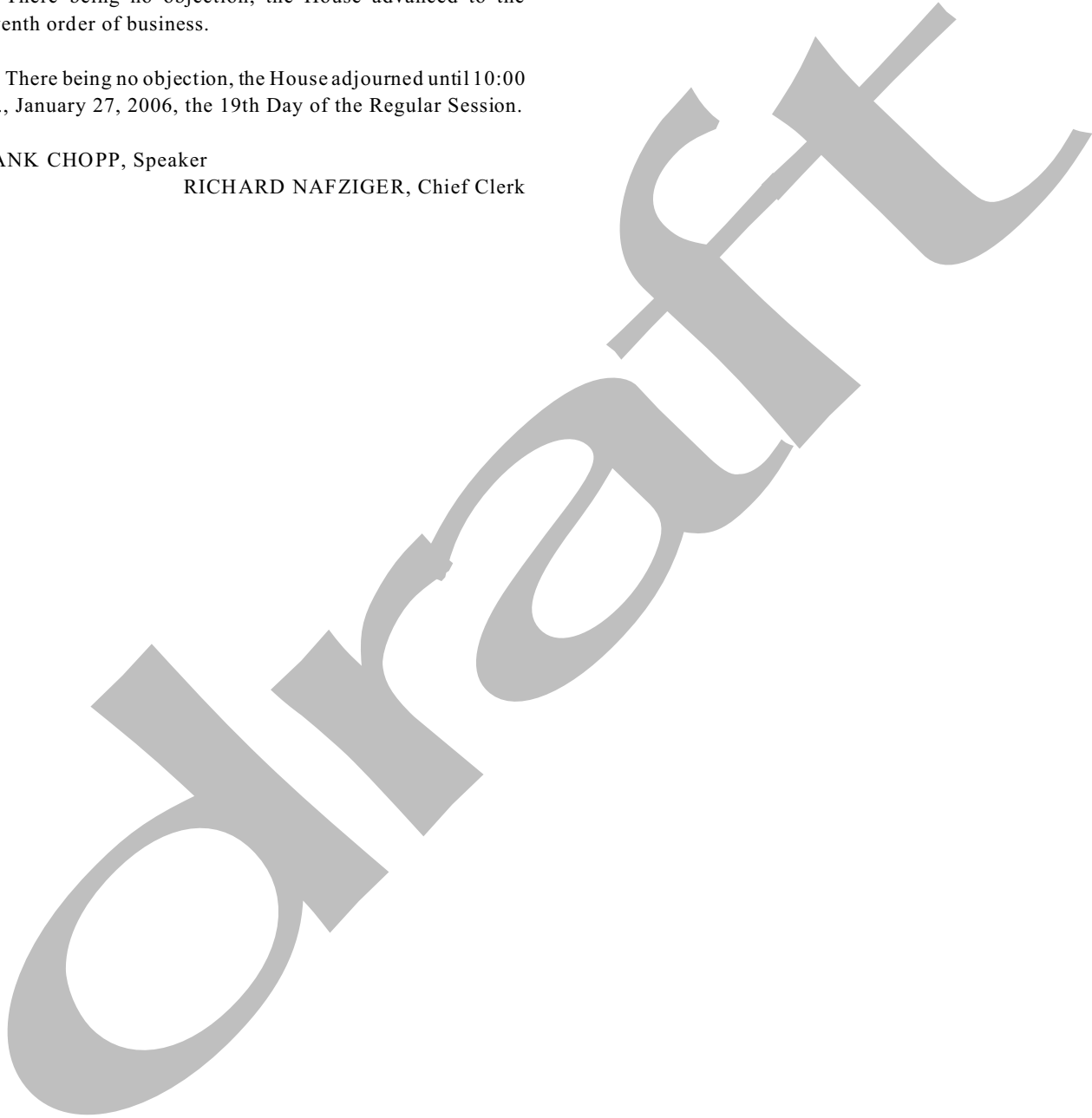
There being no objection, the bills listed on the day's committee reports sheet under the fifth order of business were referred to the committees so designated.

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

There being no objection, the House adjourned until 10:00 a.m., January 27, 2006, the 19th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk



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