
EIGHTY FIFTH DAY

House Chamber, Olympia, Monday, April 4, 2011

The House was called to order at 10:00 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 Audrey Audette and Madeline Stauffacher. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Eric Scroggins, Northstar Church of God, Tumwater Washington.

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

MESSAGE FROM THE SENATE

April 1, 2011

MR. SPEAKER:

The Senate has passed:

HOUSE BILL 1012
HOUSE BILL 1181
HOUSE BILL 1353
SUBSTITUTE HOUSE BILL 1575
SUBSTITUTE HOUSE BILL 1585

and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTIONS AND FIRST READING

HB 2048 by Representatives Kenney, Darneille, Dunshee, Hasegawa, Green, Upthegrove, Ormsby, Haigh, McCoy, Pedersen, Ryu, Pettigrew, Ladenburg, Moscoso, Hunt, Kagi, Dickerson and Appleton

AN ACT Relating to low-income and homeless housing assistance surcharges; amending RCW 36.22.179; adding a new section to chapter 43.185C RCW; and providing an expiration date.

Referred to Committee on Ways & Means.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 5042, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Pflug, Chase, Kohl-Welles, Conway, Roach, Shin and McAuliffe)

Concerning the protection of vulnerable adults.

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 66, March 17, 2011).

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 Rodne spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representatives Kirby and Lytton were excused.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5042, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5042, as amended by the House, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Kirby and Lytton.

SUBSTITUTE SENATE BILL NO. 5042, as amended by the House, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5057, by Senators Pflug, Kline and Harper

Concerning the income tax required to be paid by a trustee.

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 Pedersen and Rodne 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. 5057.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5057, and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Kirby and Lytton.

SENATE BILL NO. 5057, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5065, by Senate Committee on Judiciary (originally sponsored by Senators Carrell, Kline, Kohl-Welles, Nelson, Delvin, Tom, Shin, McAuliffe and Kilmer)

Preventing animal cruelty.

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 74, March 24, 2011).

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 Klippert 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. 5065, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5065, as amended by the House, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Lias, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives McCune and Overstreet.

Excused: Representatives Kirby and Lytton.

SUBSTITUTE SENATE BILL NO. 5065, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5152, by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Pflug, Keiser and Kohl-Welles)

Regarding naturopathic physicians.

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 Jinkins and Schmick 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. 5152.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5152, and the bill passed the House by the following vote: Yeas, 91; Nays, 4; Absent, 0; Excused, 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Kretz, Kristiansen, Ladenburg, Lias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Crouse, Klippert, Overstreet and Shea.

Excused: Representatives Kirby and Lytton.

SUBSTITUTE SENATE BILL NO. 5152, having received the necessary constitutional majority, was declared passed.

SENATE BILL NO. 5174, by Senators Chase, McAuliffe, Prentice, Nelson, Kohl-Welles, Shin and Kline

Encouraging instruction in the history of civil rights.

The bill was read the second time.

Representative McCune moved the adoption of amendment (507).

On page 1, line 6, after "(1)" insert "Article I, section 32 of the Washington State Constitution says: "A frequent recurrence to fundamental principles is essential to the security of individual right and the perpetuity of free government." These fundamental principles include the inherent dignity of the individual, the equality of all humankind, and the primacy of liberty.

(2) The original and philosophical underpinnings of our foundational civic values as Americans are based on the recognition of self-evident moral truths as articulated in the writings of our nation's founders and of those who followed them. These foundational civic values include the basic ideals that all political power is inherent in the people, that governments derive their just powers from the consent of the governed, that governments are established to protect and maintain individual rights, that we are a government of laws rather than the arbitrary will of those in power, and that each individual is equal before the law.

(3) The civil rights movement presents a significant, contemporary example of humankind's struggle to assert fundamental moral truths in the face of illegitimate laws and practices of those in power."

On page 1, at the beginning of line 10, strike "(2)" and insert "(4)"

On page 1, line 11, after "as" insert "Benjamin Franklin, Richard Bassett, John Quincy Adams, Charles Sumner, Frederick Douglass, Abraham Lincoln,"

On page 1, at the beginning of line 16, strike "(3)" and insert "(5)"

On page 2, line 8, after "including" strike "providing" and insert ":

(1) The fundamental principles and philosophical underpinnings of human rights, liberties, and obligations, and the foundational civic values derived from them;

(2) America's founding documents and significant milestones that are essential to understanding the character and world view of America's founders and the proponents of limitations on illegitimate power throughout our past; and

(3) Providing"

Representatives McCune and Ross spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

Amendment (507) was not adopted.

Representative McCune moved the adoption of amendment (505).

On page 1, line 11, after "as" insert "Frederick Douglass, Abraham Lincoln, Booker T. Washington, George Washington Carver,"

On page 2, line 10, after "movement" strike "and" and insert ", to read key writings such as Reverend Martin Luther King's "letter from a Birmingham jail," and to understand"

Representatives McCune, Hinkle, Ahern, Smith and Klippert spoke in favor of the adoption of the amendment.

Representative Santos spoke against the adoption of the amendment.

Amendment (505) was not adopted.

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

Representatives Santos, Ryu and Seaquist 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. 5174.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5174, and the bill passed the House by the following vote: Yeas, 72; Nays, 23; Absent, 0; Excused, 2.

Voting yea: Representatives Appleton, Armstrong, Asay, Billig, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Harris, Hasegawa, Hope, Hudgins, Hunt, Hunter, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Ladenburg, Lias, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Orcutt, Ormsby, Orwall, Parker, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rolfes, Ross, Ryu, Santos, Seaquist, Sells, Smith, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Ahern, Alexander, Anderson, Angel, Bailey, Buys, Chandler, Condotta, Crouse, DeBolt, Hargrove, Hinkle, Kretz, Kristiansen, McCune, Nealey, Overstreet, Pearson, Rodne, Schmick, Shea, Short and Taylor.

Excused: Representatives Kirby and Lytton.

SENATE BILL NO. 5174, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5184, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Schoesler, King, Carrell, Delvin and Holmquist Newbry)

Regarding compliance reports for second-class school 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 Dammeier and Santos spoke in favor of the passage of the bill.

MOTION

On motion of Representative Van De Wege, Representative Hunter was excused.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Substitute Senate Bill No. 5184.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5184, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Hunter, Kirby and Lytton.

SUBSTITUTE SENATE BILL NO. 5184, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5195, by Senate Committee on Judiciary (originally sponsored by Senators Kline, Regala and Hargrove)

Requiring information to be filed by the prosecuting attorney for certain violations under driving while license is suspended or revoked provisions.

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 Goodman and Klippert 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. 5195.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5195, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos,

Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Hunter, Kirby and Lytton.

SUBSTITUTE SENATE BILL NO. 5195, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5239, by Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators Honeyford, Morton, Swecker and Becker)

Allocating federal forest revenue to public schools based on resident students. Revised for 1st Substitute: Requiring a definition of "resident" for purposes of the allocation method used to distribute federal forest revenue to schools.

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 72, March 22, 2011).

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 Santos and Dammeier 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. 5239, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5239, as amended by the House, and the bill passed the House by the following vote: Yeas, 94; Nays, 0; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Hunter, Kirby and Lytton.

SUBSTITUTE SENATE BILL NO. 5239, as amended by the House, having received the necessary constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 5337, by Senate Committee on Transportation (originally sponsored by Senators Stevens, Pflug, Honeyford, Swecker and Roach)

Authorizing the provision of financial assistance to privately owned airports available for general use of the public.

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 Liias, Hargrove and Klippert 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. 5337.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5337, and the bill passed the House by the following vote: Yeas, 91; Nays, 3; Absent, 0; Excused, 3.

Voting yea: Representatives Ahern, Alexander, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hinkle, Hope, Hudgins, Hurst, Jinkins, Johnson, Kagi, Kelley, Kenney, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker,

Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representatives Anderson, Hasegawa and Hunt.

Excused: Representatives Hunter, Kirby and Lytton.

SUBSTITUTE SENATE BILL NO. 5337, having received the necessary constitutional majority, was declared passed.

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

COMMITTEE APPOINTMENT

The Speaker (Representative Moeller presiding) announced the following committee appointment: Representative Warnick was appointed to the Committee on Capital Budget, replacing Representative DeBolt.

There being no objection, the House adjourned until 1:30 p.m., April 5, 2011, the 86th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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 Messages 1

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 Messages 1

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 Messages 1

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2048
 Introduction & 1st Reading 1

5042-S
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5057
 Second Reading 1
 Third Reading Final Passage 2

5065-S
 Second Reading 2
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5152-S
 Second Reading 2
 Third Reading Final Passage 2

5174
 Second Reading 2
 Third Reading Final Passage 3

5184-S
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5195-S
 Second Reading 4
 Third Reading Final Passage 4

5239-S
 Second Reading 4
 Third Reading Final Passage 4

5337-S
 Second Reading 4
 Third Reading Final Passage 5

HOUSE OF REPRESENTATIVES (Representative Moeller presiding)
 Committee Appointment 5