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SIXTY-FIRST LEGISLATURE - REGULAR SESSION

THIRTY-THIRD DAY

House Chamber, Olympia, Friday, February 13, 2009

The House was called to order at 10:00 a.m. by the Speaker (Representative Morris 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 Micah Atwood and Emma Tremblay. The Speaker (Representative Morris presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Mary Olney-Loyd, First Christian Church, Disciples of Christ, Olympia.

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

MESSAGE FROM THE SENATE

February 12, 2009

Mr. Speaker:

The Senate has passed: SUBSTITUTE SENATE BILL NO. 5899, and the same is herewith transmitted.

Thomas Hoemann, Secretary

RESOLUTION

HOUSE RESOLUTION NO. 2009-4614, by Representatives Armstrong, Orcutt, Ross, Haler, Hope, Johnson, Appleton, Driscoll, Dammeier, and Green

WHEREAS, Washington is the only state named for an American president, George Washington, the father of our country, and as such, we Washingtonians hold the presidency and presidents in especially high regard; and

WHEREAS, For many years our state and nation have set aside the third Monday in February to celebrate Presidents' Day, which honors President George Washington, President Abraham Lincoln, and other former presidents of the United States of America; and

WHEREAS, Both February 22nd, the actual birthday of President George Washington, and February 12th, the actual birthday of President Abraham Lincoln, were kept and observed, until 1971, as the anniversaries of the births of these two great American presidents; and

WHEREAS, It was in 1968 when federal legislation, the "Monday Holidays Act," was passed to install the Presidents' Day celebration that we have come to know and respect; and

WHEREAS, Although many Americans celebrate Presidents' Day as a time for specifically honoring the specific legacies of Presidents Washington, the first American president, and Abraham Lincoln, the 16th American president, many other Americans celebrate Presidents' Day as a time for honoring the legacies of former presidents John Adams, Thomas Jefferson, James Madison, John Quincy Adams, Martin Van Buren, Andrew Johnson, Ulysses

Grant, James Garfield, and Teddy Roosevelt, as well as the presidents of later decades; and

WHEREAS, In 1985, the Washington state legislature singled out the third Monday in February as a day for commemorating the births of Presidents Washington and Lincoln; and

WHEREAS, It is recognized that this diverse, wonderful land of ours has been fashioned into a land of freedom and opportunity thanks to the tireless efforts of our forefathers, especially Presidents George Washington and Abraham Lincoln; and

WHEREAS, The first eight American presidents, comprising over a fifth of our forty-four presidents to date, did not begin their lives as Americans because there was no America when they were born, thus in a special way our reputation as a land of opportunity was established; and

WHEREAS, Presidents' Day celebration would not be complete without recognizing the invaluable service of the first ladies in our American presidential history; and

WHEREAS, The first ladies of our nation have not only provided citizens with role models who exemplify what it means to be an American but first ladies such as Abigail Adams, Dolly Madison, Eleanor Roosevelt, Jacqueline Kennedy, and Nancy Reagan have served as symbols of strength in times of adversity throughout our history;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives salute and celebrate Presidents' Day 2009, a time for recognizing and paying tribute to the tireless dedication of Presidents Washington and Lincoln and all our former presidents and first ladies; and

BE IT FURTHER RESOLVED, In recognition of the fact that any young person can grow up to be President of the United States of America, that copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Office of the Superintendent of Public Instruction for effective distribution among the schools of Washington state to help our young people strengthen their knowledge of our presidents and first ladies.

Representative Armstrong moved adoption of House Resolution No. 4614.

Representatives Armstrong, Maxwell and Parker spoke in favor of adoption of the resolution.

HOUSE RESOLUTION NO. 4614 was adopted.

INTRODUCTION AND FIRST READING

HB 2203 by Representative Wood

AN ACT Relating to display requirements for vending machines located in places of employment; and adding a new chapter to Title 19 RCW.

Referred to Committee on Commerce & Labor.

HB 2204 by Representatives Conway, Condotta, Kenney and Chase

AN ACT Relating to unemployment insurance; amending RCW 50.29.021, 50.29.025, and 50.20.050; and creating new sections.

Referred to Committee on Commerce & Labor.

HB 2205 by Representatives Conway and Chase

AN ACT Relating to the structure and authority of the liquor control board; amending RCW 66.04.010, 66.08.012, 66.08.014, 66.08.022, 66.08.050, 66.08.0501, 66.08.150, and 66.08.166; adding a new section to chapter 66.08 RCW; repealing RCW 66.08.020; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2206 by Representative Darneille

AN ACT Relating to authorized expenditures from the OASI revolving fund and OASI contribution account; and amending RCW 41.48.065 and 41.48.080.

Referred to Committee on Ways & Means.

HB 2207 by Representative Santos

AN ACT Relating to exempting from public disclosure certain records relating to the conflict resolution process of the office of the education ombudsman; and amending RCW 43.06B.040 and 42.56.320.

Referred to Committee on State Government & Tribal Affairs.

HB 2208 by Representatives Hope, Kristiansen, Newhouse and McCune

AN ACT Relating to the return or cancellation of new motorsports vehicles; and amending RCW 46.93.170.

Referred to Committee on Commerce & Labor.

HB 2209 by Representatives Pearson, Hope, Orcutt, Ross, Schmick and Bailey

AN ACT Relating to limiting special sex offender sentencing alternatives to the immediate victim's family members; amending RCW 9.94A.670; and providing an effective date.

Referred to Committee on Public Safety & Emergency Preparedness.

HB 2210 by Representatives Chandler, McCune and Bailey

AN ACT Relating to the economic impact of department of ecology draft general permits; and adding a new section to chapter 90.48 RCW.

Referred to Committee on Agriculture & Natural Resources.

HB 2211 by Representatives Clibborn, Eddy, Maxwell and Liias

AN ACT Relating to the authorization, administration, collection, and enforcement of tolls on the state route number 520 corridor; amending RCW 47.56.810, 46.61.690, 46.63.030, 46.63.040, and 46.63.075; adding new sections to chapter 47.56 RCW; adding a new section to chapter 46.63 RCW; creating new sections; prescribing penalties; and providing an effective date.

Referred to Committee on Transportation.

HB 2212 by Representatives Hasegawa, Chase and Appleton

AN ACT Relating to clarifying that tax expenditures are excluded from the requirements for raising taxes under the state revenue limitations; reenacting and amending RCW 43.135.035; and creating a new section.

Referred to Committee on Finance.

HB 2213 by Representative Green

AN ACT Relating to health care contracts; and adding a new section to chapter 48.43 RCW.

Referred to Committee on Health Care & Wellness.

HB 2214 by Representative Simpson

AN ACT Relating to the reasonable costs of financing consolidated rental car facilities and common use transportation equipment and facilities; and amending RCW 14.08.120.

Referred to Committee on Transportation.

HB 2215 by Representatives Klippert and Hope

AN ACT Relating to diversions for offenses in juvenile court; and amending RCW 13.40.070.

Referred to Committee on Human Services.

HB 2216 by Representatives Shea, DeBolt, Kristiansen, McCune, Newhouse, Short, Klippert, Ross, Herrera, Schmick, Kretz, Warnick, Angel, Cox, Condotta, Crouse and Orcutt

AN ACT Relating to transferring all mandatory, regulatory, licensing, and disciplinary functions of the Washington state bar association to the Washington state supreme court; adding new sections to chapter 2.04 RCW; repealing RCW 2.48.010, 2.48.020, 2.48.021, 2.48.030, 2.48.035, 2.48.040, 2.48.050, 2.48.060, 2.48.070, 2.48.080, 2.48.090, 2.48.100, 2.48.110, 2.48.130, 2.48.140, 2.48.150, 2.48.160, 2.48.165, 2.48.166, 2.48.170, 2.48.180, 2.48.190, 2.48.200, 2.48.210, 2.48.220, and 2.48.230; and providing an effective date.

Referred to Committee on Judiciary.

HJM 4012 by Representatives Blake and Warnick

Requesting support for Phase II of the Columbia Basin Project.

Referred to Committee on Agriculture & Natural Resources.

HJR 4210 by Representatives Shea, DeBolt, Kristiansen, McCune, Newhouse, Short, Klippert, Ross, Herrera, Schmick, Kretz, Warnick, Angel, Cox, Condotta, Crouse and Orcutt

Requiring that all mandatory, regulatory, licensing, and disciplinary functions regarding the practice of law and administration of justice reside exclusively in the supreme court.

Referred to Committee on Judiciary.

SSB 5899 by Senate Committee on Ways & Means (originally sponsored by Senators Kilmer, Franklin, Kastama, Shin, Marr, McAuliffe, Haugen, Brown, Berkey, Prentice, Fairley, Regala, Keiser, Eide, Rockefeller, Murray, Hatfield, Hargrove, Sheldon, Oemig and Kline)

AN ACT Relating to providing a business and occupation tax credit for qualified employment positions; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Community & Economic Development & Trade.

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

REPORTS OF STANDING COMMITTEES

February 10, 2009

HB 1038 Prime Sponsor, Representative Orcutt: Regarding specialized forest products. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass as amended:

On page 10, beginning on line 3, after "(iv)" strike all material through "number" on line 5 and insert "If the products were harvested within the operational area defined by a valid forest practices application or notification under chapter 76.09 RCW, a sequentially numbered load ticket generated by the landowner or the landowner's agent that includes, at a minimum, all information required on a bill of lading and the forest practices application number"

On page 12, line 23, after "harvested" insert "or huckleberries sold"

On page 16, beginning on line 25, after "(ii)" strike all material through "number" on line 27 and insert "If the products were harvested within the operational area defined by a valid forest practices application or notification under chapter 76.09 RCW, a sequentially numbered load ticket generated by the landowner or the landowner's agent that includes, at a minimum, all information required on a bill of lading and the forest practices application number"

On page 17, line 27, after "buyers" insert "and huckleberry buyers"

On page 17, beginning on line 29, after "applicable," strike all material through "number" on line 31 and insert "a sequentially numbered load ticket generated by the landowner or the landowner's agent that includes, at a minimum, all information required on a bill of lading and the forest practices application or notification number"

On page 17, beginning on line 33, after "chapter" strike all material through "act)" on line 35 and insert ", as provided in RCW 76.48.100 (as recodified by this act), due to its harvest within the operational area defined by a valid forest practices application or notification under chapter 76.09 RCW"

On page 25, beginning on line 9, after "harvested" strike all material through "number" on line 13 and insert "within the operational areas as defined by a valid forest practices application or notification under chapter 76.09 RCW, and when the person harvesting is able to provide a sequentially numbered load ticket provided by the landowner or the landowner's agent that includes, at a minimum, all information required on a bill of lading and the forest practices application or notification number"

Signed by Representatives Blake, Chair; Jacks, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kretz; Liias; McCoy; Nelson; Ormsby; Pearson; Van De Wege and Warnick.

Referred to Committee on General Government Appropriations.

February 10, 2009

HB 1162 Prime Sponsor, Representative Dickerson: Providing for social emotional learning in public schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Quall, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Cox; Dammeier; Hunt; Liias; Maxwell; Orwall and Sullivan.

Referred to Committee on Education Appropriations.

February 9, 2009

HB 1250 Prime Sponsor, Representative Orwall: Concerning the housing trust fund. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Blake; Chase; Jacks; Maxwell; Orwall; Smith and White.

MINORITY recommendation: Do not pass. Signed by Representatives Pearson, Assistant Ranking Minority Member; Anderson; Hope and McCune.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1288 Prime Sponsor, Representative Upthegrove: Exempting the annual parental declaration of intent to home school from the public disclosure act. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Armstrong, Ranking Minority Member; Alexander; Hurst; Miloscia and Newhouse.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1356 Prime Sponsor, Representative Alexander: Providing for career and technical education opportunities for middle school students. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Quall, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Cox; Dammeier; Hunt; Orwall and Sullivan.

Referred to Committee on Ways & Means.

February 9, 2009

HB 1362 Prime Sponsor, Representative Goodman: Concerning conveyances used in prostitution-related offenses. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Kelley; Kirby; Ormsby; Roberts; Ross and Warnick.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1374 Prime Sponsor, Representative Dunshee: Concerning the local government archives account. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson; Blake; Chase; Hope; Jacks; Maxwell; McCune; Orwall; Smith and White.

Referred to Committee on Ways & Means.

February 9, 2009

HB 1380 Prime Sponsor, Representative Liias: Changing the county population requirement in order for a county to lease space with an option to purchase. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen; Miloscia; Short; Springer; Upthegrove and White.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1388 Prime Sponsor, Representative Jacks: Changing the date for setting the amount of pipeline safety fees. Reported by Committee on Technology, Energy & Communications

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Eddy, Vice Chair; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Carlyle; Condotta; Finn; Hasegawa; Herrera; Hinkle; Hudgins; Jacks; McCune; Morris; Takko and Van De Wege.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1456 Prime Sponsor, Representative Dunshee: Preventing the conversion of certain natural resource lands. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Miloscia; Springer; Upthegrove and White.

MINORITY recommendation: Do not pass. Signed by Representatives Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen and Short.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1461 Prime Sponsor, Representative Bailey: Regarding options for determining the pay periods for county employees. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen; Miloscia; Short; Springer; Upthegrove and White.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1464 Prime Sponsor, Representative Springer: Concerning affordable housing incentive programs. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Miloscia; Springer; Upthegrove and White.

MINORITY recommendation: Do not pass. Signed by Representatives Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen and Short.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1465 Prime Sponsor, Representative White: Concerning facilities for local governments. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Miloscia; Springer; Upthegrove and White.

MINORITY recommendation: Do not pass. Signed by Representatives Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen and Short.

Referred to Committee on Finance.

February 9, 2009

HB 1468 Prime Sponsor, Representative Sullivan: Requiring rural county library district boards in counties with populations of one million five hundred thousand or more to have seven appointed members. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen; Miloscia; Short; Springer; Upthegrove and White.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1483 Prime Sponsor, Representative Jacks: Concerning forestry operations. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: Do pass. Signed by Representatives Blake, Chair; Jacks, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kretz; Liias; McCoy; Nelson; Ormsby; Pearson; Van De Wege and Warnick.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1484 Prime Sponsor, Representative Van De Wege: Expanding the riparian open space program to include lands that contain habitat of species that are federally listed as threatened or endangered. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Jacks, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Kretz; Liias; McCoy; Nelson; Ormsby; Pearson; Van De Wege and Warnick.

Referred to Committee on General Government Appropriations.

February 9, 2009

HB 1492 Prime Sponsor, Representative Pedersen: Addressing the independent youth housing program. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Cox, Assistant Ranking Minority

Member; Ericksen; Miloscia; Short; Springer; Upthegrove and White.

Referred to Committee on General Government Appropriations.

February 10, 2009

HB 1506 Prime Sponsor, Representative Conway: Providing benefits for the survivors of certain firefighters. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1513 Prime Sponsor, Representative Haler: Allowing municipalities to participate in financing the development of water or sewer facility projects. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen; Miloscia; Short; Springer; Upthegrove and White.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1541 Prime Sponsor, Representative Seaquist: Granting half-time service credit for half-time educational employment prior to January 1, 1987, in plans 2 and 3 of the school employees' retirement system and the public employees' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1542 Prime Sponsor, Representative Seaquist: Repealing certain obsolete state retirement system statutes. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter;

Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1544 Prime Sponsor, Representative Crouse: Addressing the state actuary's recommendations for assumptions used in the actuarial funding of the state retirement systems. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1546 Prime Sponsor, Representative Conway: Transferring public employees' retirement system plan 2 members to the school employees' retirement system plan 2. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1547 Prime Sponsor, Representative Bailey: Increasing the duty-related death benefit for public employees. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1548 Prime Sponsor, Representative Bailey: Addressing interruptive military service credit within plans 2 and 3 of the public employees' retirement system, plans 2 and 3 of the school employees' retirement system, plans 2 and 3 of the teachers' retirement system, plan 2 of the law enforcement officers' and firefighters' retirement system, plan 2 of the Washington state patrol retirement system, and the public safety employees' retirement system. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1550 Prime Sponsor, Representative Seaquist: Extending the survivor annuity option for preretirement death in plan 1 of the public employees' retirement system to members who die after leaving active service. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1551 Prime Sponsor, Representative Conway: Addressing the survivor benefits of employees who die while honorably serving in the national guard or military reserves during a period of war. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass. Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Conway; Darneille; Haigh; Hunt; Hunter; Kenney; Kessler; Pettigrew; Priest; Ross; Schmick; Seaquist and Sullivan.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1569 Prime Sponsor, Representative Liias: Establishing local public works assistance funds. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen; Miloscia; Short; Springer; Upthegrove and White.

Passed to Committee on Rules for second reading.

February 9, 2009

HB 1578 Prime Sponsor, Representative Driscoll: Regarding the board of directors of an air pollution control authority. Reported by Committee on Local Government & Housing

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chair; Nelson, Vice Chair; Miloscia; Springer; Uptegrove and White.

MINORITY recommendation: Do not pass. Signed by Representatives Angel, Ranking Minority Member; Cox, Assistant Ranking Minority Member; Ericksen and Short.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1595 Prime Sponsor, Representative Blake: Regarding the transfer of certain state forest lands. Reported by Committee on Agriculture & Natural Resources

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Blake, Chair; Jacks, Vice Chair; Chandler, Ranking Minority Member; Smith, Assistant Ranking Minority Member; Liias; McCoy; Nelson; Ormsby; Van De Wege and Warnick.

MINORITY recommendation: Do not pass. Signed by Representatives Kretz and Pearson.

Referred to Committee on Capital Budget.

February 9, 2009

HB 1618 Prime Sponsor, Representative White: Concerning community and surplus schools. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Blake; Chase; Jacks; Maxwell; Orwall and White.

MINORITY recommendation: Do not pass. Signed by Representatives Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson; Hope; McCune and Smith.

Referred to Committee on General Government Appropriations.

February 9, 2009

HB 1619 Prime Sponsor, Representative White: Concerning the use of capital projects funds by school districts. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson; Blake; Chase; Hope; Jacks; Maxwell; McCune; Orwall; Smith and White.

Passed to Committee on Rules for second reading.

February 11, 2009

HB 1743 Prime Sponsor, Representative Takko: Concerning tax incentives for the production, distribution, sale, and use of alcohol fuel, wood biomass fuel, biodiesel fuel, and

biodiesel feedstock. Reported by Committee on Technology, Energy & Communications

MAJORITY recommendation: Do pass. Signed by Representatives McCoy, Chair; Eddy, Vice Chair; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Carlyle; Condotta; Finn; Hasegawa; Herrera; Hinkle; Hudgins; Jacks; McCune; Morris; Takko and Van De Wege.

Referred to Committee on Finance.

February 10, 2009

HB 1785 Prime Sponsor, Representative Armstrong: Concerning the chief for a day program. Reported by Committee on Public Safety & Emergency Preparedness

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; O'Brien, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Appleton; Goodman; Kirby and Ross.

Passed to Committee on Rules for second reading.

February 10, 2009

HB 1852 Prime Sponsor, Representative Appleton: Modifying provisions relating to record checks using fingerprints. Reported by Committee on Public Safety & Emergency Preparedness

MAJORITY recommendation: Do pass. Signed by Representatives Hurst, Chair; O'Brien, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Appleton; Goodman; Kirby and Ross.

Passed to Committee on Rules for second reading.

February 11, 2009

HB 1911 Prime Sponsor, Representative Probst: Modifying the business and occupation tax rate on wholesalers of solar energy systems and including semiconductor materials. Reported by Committee on Technology, Energy & Communications

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives McCoy, Chair; Eddy, Vice Chair; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Carlyle; Condotta; Finn; Hasegawa; Herrera; Hinkle; Hudgins; Jacks; McCune; Morris; Takko and Van De Wege.

Referred to Committee on Finance.

February 11, 2009

ESSB 5460 Prime Sponsor, Committee on Ways & Means: Reducing the administrative cost of state government during the 2007-2009 and 2009-2011 fiscal biennia. Reported by Committee on Ways & Means

MAJORITY recommendation: Do pass as amended:

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 41.06.070 and 2002 c 354 s 209 are each amended to read as follows:

(1) The provisions of this chapter do not apply to:

(a) The members of the legislature or to any employee of, or position in, the legislative branch of the state government including members, officers, and employees of the legislative council, joint legislative audit and review committee, statute law committee, and any interim committee of the legislature;

(b) The justices of the supreme court, judges of the court of appeals, judges of the superior courts or of the inferior courts, or to any employee of, or position in the judicial branch of state government;

(c) Officers, academic personnel, and employees of technical colleges;

(d) The officers of the Washington state patrol;

(e) Elective officers of the state;

(f) The chief executive officer of each agency;

(g) In the departments of employment security and social and health services, the director and the director's confidential secretary; in all other departments, the executive head of which is an individual appointed by the governor, the director, his or her confidential secretary, and his or her statutory assistant directors;

(h) In the case of a multimember board, commission, or committee, whether the members thereof are elected, appointed by the governor or other authority, serve ex officio, or are otherwise chosen:

(i) All members of such boards, commissions, or committees;

(ii) If the members of the board, commission, or committee serve on a part-time basis and there is a statutory executive officer: The secretary of the board, commission, or committee; the chief executive officer of the board, commission, or committee; and the confidential secretary of the chief executive officer of the board, commission, or committee;

(iii) If the members of the board, commission, or committee serve on a full-time basis: The chief executive officer or administrative officer as designated by the board, commission, or committee; and a confidential secretary to the chair of the board, commission, or committee;

(iv) If all members of the board, commission, or committee serve ex officio: The chief executive officer; and the confidential secretary of such chief executive officer;

(i) The confidential secretaries and administrative assistants in the immediate offices of the elective officers of the state;

(j) Assistant attorneys general;

(k) Commissioned and enlisted personnel in the military service of the state;

(l) Inmate, student, part-time, or temporary employees, and part-time professional consultants, as defined by the Washington personnel resources board;

(m) The public printer or to any employees of or positions in the state printing plant;

(n) Officers and employees of the Washington state fruit commission;

(o) Officers and employees of the Washington ((state)) apple ((advertising)) commission;

(p) Officers and employees of the Washington state dairy products commission;

(q) Officers and employees of the Washington tree fruit research commission;

(r) Officers and employees of the Washington state beef commission;

(s) Officers and employees of any commission formed under chapter 15.66 RCW;

(t) Officers and employees of agricultural commissions formed under chapter 15.65 RCW;

(u) Officers and employees of the nonprofit corporation formed under chapter 67.40 RCW;

(v) Executive assistants for personnel administration and labor relations in all state agencies employing such executive assistants including but not limited to all departments, offices, commissions, committees, boards, or other bodies subject to the provisions of this chapter and this subsection shall prevail over any provision of law inconsistent herewith unless specific exception is made in such law;

(w) In each agency with fifty or more employees: Deputy agency heads, assistant directors or division directors, and not more than three principal policy assistants who report directly to the agency head or deputy agency heads;

(x) All employees of the marine employees' commission;

(y) Staff employed by the department of community, trade, and economic development to administer energy policy functions and manage energy site evaluation council activities under RCW 43.21F.045(2)(m);

(z) Staff employed by Washington State University to administer energy education, applied research, and technology transfer programs under RCW 43.21F.045 as provided in RCW 28B.30.900(5).

(2) The following classifications, positions, and employees of institutions of higher education and related boards are hereby exempted from coverage of this chapter:

(a) Members of the governing board of each institution of higher education and related boards, all presidents, vice presidents, and their confidential secretaries, administrative, and personal assistants; deans, directors, and chairs; academic personnel; and executive heads of major administrative or academic divisions employed by institutions of higher education; principal assistants to executive heads of major administrative or academic divisions; other managerial or professional employees in an institution or related board having substantial responsibility for directing or controlling program operations and accountable for allocation of resources and program results, or for the formulation of institutional policy, or for carrying out personnel administration or labor relations functions, legislative relations, public information, development, senior computer systems and network programming, or internal audits and investigations; and any employee of a community college district whose place of work is one which is physically located outside the state of Washington and who is employed pursuant to RCW 28B.50.092 and assigned to an educational program operating outside of the state of Washington;

(b) The governing board of each institution, and related boards, may also exempt from this chapter classifications involving research activities, counseling of students, extension or continuing education activities, graphic arts or publications activities requiring prescribed academic preparation or special training as determined by the board: PROVIDED, That no nonacademic employee engaged in office, clerical, maintenance, or food and trade services may be exempted by the board under this provision;

(c) Printing craft employees in the department of printing at the University of Washington.

(3) In addition to the exemptions specifically provided by this chapter, the director of personnel may provide for further exemptions pursuant to the following procedures. The governor or other appropriate elected official may submit requests for exemption to the director of personnel stating the reasons for requesting such exemptions. The director of personnel shall hold a public hearing,

after proper notice, on requests submitted pursuant to this subsection. If the director determines that the position for which exemption is requested is one involving substantial responsibility for the formulation of basic agency or executive policy or one involving directing and controlling program operations of an agency or a major administrative division thereof, the director of personnel shall grant the request and such determination shall be final as to any decision made before July 1, 1993. The total number of additional exemptions permitted under this subsection shall not exceed one percent of the number of employees in the classified service not including employees of institutions of higher education and related boards for those agencies not directly under the authority of any elected public official other than the governor, and shall not exceed a total of twenty-five for all agencies under the authority of elected public officials other than the governor.

The salary and fringe benefits of all positions presently or hereafter exempted except for the chief executive officer of each agency, full-time members of boards and commissions, administrative assistants and confidential secretaries in the immediate office of an elected state official, and the personnel listed in subsections (1)(j) through (u) and (x) and (2) of this section, shall be determined by the director of personnel. Changes to the classification plan affecting exempt salaries must meet the same provisions for classified salary increases resulting from adjustments to the classification plan as outlined in RCW 41.06.152.

For the twelve months following the effective date of this section, a salary or wage increase shall not be granted to any position exempt from classification under this chapter.

Any person holding a classified position subject to the provisions of this chapter shall, when and if such position is subsequently exempted from the application of this chapter, be afforded the following rights: If such person previously held permanent status in another classified position, such person shall have a right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

Any classified employee having civil service status in a classified position who accepts an appointment in an exempt position shall have the right of reversion to the highest class of position previously held, or to a position of similar nature and salary.

A person occupying an exempt position who is terminated from the position for gross misconduct or malfeasance does not have the right of reversion to a classified position as provided for in this section.

Sec. 2. RCW 41.06.133 and 2002 c 354 s 204 are each amended to read as follows:

The director shall adopt rules, consistent with the purposes and provisions of this chapter and with the best standards of personnel administration, regarding the basis and procedures to be followed for:

- (1) The reduction, dismissal, suspension, or demotion of an employee;
- (2) Training and career development;
- (3) Probationary periods of six to twelve months and rejections of probationary employees, depending on the job requirements of the class, except that entry level state park rangers shall serve a probationary period of twelve months;
- (4) Transfers;
- (5) Promotional preferences;
- (6) Sick leaves and vacations;
- (7) Hours of work;
- (8) Layoffs when necessary and subsequent reemployment, except for the financial basis for layoffs;
- (9) The number of names to be certified for vacancies;

(10) Adoption and revision of a state salary schedule to reflect the prevailing rates in Washington state private industries and other governmental units. The rates in the salary schedules or plans shall be increased if necessary to attain comparable worth under an implementation plan under RCW 41.06.155 and, for institutions of higher education and related boards, shall be competitive for positions of a similar nature in the state or the locality in which an institution of higher education or related board is located. Such adoption and revision is subject to approval by the director of financial management in accordance with chapter 43.88 RCW;

(11) Increment increases within the series of steps for each pay grade based on length of service for all employees whose standards of performance are such as to permit them to retain job status in the classified service. For the twelve months following the effective date of this section, a salary or wage increase shall not be granted to any exempt position under this chapter;

(12) Optional lump sum relocation compensation approved by the agency director, whenever it is reasonably necessary that a person make a domiciliary move in accepting a transfer or other employment with the state. An agency must provide lump sum compensation within existing resources. If the person receiving the relocation payment terminates or causes termination with the state, for reasons other than layoff, disability separation, or other good cause as determined by an agency director, within one year of the date of the employment, the state is entitled to reimbursement of the lump sum compensation from the person;

(13) Providing for veteran's preference as required by existing statutes, with recognition of preference in regard to layoffs and subsequent reemployment for veterans and their surviving spouses by giving such eligible veterans and their surviving spouses additional credit in computing their seniority by adding to their unbroken state service, as defined by the director, the veteran's service in the military not to exceed five years. For the purposes of this section, "veteran" means any person who has one or more years of active military service in any branch of the armed forces of the United States or who has less than one year's service and is discharged with a disability incurred in the line of duty or is discharged at the convenience of the government and who, upon termination of such service, has received an honorable discharge, a discharge for physical reasons with an honorable record, or a release from active military service with evidence of service other than that for which an undesirable, bad conduct, or dishonorable discharge shall be given. However, the surviving spouse of a veteran is entitled to the benefits of this section regardless of the veteran's length of active military service. For the purposes of this section, "veteran" does not include any person who has voluntarily retired with twenty or more years of active military service and whose military retirement pay is in excess of five hundred dollars per month.

Rules adopted under this section by the director shall provide for local administration and management by the institutions of higher education and related boards, subject to periodic audit and review by the director.

Rules adopted by the director under this section may be superseded by the provisions of a collective bargaining agreement negotiated under RCW 41.80.001 and 41.80.010 through 41.80.130. The supersession of such rules shall only affect employees in the respective collective bargaining units.

Sec. 3. RCW 41.06.500 and 2002 c 354 s 243 are each amended to read as follows:

(1) Except as provided in RCW 41.06.070, notwithstanding any other provisions of this chapter, the director is authorized to adopt, after consultation with state agencies and employee organizations,

rules for managers as defined in RCW 41.06.022. These rules shall not apply to managers employed by institutions of higher education or related boards or whose positions are exempt. The rules shall govern recruitment, appointment, classification and allocation of positions, examination, training and career development, hours of work, probation, certification, compensation, transfer, affirmative action, promotion, layoff, reemployment, performance appraisals, discipline, and any and all other personnel practices for managers. These rules shall be separate from rules adopted for other employees, and to the extent that the rules adopted under this section apply only to managers shall take precedence over rules adopted for other employees, and are not subject to review by the board.

(2) In establishing rules for managers, the director shall adhere to the following goals:

(a) Development of a simplified classification system that facilitates movement of managers between agencies and promotes upward mobility;

(b) Creation of a compensation system that provides flexibility in setting and changing salaries, and shall require review and approval by the director in the case of any salary changes greater than five percent proposed for any group of employees;

(c) Establishment of a performance appraisal system that emphasizes individual accountability for program results and efficient management of resources; effective planning, organization, and communication skills; valuing and managing workplace diversity; development of leadership and interpersonal abilities; and employee development;

(d) Strengthening management training and career development programs that build critical management knowledge, skills, and abilities; focusing on managing and valuing workplace diversity; empowering employees by enabling them to share in workplace decision making and to be innovative, willing to take risks, and able to accept and deal with change; promoting a workplace where the overall focus is on the recipient of the government services and how these services can be improved; and enhancing mobility and career advancement opportunities;

(e) Permitting flexible recruitment and hiring procedures that enable agencies to compete effectively with other employers, both public and private, for managers with appropriate skills and training; allowing consideration of all qualified candidates for positions as managers; and achieving affirmative action goals and diversity in the workplace;

(f) Providing that managers may only be reduced, dismissed, suspended, or demoted for cause; and

(g) Facilitating decentralized and regional administration.

(3) For the twelve months following the effective date of this section, a salary or wage increase shall not be granted to any position under this section.

Sec. 4. RCW 43.03.030 and 1965 c 8 s 43.03.030 are each amended to read as follows:

(1) Wherever the compensation of any appointive state officer or employee is fixed by statute, it may be hereafter increased or decreased in the manner provided by law for the fixing of compensation of other appointive state officers or employees; but this subsection shall not apply to the heads of state departments.

(2) Wherever the compensation of any state officer appointed by the governor, or of any employee in any office or department under the control of any such officer, is fixed by statute, such compensation may hereafter, from time to time, be changed by the governor, and he shall have power to fix such compensation at any amount not to exceed the amount fixed by statute.

(3) For the twelve months following the effective date of this section, a salary or wage increase shall not be granted to any position under this section.

Sec. 5. RCW 43.03.040 and 1993 sp.s. c 24 s 914 are each amended to read as follows:

The directors of the several departments and members of the several boards and commissions, whose salaries are fixed by the governor and the chief executive officers of the agencies named in RCW 43.03.028(2) as now or hereafter amended shall each severally receive such salaries, payable in monthly installments, as shall be fixed by the governor or the appropriate salary fixing authority, in an amount not to exceed the recommendations of the committee on agency officials' salaries. ~~((Beginning July 1, 1993, through June 30, 1995, the salary paid to such directors and members of boards and commissions shall not exceed the amount paid as of April 1, 1993.))~~ For the twelve months following the effective date of this section, a salary or wage increase shall not be granted to any position under this section.

NEW SECTION. Sec. 6. STATE EMPLOYMENT. (1) From the effective date of this section until July 1, 2009, and consistent with the governor's directive dated August 4, 2008, state agencies of the legislative, executive, and judicial branches shall not establish new staff positions or fill vacant existing staff positions except as specifically authorized by this section.

(2) The following activities of state agencies are exempt from subsection (1) of this section:

(a) Direct custody, supervision, and patient care in corrections, juvenile rehabilitation, institutional care of veterans, the mentally ill, developmentally disabled, state hospitals, the special commitment center, and the schools for the blind and the deaf;

(b) Direct protective services to children and other vulnerable populations in the department of social and health services;

(c) Washington state patrol investigative services and field enforcement;

(d) Hazardous materials response and emergency cleanup;

(e) Emergency public health and patient safety response and the public health laboratory;

(f) Military operations and emergency management within the military department;

(g) Firefighting;

(h) Enforcement officers in the department of fish and wildlife, the liquor control board, the gambling commission, and the department of natural resources;

(i) Park rangers at the parks and recreation commission;

(j) Seasonal employment by natural resources agencies to the extent that employment levels do not exceed the prior fiscal year;

(k) Seasonal employment in the department of transportation maintenance programs to the extent that employment levels do not exceed the prior fiscal year;

(l) Employees hired on a seasonal basis by the department of agriculture for inspection and certification of agricultural products and for insect detection;

(m) Activities directly related to tax and fee collection, revenue generation, auditing, and recovery;

(n) In institutions of higher education, any positions directly related to academic programs, as well as positions not funded from state funds or tuition;

(o) Operations of the state lottery and liquor control board business enterprises;

(p) The unemployment insurance program of the employment security department; and

(q) Activities that are necessary to receive or maintain federal funds by the state.

(3) The exemptions specified in subsection (2) of this section do not require the establishment of new staff positions or the filling of vacant existing staff positions in the activities specified.

(4) Exceptions to this section may be granted under section 10 of this act.

NEW SECTION. Sec. 7. PERSONAL SERVICES CONTRACTS. From the effective date of this section until July 1, 2009, and consistent with the governor's directive dated August 4, 2008, state agencies of the legislative, executive, and judicial branches shall not enter into any contracts or other agreements for the acquisition of personal services not related to an emergency or other catastrophic event that requires government action to protect life or public safety. This section does not apply to personal services contracts or other agreements for the acquisition of personal services where the costs are funded exclusively from private or federal grants, where the costs are for tax and fee collection, where the costs are for revenue generation and auditing activities, where the costs are necessary to receive or maintain federal funds by the state, or, in institutions of higher education, where the costs are not funded from state funds or tuition. Exceptions to this section may be granted under section 10 of this act. This section does not apply to the unemployment insurance program of the employment security department.

NEW SECTION. Sec. 8. EQUIPMENT PURCHASES. From the effective date of this section until July 1, 2009, and consistent with the governor's directive dated August 4, 2008, state agencies of the legislative, executive, and judicial branches shall not enter into any contracts or other agreements for the acquisition of any item of equipment the cost of which exceeds five thousand dollars and is not related to an emergency or other catastrophic event that requires government action to protect life or public safety. Exceptions to this section may be granted under section 10 of this act. This section does not apply to the unemployment insurance program of the employment security department, to costs that are for tax and fee collection, for revenue generation and audit activities, or for receiving or maintaining federal funds by the state, or, in institutions of higher education, to costs not funded from state funds or tuition.

NEW SECTION. Sec. 9. STATE EMPLOYEE TRAVEL AND TRAINING. Consistent with the governor's directive dated August 4, 2008, state agencies of the legislative, executive, and judicial branches shall not make expenditures for the cost or reimbursement of out-of-state travel or out-of-state training by state employees where the travel or training is not related to (1) an emergency or other catastrophic event that requires government action to protect life or public safety, or (2) direct service delivery, and the travel or training occurs after the effective date of this section and before July 1, 2009. This section does not apply to travel expenditures when the costs are funded exclusively from private or federal grants. Exceptions to this section may be granted under section 10 of this act. This section does not apply to the unemployment insurance program of the employment security department, to costs that are for tax and fee collection, for revenue generation and audit activities, or for receiving or maintaining federal funds by the state, or, in institutions of higher education, to costs not funded from state funds or tuition.

NEW SECTION. Sec. 10. EXCEPTIONS. (1) Exceptions to sections 6 through 9 of this act may be granted for the critically necessary work of an agency as provided in this section.

(2) For agencies of the executive branch, the exceptions shall be subject to approval by the director of financial management. For

agencies of the judicial branch, the exceptions shall be subject to approval of the chief justice of the supreme court. For the house of representatives and the senate, the exceptions shall be subject to approval of the chief clerk of the house of representatives and the secretary of the senate, respectively, under the direction of the senate committee on facilities and operations and the executive rules committee of the house of representatives. For other legislative agencies, the exceptions shall be subject to approval of both the chief clerk of the house of representatives and the secretary of the senate under the direction of the senate committee on facilities and operations and the executive rules committee of the house of representatives.

(3) Exceptions approved under subsection (2) of this section shall take effect no sooner than five business days following notification of the chair and ranking minority member of the ways and means committees in the house of representatives and the senate. The person approving exceptions under subsection (2) of this section shall send the exceptions to the legislature for consideration every thirty days from the effective date of this section, or earlier should volume or circumstances so necessitate.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. Captions used in this act are not any part of the law.

NEW SECTION. Sec. 13. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

Correct the title.

Signed by Representatives Linville, Chair; Ericks, Vice Chair; Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Chandler; Cody; Darneille; Haigh; Hinkle; Hunt; Hunter; Kagi; Kenney; Kessler; Pettigrew; Priest; Schmick; Seaquist and Sullivan.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated with the exception of ENGROSSED SUBSTITUTE SENATE BILL NO. 5460 which was placed on second reading.

MESSAGE FROM THE SENATE

February 13, 2009

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906 with the following amendment:

On page 20, line 23, after (h), insert "With respect to claims where the minimum amount payable weekly is increased to one hundred fifty-five dollars pursuant to section 2(3) of this act, benefits paid that exceed the benefits that would have been paid if the minimum amount payable weekly had been calculated pursuant to RCW 50.20.120 shall not be charged to the experience rating account of any contribution paying employer. (i)"

and the same is herewith transmitted.

Thomas Hoemann, Secretary

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

SENATE AMENDMENT TO HOUSE BILL

There being no objection, the House concurred in the Senate amendment to ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906 and advanced the bill as amended by the Senate to final passage.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

Representatives Conway and Condotta spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1906, as amended by the Senate.

MOTIONS

On motion of Representative Santos, Representative Van De Wege was excused. Representative Campbell was excused from the bar.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1906, as amended by the Senate, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Anderson and Chandler.

Excused: Representatives Campbell and Van De Wege.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906, as amended by the Senate, having received the necessary constitutional majority, was declared passed.

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

SECOND READING

ENGROSSED SUBSTITUTE SENATE BILL NO. 5460, by Senate Committee on Ways & Means (originally sponsored by Senators Tom, Zarelli, Prentice, Hewitt and Kline)

Reducing the administrative cost of state government during the 2007-2009 and 2009-2011 fiscal biennia.

The bill was read the second time

There being no objection, the committee amendment by the Committee on Ways and Means was adopted. (For committee amendment, see Journal, Day 33, February 13, 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 Linville and Alexander spoke in favor of 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. 5460, as amended by the House.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute Senate Bill No. 5460, as amended by the House, and the bill passed the House by the following vote: Yeas, 88; Nays, 7; Absent, 0; Excused, 2.

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

Voting nay: Representatives Anderson, Armstrong, Condotta, Hasegawa, Hunt, Rodne and Williams.

Excused: Representatives Campbell and Van De Wege.

ENGROSSED SUBSTITUTE SENATE BILL NO. 5460, as amended by the House, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1000, by Representatives Haler, Klippert and Wood

Extending state route number 397 to Interstate 82.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1000.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1000 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

HOUSE BILL NO. 1000, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1001, by Representatives Parker, Hurst, McCune, Moeller, Ross, Kelley, Morrell, Chase, Green, Schmick, Sullivan, Conway, Dickerson, Kenney, Campbell, Kristiansen, Driscoll, Van De Wege, Orwall, O'Brien, Roach, Wallace, Simpson, Bailey, Kretz and Warnick

Concerning veterans' burials.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1001 was substituted for House Bill No. 1001 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1001 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 Parker and Hurst spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1001.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1001 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase,

Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

SUBSTITUTE HOUSE BILL NO. 1001, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Ross congratulated Representative Parker on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

SECOND READING

HOUSE BILL NO. 1002, by Representatives Appleton and Hasegawa

Allowing a certificate of discharge to be issued when an existing order excludes or prohibits an offender from having contact with a specified person or business, or coming within a set distance of any specified location.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1002 was substituted for House Bill No. 1002 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1002 was read the second time.

Representative Appleton moved the adoption of amendment (008):

On page 3, beginning on line 37, strike all material through ", the" on line 38 and insert "~~((4)) Except as provided in subsection (5) of this section, the~~) (5) The"

Representative Appleton spoke in favor of adoption of the amendment.

Amendment (008) was adopted. The bill was ordered engrossed.

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

Representative Appleton spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1002.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1002 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1002, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1028, by Representative Armstrong

Concerning services provided by television reception improvement 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 Armstrong and McCoy spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1028.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1028 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

HOUSE BILL NO. 1028, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1036, by Representatives Kelley, Morrell, Moeller, Rodne, Seaquist, McCoy, Green, Goodman, Kirby, McCune, Hurst, Miloscia, Hunt, Appleton, Chase, Conway, Williams, Campbell, Ross and Bailey

Concerning the Washington code of military justice.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1036 was substituted for House Bill No. 1036 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1036 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 Kelley and Rodne spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1036.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1036 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Chopp, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

SUBSTITUTE HOUSE BILL NO. 1036, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1037, by Representatives Hurst, Sullivan, Roach and Simpson

Designating state route number 164 as a highway of statewide significance.

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 Roach spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1037.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1037 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

HOUSE BILL NO. 1037, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1041, by Representatives Morrell, Warnick, O'Brien, McCune, Liias, Kagi, Kenney and Wallace Authorizing the purchase, storage, and administration of medications by occupational therapists.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1041 was substituted for House Bill No. 1041 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1041 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 Morrell and Ericksen spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1041.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1041 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

SUBSTITUTE HOUSE BILL NO. 1041, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1042, by Representatives O'Brien, Warnick, Goodman, Rodne, Kelley and Williams

Concerning notices of dishonor.

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 O'Brien and Warnick spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1042.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1042 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

HOUSE BILL NO. 1042, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1048, by Representatives Simpson, Hudgins, Nelson, Santos, Chase and Kenney

Repealing provisions addressing the sale, lease, or conveyance of municipal property in commercial areas to private parties for free public parking facilities in cities with populations over three hundred thousand.

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

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1048.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1048 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

HOUSE BILL NO. 1048, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1063, by Representatives Takko, Simpson and Moeller

Removing the termination date for the salmon and steelhead recovery program under RCW 77.85.200.

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 Takko spoke in favor of passage of the bill.

Representative Orcutt spoke against passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1063.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1063 and the bill passed the House by the following vote: Yeas, 70; Nays, 25; Absent, 0; Excused, 2.

Voting yea: Representatives Anderson, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Conway, Dammeier, Darneille, Dickerson, Driscoll, Dunshee, Ericks, Finn, Flannigan, Goodman, Green, Haigh, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jacks, Kagi, Kelley, Kenney, Kessler, Kirby, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, 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, Wallace, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Condotta, Cox, Crouse, DeBolt, Eddy, Ericksen, Haler, Herrera, Hope, Johnson, Klippert, Kretz, Kristiansen, Moeller, Newhouse, Orcutt, Pearson, Roach, Ross, Schmick, Shea, Short and Walsh.

Excused: Representatives Campbell and Van De Wege.

HOUSE BILL NO. 1063, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1071, by Representatives Green, Morrell, Dickerson and Kenney

Concerning advanced registered nurse practitioners.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1071 was substituted for House Bill No. 1071 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1071 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 Green and Ericksen spoke in favor of passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1071.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1071 and the bill passed the House by the following vote: Yeas, 95; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks,

Ericksen, Finn, Flannigan, Goodman, 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, Newhouse, 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, Upthegrove, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representatives Campbell and Van De Wege.

SUBSTITUTE HOUSE BILL NO. 1071, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

SIGNED BY THE SPEAKER

The Speaker signed:

HOUSE BILL NO. 1066
HOUSE BILL NO. 1113
ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906

The Speaker called upon Representative Morris to preside.

MESSAGE FROM THE SENATE

February 13, 2009

Mr. Speaker:

The President has signed ENGROSSED SUBSTITUTE HOUSE BILL NO. 1906, and the same is herewith transmitted.

Thomas Hoemann, Secretary

POINT OF PERSONAL PRIVILEGE

Representative DeBolt: "This year keeps getting more and more interesting as we move along. Today an announcement was made that one of our own from the floor is going to be leaving us to join the Governor's cabinet as the Director of the Department of Agriculture. On behalf of our caucus, we've appreciated the time that Representative Newhouse has spent with our caucus. He will be dearly missed, Mr. Speaker. He has been a remarkable statesman and will continue to fight for agriculture and he knew the best way he could serve his constituents and the people of the State of Washington was to take on this tough task. On behalf of the floor, and on behalf of my caucus, we all wish you the best of luck."

POINT OF PERSONAL PRIVILEGE

Representative Newhouse: "Thank you for recognizing me, Mr. Speaker. It is with mixed emotions that this announcement comes today. I appreciate the challenges that have been offered to me by our governor. I must tell you that this is the hardest decision I've had to make as a legislator, to leave a position that I truly love, to represent my district and to work with, I think, one of the finest group of people that I have ever had the privilege of knowing. I will not be a stranger to you, I can assure you that the lobbying has already started. I am assured that our relationship will continue. Take this as an example that this is an amazing place. Every day we wake up to new challenges and each of us rise up to things that we never

dreamed of the day before. Because of that, I sincerely wish every one of you the very best and I will always treasure my time here in this chamber. Thank you Mr. Speaker."

SPEAKER'S PRIVILEGE

Mr. Speaker (Representative Morris presiding): "Thank you, and as an officer of the House, you did indeed make this place run well. I think above that for all of us up here at the rostrum and on both sides of the aisle, it was actually a pleasure to work with you in making this place run well, so you will be missed, but it is agriculture's gain in the State of Washington. Thank you Representative Newhouse."

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

There being no objection, the House adjourned until 10:00 a.m., February 16, 2009, the 36th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

