

SIXTY-FIRST LEGISLATURE - REGULAR SESSION

EIGHTY SEVENTH DAY

House Chamber, Olympia, Wednesday, April 8, 2009

The House was called to order at 9:00 a.m. by the Speaker (Representative Moeller 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 Drew Conley and Brittany Domine. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Douglas Lee, Rainier Chapel, Rainier.

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

RESOLUTION

HOUSE RESOLUTION NO. 2009-4645, by Representatives Alexander, Hunt, and Williams

WHEREAS, The Evergreen State College Men's Basketball Team finished the 2008-09 season with a 20-12 record; and

WHEREAS, The aptly named Geoducks were ranked 23rd in the National Association of Intercollegiate Athletics Division II final poll; and

WHEREAS, The Geoducks advanced to the Cascade Collegiate Conference title game against eventual champion Oregon Tech, and in so doing earned a spot in the NAIA Division II men's basketball tournament; and

WHEREAS, The Evergreen State College Men's Basketball Team prevailed in their first test at the tournament by beating Bluefield College of Virginia in a 101-86 offensive shootout; and

WHEREAS, The Geoducks were led this year by Cascade Collegiate Conference Player of the Year Nate Menefee, who was second nationally in NAIA Division II in scoring, averaging 24.1 points per game; and

WHEREAS, Joining Menefee on the all-conference team was teammate Nick Moore, who was also named the conference's Newcomer of the Year; and

WHEREAS, The Evergreen State College Men's Basketball Team also consisted of Michael Ward, Tyrell Dixon, John Levi III, Amos Saffold, Scott Halasz, Johnny Sarysz, Julio Feliciano, Aaron Schlund, Marcus Wright, Anthony Gallagher, and Steve Trotter; and

WHEREAS, The Geoducks were coached by second-year head coach Jeff Drinkwine and assistant coaches Leonard Barnes, Lenny Rogers, and Kaelen Moore; and

WHEREAS, The Evergreen State College Men's Basketball Team exhibited a tireless work ethic, exemplary character, and true team spirit throughout the season; and

WHEREAS, The Geoducks have brought great pride and a sense of accomplishment to themselves, their families, their school, and the greater South Puget Sound community through their achievements this year both on and off the court;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor The Evergreen State College Men's Basketball Team for their success this year and for their appearance in the NAIA Division II National Championships; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to The Evergreen State College Men's Basketball Team coach, Jeff Drinkwine, Athletic Director Dave Weber, and The Evergreen State College President, Dr. Thomas L. Purce.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4645.

HOUSE RESOLUTION NO. 4645 was adopted.

RESOLUTION

HOUSE RESOLUTION NO. 2009-4649, by Representatives Condotta and Armstrong

WHEREAS, Washington's apple industry is a major contributor to the economic health of both the state and its people; and

WHEREAS, The City of Wenatchee is preparing to celebrate the 90th annual Washington State Apple Blossom Festival to take place from April 23 through May 3, 2009; and

WHEREAS, The Apple Blossom Festival, which began as a one-day gathering of poetry and song in Wenatchee's Memorial Park, is one of the oldest major festivals in the state, first celebrated in 1919 when Mrs. E. Wagner organized the first Blossom Day; and

WHEREAS, The Apple Blossom Festival celebrates the importance of the apple industry in the Wenatchee Valley and its environs; and

WHEREAS, The Apple Blossom Festival recognizes three young women who by their superior and distinctive efforts

have exemplified the spirit and meaning of the Apple Blossom Festival; and

WHEREAS, These three young women are selected to reign over the Apple Blossom Festival and serve as ambassadors to the outlying communities as Princesses and Queen; and

WHEREAS, Breanna Allstot has been selected to represent her community as a 2009 Apple Blossom Princess, in part for her strong academic performance as a Running Start Participant, and diverse array of extracurricular activities and interests, including her passion for music, her athletic abilities in varsity bowling, her care for others, and the generosity she shows by giving of her time to children's musical productions at her church, in addition to her jovial demeanor and strong faith; and

WHEREAS, Rebecca Higgins has been selected to represent her community as a 2009 Apple Blossom Princess, in part for her passion for theater and music as demonstrated by her participation in every drama production throughout high school, and her membership in Chamber Singers, and Hy-land Kids singers, for her commitment to academic excellence, in addition to her genuine, lighthearted nature, which is exemplified through her positive, caring attitude; and

WHEREAS, Katherine Safar has been selected to represent her community as the 2009 Apple Blossom Queen, in part for her compassionate and humble spirit, and her strong leadership ability as shown through the organization of several school activities including freshman orientation and the 11th annual Janice Franz Talent, her strong academic performance and participation in extracurricular activities including varsity swimming and Chamber Singers, in addition to her playful, spontaneous nature, and heartfelt love for people; and

WHEREAS, These three young women all desire to utilize their unique leadership capabilities to humbly serve their communities and be a blessing to those they meet;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington honor the accomplishments of the members of the Apple Blossom Festival Court and join the City of Wenatchee and the people of the State of Washington in celebrating the Washington State Apple Blossom Festival; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Queen Katherine Safar, Princess Breanna Allstot, Princess Rebecca Higgins, and the Board of Directors and Chairs of the Washington State Apple Blossom Festival.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4649.

HOUSE RESOLUTION NO. 4649 was adopted.

MESSAGE FROM THE SENATE

April 7, 2009

Mr. Speaker:

The Senate has passed:

HOUSE BILL NO. 1257,
SUBSTITUTE HOUSE BILL NO. 1271,
HOUSE BILL NO. 1281,
SUBSTITUTE HOUSE BILL NO. 1323,
HOUSE BILL NO. 1324,
HOUSE BILL NO. 1375,
HOUSE BILL NO. 1380,
SUBSTITUTE HOUSE BILL NO. 1435,
HOUSE BILL NO. 1474,
HOUSE BILL NO. 1506,
SUBSTITUTE HOUSE BILL NO. 1518,
HOUSE BILL NO. 1567,
ENGROSSED HOUSE BILL NO. 1568,
HOUSE BILL NO. 1596,
SUBSTITUTE HOUSE BILL NO. 1692,
SUBSTITUTE HOUSE BILL NO. 1808,
SUBSTITUTE HOUSE BILL NO. 2013,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION AND FIRST READING

HB 2336 by Representatives Campbell, Seaquist and Wood

AN ACT Relating to establishing a joint legislative fiscal note process; amending RCW 43.88A.010; adding a new chapter to Title 44 RCW; and creating new sections.

Referred to Committee on Ways & Means.

HJM 4018 by Representatives Cody, Morrell, Green, Clibborn and Kenney

Requesting establishment of a national nursing office.

Referred to Committee on Health Care & Wellness.

There being no objection, the bill and memorial 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 sixth order of business.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5368, by Senate Committee on Ways & Means (originally sponsored by Senators Prentice, Parlette, Fraser, Regala, Shin and Keiser)

Making provisions for all counties to value property annually for property tax purposes.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representatives Takko, Orcutt, Takko (again) and Anderson spoke in favor of the passage of the bill.

Representatives Ericksen and Ericksen (again) spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5368, as amended by the House.

MOTION

On motion of Representative Santos, Representatives Darneille, Dunshee, Flannigan and Linville were excused.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5368, as amended by the House, and the bill passed the House by the following vote: Yeas, 77; Nays, 17; Absent, 0; Excused, 4.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Dammeier, Dickerson, Driscoll, Eddy, Ericks, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Quall, Rodne, Rolfes, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Crouse, DeBolt, Ericksen, Herrera, Hope, Hurst, Johnson, Kristiansen, Liias, McCune, Parker, Pearson, Probst, Roach, Roberts, Ross and Shea.

Excused: Representatives Darneille, Dunshee, Flannigan and Linville.

SUBSTITUTE SENATE BILL NO. 5368, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5413, by Senators Eide, Kline, Swecker, Roach, Rockefeller, Shin and Marr

Concerning the assault of a law enforcement officer or other employee of a law enforcement agency.

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 Hurst and Pearson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5413.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5413 and the bill passed the House by the following vote: Yeas, 86; Nays, 9; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, DeBolt, Dickerson, Driscoll, Ericks, Ericksen, Finn, Grant-Herriot, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Appleton, Carlyle, Darneille, Eddy, Goodman, Hasegawa, Hunt, O'Brien and Springer.

Excused: Representatives Dunshee, Flannigan and Linville.

SENATE BILL NO. 5413, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5468, by Senate Committee on Financial Institutions, Housing & Insurance (originally sponsored by Senators Honeyford, McCaslin, Kilmer, King, Delvin, Jacobsen, Berkey and Shin)

Permitting an exemption for nonprofit housing organizations from the consumer loan act.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Financial Institutions & Insurance was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representatives Kirby and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5468, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5468, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Dunshee, Flannigan and Linville.

SUBSTITUTE SENATE BILL NO. 5468, as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5469, by Senate Committee on Transportation (originally sponsored by Senators Parlette, Eide, Jarrett and McCaslin)

Modifying limitations on the use of intermediate licenses.

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 Clibborn and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5469.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5469 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Eddy, Ericks, Ericksen, Finn, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Dunshee, Flannigan and Linville.

SUBSTITUTE SENATE BILL NO. 5469, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5436, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Murray, Keiser, Pflug, Marr, Parlette, Kastama and Roach)

Concerning direct patient-provider primary care practice arrangements.

The bill was read the second time.

Representative Cody moved the adoption of the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

Representatives Cody and Seaquist spoke in favor of the motion.

Representatives Hinkle and Ericksen spoke against the adoption of the motion.

An electronic roll call was requested.

The Speaker (Representative Moeller presiding) declared the question before the House to be the adoption of the committee amendment to Substitute Senate Bill No. 5436.

ROLL CALL

The Clerk called the roll on the adoption of the committee amendment to Substitute Senate Bill No. 5436 and the amendment was adopted by the following vote: Yeas, 55; Nays, 42; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kenney, Kessler, Kirby, Lias, Maxwell, McCoy, Miloscia, Moeller, Morrell, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Grant-Herriot, Green, Haler, Herrera, Hinkle, Hope, Johnson, Kelley, Klippert, Kretz, Kristiansen, McCune, Morris, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Ross, Schmick, Seaquist, Shea, Short, Smith, Taylor, Walsh and Warnick.

Excused: Representative Linville.

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

Representatives Cody and Morrell spoke in favor of the passage of the bill.

Representatives Ericksen and Hinkle spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5436, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5436, as amended by the House, and the bill passed the House by the following vote: Yeas, 62; Nays, 36; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse,

Dammeier, DeBolt, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Seaquist, Shea, Short, Taylor, Walsh and Warnick.

SUBSTITUTE SENATE BILL NO. 5436, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5511, by Senators Prentice, Hobbs, Oemig and Shin

Making changes affecting city-county assistance account distributions in response to the recommendations of the joint legislative audit and review committee.

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.

Representative Hunter spoke in favor of the passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5511.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5511 and the bill passed the House by the following vote: Yeas, 61; Nays, 37; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

SENATE BILL NO. 5511, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5542, by Senators Franklin, Delvin and Kohl-Welles

Providing a minimum retirement allowance for members of the law enforcement officers' and firefighters' retirement system plan 2 who were disabled in the line of duty before January 1, 2001.

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 Alexander and Van De Wege spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5542.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5542 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 5542, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5548, by Senators Haugen, Jarrett, Fraser and Shin

Requiring project improvements, including public transportation infrastructure improvements, to be credited against the imposition of impact fees.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Local Government & Housing was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representatives Simpson and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5548, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5548 and the bill, as amended by the House, passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 5548, as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5551, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Franklin, Keiser, Kastama, Marr, Murray, McDermott, Shin, McAuliffe, Fairley, Kline, Pridemore, Oemig, Regala, Kauffman and Kohl-Welles)

Regarding recess periods for elementary school students.

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 Quall and Grant-Herriot spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5551.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5551 and the bill passed the House by the following vote: Yeas, 94; Nays, 4; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeyer, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Chandler, Hinkle, Hurst and Taylor.

SUBSTITUTE SENATE BILL NO. 5551, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5562, by Senators Morton, Hargrove, Jacobsen, Sheldon, Holmquist, Schoesler, Shin and Stevens

Concerning forestry operations.

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 Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5562.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5562 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeyer, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 5562, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5566, by Senate Committee on Ways & Means (originally sponsored by Senators Regala and Prentice)

Harmonizing excise tax statutes with the streamlined sales and use tax agreement. Revised for 1st Substitute: Harmonizing excise tax statutes with the streamlined sales and use tax agreement in regards to direct sellers, telecommunications ancillary services, commercial parking taxes, and exemption certificates.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Finance was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representatives Hunter and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5566, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5566, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5566, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5581, by Senators Delvin, Marr and Shin

Modifying provisions relating to suncreening devices.

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 Driscoll and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5581.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5581 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz,

Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SENATE BILL NO. 5581, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5608, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Franklin, Pflug, Fairley, Regala, Marr and Kohl-Welles)

Concerning genetic counselors.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was not adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

Representative Cody moved the adoption of amendment (506):

On page 7, line 4, after "Sec. 11." insert "(1) Except as provided in section 3 of this act, no person shall engage in the practice of genetic counseling unless he or she is licensed, or provisionally licensed, under this chapter.

(2)"

Representative Cody spoke in favor of the adoption of the amendment.

Amendment (506) was adopted.

Representative Green moved the adoption of amendment (507):

On page 7, line 6, after "counselor" insert "" or a "genetic counselor"

Representative Green spoke in favor of the adoption of the amendment.

Representative Hinkle spoke against the adoption of the amendment.

Amendment (507) was adopted.

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

Representatives Green, Wallace, Morrell and Driscoll spoke in favor of the passage of the bill.

Representatives Hinkle, Santos and Hinkle spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5608, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5608, as amended by the House, and the bill passed the House by the following vote: Yeas, 66; Nays, 32; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Ross, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Roach, Rodne, Santos, Schmick, Shea, Short, Taylor, Walsh and Warnick.

SUBSTITUTE SENATE BILL NO. 5608, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SENATE BILL NO. 5617, by Senators Kauffman and McAuliffe

Changing early learning advisory council provisions.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Children's Services was adopted. (For Committee amendment, see Journal, Day 87, March 30, 2009.)

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

Representatives Kagi and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Senate Bill No. 5617, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Senate Bill No. 5617, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

ENGROSSED SENATE BILL NO. 5617, as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5677, by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senator Hatfield)

Regarding compliance with the dairy nutrient management program. Revised for 1st Substitute: Regarding the dairy nutrient management program.

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 Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5677.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5677 and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Orwall.

SUBSTITUTE SENATE BILL NO. 5677, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5705, by Senate Committee on Government Operations & Elections (originally sponsored by Senator Swecker)

Regarding voting rights in special districts.

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 Nelson and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5705.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5705 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz,

Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5705, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5724, by Senate Committee on Environment, Water & Energy (originally sponsored by Senator Pridemore)

Concerning the generation of electricity from biomass energy that is a renewable resource.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Technology, Energy & Communications was adopted. (For Committee amendment, see Journal, Day 75, March 27, 2009.)

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

Representatives McCoy and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5724, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5724, as amended by the House, and the passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz,

Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5724, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5731, by Senators Keiser and Pflug

Distributing health plan information.

The bill was read the second time.

Representative Cody moved the adoption of amendment (501):

On page 4, line 9, after "may" strike "explore" and insert "implement"

On page 4, line 9, after "methods" insert "of communication"

Representatives Cody and Bailey spoke in favor of the adoption of the amendment

Amendment (501) was adopted.

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

Representatives Cody and Bailey spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5731, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5731, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson,

Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 5731, as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5738, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators King, McAuliffe, Holmquist, Swecker, Oemig, Haugen, Kauffman, Honeyford and Tom)

Requiring the office of the superintendent of public instruction to review annual school district compliance reports.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Education was adopted. (For Committee amendment, see Journal, Day 75, March 27, 2009.)

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

Representatives Probst and Priest spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5738, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5738, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune,

Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5738, as amended by the House, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5839, by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Schoesler, Hatfield and Shin)

Regarding the administration of irrigation districts.

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 Nelson and Angel spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5839.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5839 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5839, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5891, by Senate Committee on Health & Long-Term Care (originally sponsored by Senator Keiser)

Establishing a forum for testing primary care medical home reimbursement pilot projects.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representatives Seaquist and Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5891, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5891, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Alexander.

SUBSTITUTE SENATE BILL NO. 5891, as amended by the House, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 5891.

GARY ALEXANDER, 20th District

RECONSIDERATION

Representative Hinkle moved to immediately reconsider the vote by which Substitute Senate Bill No. 5891 passed the House.

There being no objection, the House deferred action on the motion by Representative Hinkle to immediately reconsider the vote by which Substitute Senate Bill No. 5891 passed the House.

SECOND READING

SUBSTITUTE SENATE BILL NO. 5913, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Pflug, Keiser and Shin)

Concerning online access to the University of Washington health sciences library by certain health care providers.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representatives Cody and Hinkle spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5913, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5913, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune,

Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5913, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5952, by Senators McDermott, Murray, Fairley, Prentice, Kohl-Welles, Kline, Pridemore, Tom, Regala, Jacobsen, Marr, Oemig, Haugen, Franklin, Hobbs and McAuliffe

Modifying the definition of "sexual orientation" for malicious harassment prosecution purposes.

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 Hurst, Ericks, Liias and Pedersen spoke in favor of the passage of the bill.

Representatives Pearson, Orcutt and Shea spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5952.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5952 and the bill passed the House by the following vote: Yeas, 68; Nays, 30; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Armstrong, Blake, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Bailey, Campbell, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Ericksen, Haler, Herrera, Hinkle, Klippert,

Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Roach, Rodne, Schmick, Shea, Short, Smith, Taylor and Warnick.

SENATE BILL NO. 5952, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5967, by Senate Committee on Government Operations & Elections (originally sponsored by Senators Kohl-Welles, Fairley, Fraser, McAuliffe and Kline)

Prohibiting unfair practices in public community athletics programs by prohibiting discrimination on the basis of sex.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was adopted. (For Committee amendment, see Journal, Day 75, March 27, 2009.)

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

Representatives Rolfes, Roberts, Ericks, Dickerson and Rolfes (again) spoke in favor of the passage of the bill.

Representatives Rodne, Herrera, Herrera (again), Rodne (again) and DeBolt spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5967, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5967, as amended by the House, and the bill passed the House by the following vote: Yeas, 67; Nays, 31; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, DeBolt, Ericksen, Haler, Herrera, Hinkle, Johnson, Klippert, Kretz,

Kristiansen, McCune, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5967, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5974, by Senators Morton, Hatfield, Swecker, Marr and Shin

Regarding live nonambulatory livestock.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was adopted. (For Committee amendment, see Journal, Day 75, March 27, 2009.)

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

Representatives Blake and Chandler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5974, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5974, as amended by the House, and the bill passed the House by the following vote: Yeas, 96; Nays, 2; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Crouse and Shea.

SENATE BILL NO. 5974, as amended by the House, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Senate Bill No. 5974.

MATTHEW SHEA, 4th District

SECOND READING**SENATE BILL NO. 5989, by Senator Sheldon**

Regarding the greenhouse gas emissions performance standard under chapter 80.80 RCW.

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 Eddy and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5989.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5989 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 5989, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6009, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Kastama and Fairley)

Concerning long-term care facilities.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Health Care & Wellness was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representatives Morrell and Herrera spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6009, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6009, as amended by the House, and the bill passed the House by the following vote: Yeas, 97; Nays, 1; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Pettigrew.

SUBSTITUTE SENATE BILL NO. 6009, as amended by the House, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute Senate Bill No. 6009.

ERIC PETTIGREW, 37th District

The Speaker (Representative Moeller presiding) called upon Representative Morris to preside.

SECOND READING

SUBSTITUTE SENATE BILL NO. 6019, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Parlette, Kilmer, Jarrett, Tom, Holmquist, Pflug, Shin and Schoesler)

Concerning employee wellness programs.

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.

Representative Cody spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6019.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6019 and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6019, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6036, by Senate Committee on Environment, Water & Energy (originally sponsored by Senators Fraser, Ranker and Shin)

Concerning water cleanup planning and implementation.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Agriculture & Natural Resources was

adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

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

Representative Blake spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 6036, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6036, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 6036, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6104, by Senators Prentice and Tom

Addressing state agency hours of operation.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on State Government & Tribal Affairs was adopted. (For Committee amendment, see Journal, Day 75, March 27, 2009.)

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

Representatives Hunt and Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Senate Bill No. 6104, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6104, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, VanDeWege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SENATE BILL NO. 6104, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5263, by Senate Committee on Judiciary (originally sponsored by Senators Hargrove, Brandland and Tom)

Prohibiting devices in schools that are designed to administer to a person or an animal an electric shock, charge, or impulse.

The House resumed consideration of Engrossed Substitute Senate Bill No. 5263 on second reading. The House previously adopted amendment (450) on April 7, 2009.

Representative Klippert moved the adoption of amendment (496):

On page 4, line 23, after "(5)" insert "(a)"

On page 4, after line 27, insert the following:

"(b) Subsection 1(f) of this section does not apply to a school employee."

Representatives Klippert, Cox, Klippert (again) and Ross spoke in favor of the adoption of the amendment.

Representatives Goodman and Pedersen spoke in against the adoption of the amendment.

Amendment (496) was not adopted.

Representative Warnick moved the adoption of amendment (440):

On page 4, line 23, after "(5)" insert "(a)"

On page 4, after line 27, insert the following:

"(b) Subsection 1(f) of this section does not apply to a school employee who has a valid concealed pistol license issued under RCW 9.41.070 and who has provided written notification to the school principal that the person possesses or may possess a device listed under subsection (1)(f) of this section."

Representative Warnick spoke in favor of the adoption of the amendment.

Representative Goodman spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Morris presiding) declared the question before the House to be the adoption of amendment (440) to Engrossed Substitute Senate Bill No. 5263.

ROLL CALL

The Clerk called the roll on the adoption of amendment (440) to Engrossed Substitute Senate Bill No. 5263 and the amendment was not adopted by the following vote: Yeas, 43; Nays, 55; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Campbell, Chandler, Clibborn, Condotta, Cox, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Hurst, Johnson, Kelley, Klippert, Kretz, Kristiansen, Liias, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

Voting nay: Representatives Appleton, Carlyle, Chase, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Jacks, Kagi, Kenney, Kessler, Kirby, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Amendment (440) was not adopted.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on amendment (440) to Engrossed Substitute Senate Bill No. 5263.

TIM PROBST, 17th District

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

Representative Pedersen spoke in favor of the passage of the bill.

Representatives Rodne, Cox and Warnick spoke against the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5263, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5263, as amended by the House, and the bill passed the House by the following vote: Yeas, 75; Nays, 23; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Bailey, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roberts, Rodne, Rolfes, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Chandler, Condotta, Cox, Crouse, DeBolt, Hinkle, Johnson, Kretz, Kristiansen, Orcutt, Pearson, Roach, Ross, Schmick, Shea, Short, Taylor, Walsh and Warnick.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5263, as amended by the House, having received the constitutional majority, was declared passed.

The Speaker (Representative Morris presiding) called upon Representative Moeller to preside.

MESSAGES FROM THE SENATE

April 8, 2009

Mr. Speaker:

The Senate has passed:

ENGROSSED HOUSE BILL NO. 1311,
HOUSE BILL NO. 1478,
HOUSE BILL NO. 1492,
HOUSE BILL NO. 1826,
SUBSTITUTE HOUSE BILL NO. 2214,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

April 8, 2009

Mr. Speaker:

The President has signed:

ENGROSSED SECOND SUBSTITUTE HOUSE BILL NO. 1007,
HOUSE BILL NO. 1030,
HOUSE BILL NO. 1121,
SUBSTITUTE HOUSE BILL NO. 1128,
HOUSE BILL NO. 1155,
HOUSE BILL NO. 1196,
HOUSE BILL NO. 1197,
SUBSTITUTE HOUSE BILL NO. 1202,
SUBSTITUTE HOUSE BILL NO. 1205,
SUBSTITUTE HOUSE BILL NO. 1261,
SUBSTITUTE HOUSE BILL NO. 1308,
HOUSE BILL NO. 1338,
HOUSE BILL NO. 1366,
SUBSTITUTE HOUSE BILL NO. 1388,
HOUSE BILL NO. 1394,
HOUSE BILL NO. 1475,
HOUSE BILL NO. 1536,
HOUSE BILL NO. 1678,
HOUSE BILL NO. 1682,
SUBSTITUTE HOUSE BILL NO. 1730,
SUBSTITUTE HOUSE BILL NO. 1765,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1926,
HOUSE BILL NO. 1997,
SUBSTITUTE HOUSE BILL NO. 2042,
ENGROSSED SUBSTITUTE HOUSE BILL NO. 2126,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

SUBSTITUTE SENATE BILL NO. 5431, by Senate Committee on Human Services & Corrections (originally sponsored by Senators Stevens, Hargrove, Regala, McAuliffe, Carrell, Brandland and King)

Regarding placement of a child returning to out-of-home care.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Early Learning & Children's Services was adopted. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

Representative Short moved the adoption of amendment (528):

On page 1, line 9, after "child." insert "Pursuant to RCW 13.34.060 and 13.34.130, placement of the child with a relative is the preferred option. The department must consider placement with a grandparent who has a significant relationship with a child, and must weigh the nonexclusive factors in section 2(4) of this act."

Beginning on page 1, line 14, after "care," strike all material through "and the" on page 2, line 3, and insert "and the department cannot locate an appropriate and available grandparent or other relative, the preferred nonrelative placement for the child is in a foster family home where the child previously was placed, if the following conditions are met:

- (a) The foster family home is available and willing to care for the child;
- (b) The foster family is appropriate and able to meet the child's needs; and
- (c) The"

On page 2, after line 3, insert the following:

"(3) In selecting the placement for a child being returned to foster care, the department shall give weight to the child's length of stay and attachment to the caregivers in the previous placements in determining what is in the best interest of the child.

NEW SECTION, Sec. 2. A new section is added to chapter 13.34 RCW to read as follows:

(1) To provide stability for children in out-of-home care, placement selection shall be made with a view toward the fewest possible placements for each child. If possible, the initial placement shall be viewed as the only placement for the child. The use of short-term interim placements of thirty days or less to protect the child's health or safety while the placement of choice is being arranged is not a violation of this principle.

(2) If a child has been previously placed in out-of-home care and is subsequently returned to out-of-home care, the court must consider placement with a grandparent who has a significant relationship with a child, and must weigh the nonexclusive factors in subsection (4) of this section.

(3) If the department cannot locate an appropriate and available relative, the preferred placement for the child is in a foster family home where the child previously was placed, if the following conditions are met:

- (a) The foster family home is available and willing to care for the child;
- (b) The foster family is appropriate and able to meet the child's needs; and
- (c) The placement is in the best interest of the child.

(4) In selecting the placement for a child being returned to foster care, the court shall give weight to the child's length of stay and attachment to the caregivers in the previous placements and shall consider the following nonexclusive factors in determining what is in the best interest of the child:

- (a) The love, affection, and strength of the relationship between the child and the caregiver;
- (b) The length and quality of the relationship between the child and the caregiver, including the roles performed by the caregiver and the emotional ties between the child and the caregiver;
- (c) The child's reasonable preference, if the court finds the child is of sufficient age or maturity to express a preference;
- (d) The good faith of the caregiver in seeking to have the child placed in his or her home;
- (e) The criminal history, if any, of the caregiver as determined by a criminal history background check required by law;

(f) The caregiver's history of any adverse actions, including findings relating to child abuse and neglect by the caregiver;

(g) If applicable, the number of placement changes the child already has experienced and the potential impact of an additional change in placement to the caregiver's home;

(h) The child's current level of functioning at home and in school or early learning programs, and child care programs;

(i) Whether placement with the caregiver would allow the child:

(i) To remain in the same school, child care center, or early learning program, or to continue participating in any extracurricular activities that contribute to the child's healthy development with peers;

(ii) To participate in court-ordered visitation with parents and siblings;

(iii) To access any court-ordered services intended to promote the child's health, safety, and well-being;

(iv) To participate in other activities designed to achieve the permanency goal for the child; and

(j) Any other factors relevant to the child's best interests."

Correct the title.

Representatives Short, Roberts and Haler spoke in favor of the adoption of the amendment.

Amendment (528) was adopted.

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

Representatives Roberts, Short and Haler spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5431, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5431, as amended by the House, and the bill passed the House by the following vote: Yeas, 98; Nays, 0; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Simpson, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege,

Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

SUBSTITUTE SENATE BILL NO. 5431, as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5492, by Senators Marr, Swecker, Kohl-Welles, Benton, Keiser and Franklin

Applying RCW 41.56.430 through 41.56.490 to employees working under a site certificate issued under chapter 80.50 RCW.

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 Conway and Wood spoke in favor of the passage of the bill.

Representatives Klippert, Haler and Haler (again) spoke against the passage of the bill.

POINT OF ORDER

Representative Williams: "Mr. Speaker, will you please confine the gentleman's remarks to the bill at hand?"

SPEAKER'S RULING

Mr. Speaker (Representative Moeller presiding): "The Speaker believes that the representative may have inadvertently strayed from the subject before us at this particular time. Please continue."

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Senate Bill No. 5492.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5492 and the bill passed the House by the following vote: Yeas, 64; Nays, 34; Absent, 0; Excused, 0.

Voting yea: Representatives Alexander, Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Quall, Roberts, Rolfes, Santos, Seaquist,

Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Parker, Pearson, Priest, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

SENATE BILL NO. 5492, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5531, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Regala, Keiser, Kohl-Welles, Kauffman, Kline, Oemig, Pridemore, Tom and Franklin)

Modifying provisions relating to consumer protection act violations.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

There being no objection, the Committee on Judiciary's striking amendment was amended by the committee's other amendment.

Representative Rodne moved the adoption of amendment (495) to the committee amendment as amended:

On page 2, line 18 of the amendment, after "(3)" strike all material through "persons." on line 19 and insert "Injured other persons, or had or has a real and significant capacity to injure other persons, in substantially the same fashion as the claimant was injured."

Representative Rodne spoke in favor of the adoption of the amendment to the committee amendment as amended.

Representative Goodman spoke against the adoption of the amendment to the committee amendment as amended.

Division was demanded and the demand was sustained. The Speaker (Representative Moeller presiding) divided the House. The result was 42 – YEA; 56 – NAY.

Amendment (495) to the committee amendment as amended was not adopted.

The committee amendment as amended was adopted.

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

Representatives Pedersen and Goodman spoke in favor of the passage of the bill.

Representatives Rodne and Angel spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5531, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5531, as amended by the House, and the bill passed the House by the following vote: Yeas, 59; Nays, 39; Absent, 0; Excused, 0.

Voting yea: Representatives Appleton, Blake, Campbell, Carlyle, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, Ormsby, Orwall, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Springer, Sullivan, Takko, Upthegrove, Van De Wege, Wallace, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Chandler, Condotta, Cox, Crouse, Dammeier, DeBolt, Driscoll, Ericksen, Grant-Herriot, Haler, Herrera, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, O'Brien, Orcutt, Parker, Pearson, Priest, Probst, Roach, Rodne, Ross, Schmick, Shea, Short, Smith, Taylor, Walsh and Warnick.

SUBSTITUTE SENATE BILL NO. 5531, as amended by the House, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5651, by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, Delvin, Kline and Tom)

Providing humanitarian requirements for certain dog breeding practices.

The bill was read the second time.

There being no objection, the committee amendment by the Committee on Judiciary was before the House for purpose of amendment. (For Committee amendment, see Journal, Day 78, March 30, 2009.)

With the consent of the House, amendment (490) was withdrawn.

Representative Warnick moved the adoption of amendment (516):

On page 1 of the amendment, strike all material after line 2 and insert the following:

"NEW SECTION. Sec. 1. The legislature finds that:

(1) Dogs are neither a commercial crop nor a commodity and should not be indiscriminately or irresponsibly mass produced;

(2) Poorly managed dog housing facilities increases the likelihood that the dogs will be denied their most basic needs including but not limited to: Sanitary living conditions, proper and timely medical care, the ability to have sufficient exercise, and adequate shelter from the elements;

(3) Poorly managed dog housing facilities can easily fall below even the most basic standards of humane housing and husbandry; and

(4) Current Washington state laws could better define conditions producing substandard animal care, resulting in the abuse of animals.

Sec. 2. RCW 16.52.011 and 2007 c 376 s 2 are each amended to read as follows:

(1) Principles of liability as defined in chapter 9A.08 RCW apply to this chapter.

(2) Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(a) "Abandons" means the knowing or reckless desertion of an animal by its owner or the causing of the animal to be deserted by its owner, in any place, without making provisions for the animal's adequate care.

(b) "Adequate care" means the responsible practice of good animal husbandry, including but not limited to, the handling, production, management, confinement, space, cleanliness, food, water, protection, shelter, and transportation appropriate for the age, condition, size and type of dog and the provision of veterinary care when needed to prevent suffering or impairment of health and, when necessary, euthanasia.

(c) "Adequate cleaning" means: (i) the removal of debris, food waste and excrement from the primary enclosure with sufficient frequency to minimize the animals' contact with the above-mentioned contaminants; (ii) the primary enclosure is sanitized with sufficient frequency to minimize odors and the hazards of disease; and (iii) the primary enclosure is cleaned so as to prevent the animals confined therein from being directly or indirectly sprayed with the stream of water, or directly or indirectly exposed to hazardous chemicals or disinfectants.

(d) "Adequate exercise" means the opportunity for a dog to move sufficiently outside of its primary enclosure to maintain normal muscle tone and mass for the age, size, and condition of the dog, except when exercise is medically contraindicated.

(e) "Adequate food" means the provision of and access to food that: (i) is of sufficient quantity and nutritive value to maintain each dog in good health; (ii) is accessible to each dog; (iii) is prepared so as to permit ease of consumption for the age, condition, size and type of each dog; (iv) is provided in a clean and sanitary manner; (v) is placed so as to minimize contamination by excrement and pests; and (vi) is provided at suitable intervals for the age, activity level and condition of the dog, but at least once daily, except as prescribed by a veterinarian.

(f) "Adequate shelter" means the provision of and access to shelter that: (i) is suitable for the age, condition, size, and type of each dog; (ii) provides adequate space for each animal; (iii) is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health; (iv) is properly lighted; (v) is properly cleaned; (vi) enables each animal to be clean and dry, except when detrimental to the dog; and (vii) provides a solid surface, resting platform, pad, floormat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner. Shelters with wire, grid, or slat floors that permit the animals' feet to pass through the openings, or sag under the animals' weight, or otherwise do not protect the animals' feet or toes from injury do not constitute adequate shelter.

(g) "Adequate space" means sufficient space to allow for each dog's safety and for each dog to (i) easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the dog and (ii) interact safely with other dogs in the enclosure. When freedom of movement would endanger the dog, temporarily and appropriately restricting movement of the animal according to professionally accepted animal husbandry standards for the breed is considered satisfying the provision of providing adequate space.

(h) "Adequate water" means the provision of and access to clean, fresh, potable water of a drinkable temperature that is provided in a suitable manner, in sufficient volume, and at suitable intervals, but at least once every eight hours, to maintain normal hydration for the age, condition, size and type of each dog, except as prescribed by a veterinarian; and is provided in clean, durable receptacles that are accessible to each dog and are placed so as to minimize contamination of the water by excrement and pests.

(i) "Animal" means any nonhuman mammal, bird, reptile, or amphibian.

((✕)) (j) "Animal care and control agency" means any city or county animal control agency or authority authorized to enforce city or county municipal ordinances regulating the care, control, licensing, or treatment of animals within the city or county, and any corporation organized under RCW 16.52.020 that contracts with a city or county to enforce the city or county ordinances governing animal care and control.

((✕)) (k) "Animal control officer" means any individual employed, contracted, or appointed pursuant to RCW 16.52.025 by an animal care and control agency or humane society to aid in the enforcement of ordinances or laws regulating the care and control of animals. For purposes of this chapter, the term "animal control officer" shall be interpreted to include "humane officer" as defined in (f) of this subsection and RCW 16.52.025.

((✕)) (l) "Euthanasia" means the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, or by a method that causes painless loss of consciousness, and death during the loss of consciousness.

((✕)) (m) "Humane officer" means any individual employed, contracted, or appointed by an animal care and control agency or humane society as authorized under RCW 16.52.025.

((✕)) (n) "Law enforcement agency" means a general authority Washington law enforcement agency as defined in RCW 10.93.020.

(h) "Necessary food" means the provision at suitable intervals of wholesome foodstuff suitable for the animal's age and species and sufficient to provide a reasonable level of nutrition for the animal.

((i)) (o) "Owner" means a person who has a right, claim, title,

legal share, or right of possession to an animal or a person having lawful control, custody, or possession of an animal.

((✕)) (p) "Person" means individuals, corporations, partnerships, associations, or other legal entities, and agents of those entities.

((✕)) (q) "Substantial bodily harm" means substantial bodily harm as defined in RCW 9A.04.110.

(3) The definitions in subsection (2)(b) through (h) apply when the animal is a dog.

Sec. 3. RCW 16.52.207 and 2007 c 376 s 1 are each amended to read as follows:

(1) A person is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the person knowingly, recklessly, or with criminal negligence inflicts unnecessary suffering or pain upon an animal.

(2) An owner of an animal is guilty of animal cruelty in the second degree if, under circumstances not amounting to first degree animal cruelty, the owner knowingly, recklessly, or with criminal negligence:

(a) Fails to provide the animal with necessary shelter, rest, sanitation, space, or medical attention, or in the case of a dog, adequate care as defined in RCW 16.52.011, and the animal suffers unnecessary or unjustifiable physical pain or serious illness as a result of the failure;

(b) Under circumstances not amounting to animal cruelty in the second degree under (c) of this subsection, abandons the animal; or

(c) Abandons the animal and (i) as a result of being abandoned, the animal suffers bodily harm; or (ii) abandoning the animal creates an imminent and substantial risk that the animal will suffer substantial bodily harm.

(3)(a) Animal cruelty in the second degree under subsection (1), (2)(a), or (2)(b) of this section is a misdemeanor.

(b) Animal cruelty in the second degree under subsection (2)(c) of this section is a gross misdemeanor.

(4) In any prosecution of animal cruelty in the second degree under subsection (1) or (2)(a) of this section, it shall be an affirmative defense, if established by the defendant by a preponderance of the evidence, that the defendant's failure was due to economic distress beyond the defendant's control.

NEW SECTION. Sec. 4. This act takes effect January 1, 2010."

Correct the title.

Representative Warnick spoke in favor of the adoption of the amendment.

Representative Pedersen spoke against the adoption of the amendment.

Amendment (516) was not adopted.

The committee amendment was adopted.

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

Representatives Pedersen and Campbell spoke in favor of the passage of the bill.

Representative Warnick spoke against the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute Senate Bill No. 5651, as amended by the House.

MOTION

On motion of Representative Santos, Representative Carlyle was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5651, as amended by the House, and the bill passed the House by the following vote: Yeas, 74; Nays, 23; Absent, 0; Excused, 1.

Voting yea: Representatives Anderson, Appleton, Armstrong, Bailey, Campbell, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Finn, Flannigan, Goodman, Grant-Herriot, Green, Haigh, Hasegawa, Herrera, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Liias, Linville, Maxwell, McCoy, Miloscia, Moeller, Morrell, Morris, Nelson, O'Brien, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Seaquist, Sells, Simpson, Smith, Springer, Sullivan, Upthegrove, Van De Wege, Wallace, Walsh, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Blake, Chandler, Condotta, Cox, Crouse, DeBolt, Ericksen, Haler, Hinkle, Klippert, Kretz, Kristiansen, McCune, Orcutt, Pearson, Schmick, Shea, Short, Takko, Taylor and Warnick.

Excused: Representative Carlyle.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5651, as amended by the House, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute Senate Bill No. 5651.

KIRK PEARSON, 37th District

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

The Committee on Rules was relieved of the following bills and the bills were placed on the Second Reading calendar:

HOUSE BILL NO. 1646,
HOUSE BILL NO. 2194,
SENATE BILL NO. 5015,
SUBSTITUTE SENATE BILL NO. 5166,
SENATE BILL NO. 5356,

SECOND SUBSTITUTE SENATE BILL NO. 5433,
SUBSTITUTE SENATE BILL NO. 5440,
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SUBSTITUTE SENATE BILL NO. 5528,
SUBSTITUTE HOUSE BILL NO. 5565,
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ENGROSSED SUBSTITUTE SENATE BILL NO. 5746,
SUBSTITUTE SENATE BILL NO. 5776,
ENGROSSED SENATE BILL NO. 5810,
SUBSTITUTE SENATE BILL NO. 5834,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5873,
ENGROSSED SENATE BILL NO. 5925,
ENGROSSED SENATE BILL NO. 6033,
SENATE BILL NO. 6068,
SUBSTITUTE HOUSE BILL NO. 6095,
SENATE BILL NO. 8006,
SENATE BILL NO. 8012,
SENATE BILL NO. 8013,

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., April 9, 2009, the 88th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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