

HOUSE JOURNAL
OF THE
Fifty-First Legislature
OF THE
STATE OF WASHINGTON
AT
Olympia, the State Capitol

VOLUME I

1990 Regular Session
Convened January 8, 1990
Adjourned Sine Die March 8, 1990



Joseph E. King, *Speaker*
John L. O'Brien, *Speaker Pro Tempore*
Alan Thompson, *Chief Clerk*
Dennis Karras, *Deputy Chief Clerk*
Patsy Ellis, *Minute/Journal Clerk*

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Alan Thompson, *Chief Clerk*
Patsy Ellis, *Minute/Journal Clerk*

FIRST DAY

NOON SESSION

House Chamber, Olympia, Monday, January 8, 1990

The House of Representatives of the 1990 Regular Session of the Fifty-First Legislature was called to order at 12:00 noon by the Speaker, Joseph E. King.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Kimberly Merrill and Joshua Donaldson.

Prayer was offered by The Reverend David Nelson of the Messiah Lutheran Church of Vancouver:

Almighty God, Creator of all things, Giver of every good gift, hear us as we seek Your blessings upon this state at the opening of this legislative session and those who hold office in this government.

Grant to these people, Your servants, the gifts they need for their service:

Wisdom and kindness;

Courage, compassion and creativity;

The insight to see the connection between all they do here, socially, economically and environmentally;

The heart to hear the cry for hope and justice;

The courage to act for all Your people;

That all our special interests be Yours;

That we may all be a voice for those who have no voice and the power for those who have no power;

That we may all be a future for our children and grandchildren.

Help us all to remember that we are called to serve the people as lovers of truth and justice. With thanksgiving for these legislators' lives of dedication, trust and service, we pray in the name of the One, Who also came among us to serve, Our Lord Jesus Christ. Amen.

Prayer was followed by the performance of "God Bless America" by vocalist Jan Stenz.

PROCLAMATION FROM THE CAPITAL COMMUNITY AREA

A PROCLAMATION to recognize the Washington State Legislature for its important role in shaping the present and future of Washington State.

WHEREAS, The capital community area is indeed proud to be the seat of state government and host for the State Legislature; and

WHEREAS, We recognize and appreciate state government's and the Legislature's positive impacts on the local community each year and their roles in creating a strong sense of civic pride in the capital area; and

WHEREAS, It is important for all the municipalities and businesses in the capital community area to work in harmony with state government and the State Legislature to share future visions and address issues of mutual importance;

NOW, THEREFORE, BE IT RESOLVED, We hereby proclaim the week of January 8-13, 1990, as "Welcome Legislators Week" in recognition of the Legislature's positive contributions and hereby resolve to strengthen communication networks and working relationships with the Legislature to effectively address local and state concerns of mutual interest to all concerned.

Kay Boyd, Mayor
City of Lacey

Peter Fluetsch, Mayor
City of Tumwater

Rex Derr, Mayor
City of Olympia

Les Eldridge, Chairman
Board of Thurston
County Commissioners

MESSAGES FROM THE SECRETARY OF STATE

The Honorable Speaker of the House of Representatives
 The Legislature of the State of Washington
 Olympia, Washington
 Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington, do hereby certify that, according to the provisions of RCW 29.62.130, I have canvassed the returns of the votes cast for and against the state measures which were submitted to the vote of the people at the state general election held on the 7th day of November, 1989, that the total number of ballots cast at this state general election was 1,068,721 and that the total number of votes cast for and against each of these measures was as follows:

INITIATIVE MEASURE 102

"Shall the state support of children and family services and K-12 education programs be increased by \$360,000,000 in new taxes?"

Yes	349,357
No	688,782

SENATE JOINT RESOLUTION 8200

"Shall the State Constitution be amended to provide that victims of charged felony crimes shall have certain basic fundamental rights?"

Yes	789,266
No	221,179

SENATE JOINT RESOLUTION 8202

"Shall the State Constitution's provision creating the Judicial Conduct Commission be revised to more explicitly describe its process and authority?"

Yes	804,199
No	162,135

SENATE JOINT RESOLUTION 8210

"Shall the State Constitution permit local governments to finance, from the revenues of water sales, private efforts to conserve water?"

Yes	622,494
No	350,876

I, further certify that the following is a full, true, and correct abstract of votes cast at the state general election held on the 7th day of November, 1989, as canvassed by me from the returns received from the County Auditors of Chelan and Douglas counties for the office of Superior Court Judge:

SUPERIOR COURT, Chelan-Douglas

Bridges (Nonpartisan)	10,548
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IN WITNESS WHEREOF, I have set my hand and affixed the seal of the State of Washington, this eighth day of January, 1990.

(Seal)

Ralph Munro, Secretary of State

The Honorable Speaker of the House of Representatives
 The Legislature of the State of Washington
 Olympia, Washington
 Mr. Speaker:

We herewith respectfully transmit for your consideration a copy of Initiative to the Legislature number 109, originally filed with this office on April 19, 1989. On December 31, 1989, the sponsors of the proposed initiative filed 10,467 signature petition sheets in support of the measure. We have completed our preliminary canvass of these petitions and have determined that they contain 153,619 signatures.

Accordingly, pursuant to the provisions of Article 2, section 1 of the State Constitution, we are provisionally certifying Initiative to the Legislature number 109 to you at this time. We expect to complete verification of signatures no later than

February 7, 1990, and we will provide the Legislature with a final certification as soon as possible thereafter.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the State of Washington, this eighth day of January, 1990.

(Seal)

Ralph Munro, Secretary of State

SPEAKER'S PRIVILEGE

The Speaker invited Secretary of State Ralph Munro to assist him with the presentation of certificates of appointment.

MESSAGES FROM THE SECRETARY OF STATE

The Honorable Speaker of the House of Representatives

The Legislature of the State of Washington

Olympia, Washington

Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office Neal Kirby was appointed on December 29, 1989 to fill the vacancy of State Representative of the 7th District by the action of the joint legislative authorities of Ferry, Lincoln, Okanogan, Pend Oreille, Spokane and Stevens Counties.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol, on the eighth day of January, 1990.

(Seal)

Ralph Munro, Secretary of State

The Honorable Speaker of the House of Representatives

The Legislature of the State of Washington

Olympia, Washington

Mr. Speaker:

I, Ralph Munro, Secretary of State of the State of Washington and custodian of its seal, certify that according to records on file in my office Elmira Forner was appointed on January 8, 1990 to fill the vacancy of State Representative of the 47th District by the action of the legislative authority of King County.

Given under my hand and the seal of the State of Washington, at Olympia, the State Capitol, on the eighth day of January, 1990.

(Seal)

Ralph Munro, Secretary of State

OATH OF OFFICE

The Speaker instructed the Sergeant at Arms to escort Neal Kirby and Elmira Forner to the rostrum.

Chief Justice Keith Callow administered the oath of office to Mr. Kirby and Ms. Forner. The Speaker and Secretary of State Ralph Munro presented Representatives Kirby and Forner with the certificates of appointment, and they were escorted to their seats in the House Chamber.

ROLL CALL

The Clerk called the roll and all members were present except Representative Locke, who was excused.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4715, by Representatives Ebersole and Ballard

BE IT RESOLVED, That the Speaker appoint a committee of four members of the House to notify the Senate that the House of Representatives is now organized and ready to conduct business.

On motion of Mr. Ebersole, House Floor Resolution No. 90-4715 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of House Floor Resolution No. 90-4715, the Speaker appointed Representatives Anderson, Rasmussen, Tate and Betrozoff to notify the Senate that the House was organized and ready to conduct business.

MESSAGE FROM THE SENATE

January 8, 1990

Mr. Speaker:

The Senate has adopted:

SENATE CONCURRENT RESOLUTION NO. 8428,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

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

INTRODUCTION AND FIRST READING

SCR 8428 by Senators Hayner, Sellar, Vognild and Warnke

Notifying the governor that the legislature is organized and ready to conduct business.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the resolution was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Senate Concurrent Resolution No. 8428 was adopted.

APPOINTMENT OF SPECIAL COMMITTEE

Under the terms of Senate Concurrent Resolution No. 8428, the Speaker appointed Representatives Grant, K. Wilson, Youngsman and Silver to notify the Governor that the Legislature was organized and ready to conduct business.

REPORT OF SPECIAL COMMITTEE FROM SENATE

The Sergeant at Arms announced the arrival of a special committee from the Senate and the speaker instructed him to escort the committee to the bar of the House.

The committee, consisting of Senators Smitherman, West and Metcalf, advised the House that the Senate was organized and ready to conduct business.

The report was received and the special committee was escorted from the House Chamber.

INTRODUCTION AND FIRST READING

HCR 4427 by Representatives Ebersole and Ballard

Providing for the reintroduction of measures introduced during the 1989 legislative session.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the resolution was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

House Concurrent Resolution No. 4427 was adopted.

There being no objection, House Concurrent Resolution No. 4427 was ordered immediately transmitted to the Senate.

REPORT OF SPECIAL COMMITTEE

The special committee appointed under the terms of House Floor Resolution No. 90-4715 appeared at the bar of the House and reported that they had notified the Senate that the House was organized and ready to conduct business.

The report was received and the committee was discharged.

INTRODUCTIONS AND FIRST READING

HCR 4428 by Representatives Ebersole and Ballard

Establishing cutoff dates.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the resolution was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Ebersole spoke in favor of adoption of the resolution.

House Concurrent Resolution No. 4428 was adopted.

There being no objection, House Concurrent Resolution No. 4428 was ordered immediately transmitted to the Senate.

HCR 4426 by Representatives Ebersole and Ballard

Resolving to meet in joint session for the purpose of receiving the State of the State message from the governor.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the resolution was advanced to second reading and read the second time in full.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

House Concurrent Resolution No. 4426 was adopted.

There being no objection, House Concurrent Resolution No. 4426 was ordered immediately transmitted to the Senate.

REPORT OF SPECIAL COMMITTEE

The special committee appointed under the terms of Senate Concurrent Resolution No. 8428 appeared at the bar of the House and reported that they had notified the Governor that the Legislature was organized and ready to conduct business.

The report was received and the committee was discharged.

INTRODUCTIONS AND FIRST READING

HB 2251 by Representatives Dellwo, Winsley, Rector, Betzoff, K. Wilson, Insee, D. Sommers, McLean and Brumsickle

AN ACT Relating to exchanges of interest in vehicles; and amending RCW 46.70.180.

Referred to Committee on Judiciary.

HB 2252 by Representatives Braddock, Prentice, Sayan, Vekich, Brekke, Wineberry, Todd, Nelson, H. Sommers, Cole, Spanel and Scott

AN ACT Relating to health; creating new sections; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 2253 by Representatives Spanel, Jacobsen, Wineberry, Wang, Prentice, Vekich, Braddock and Brekke

AN ACT Relating to the state minimum wage for students at institutions of higher education; and repealing RCW 49.46.025.

Referred to Committee on Commerce & Labor.

HB 2254 by Representative Nelson

AN ACT Relating to the adoption of a state energy code equivalent to the northwest energy code; amending RCW 19.27.040; adding new sections to chapter 19.27 RCW; adding new sections to chapter 19.27A RCW; adding a new section to chapter 80.04 RCW;

creating a new section; repealing RCW 19.27A.010, 19.27A.020, 19.27A.030, and 19.27A.040; providing an effective date; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 2255 by Representatives Rayburn, S. Wilson, D. Sommers, McLean and Forner

AN ACT Relating to the regulatory taking of private property by state government; and adding a new chapter to Title 8 RCW.

Referred to Committee on Judiciary.

HB 2256 by Representatives Rayburn, Wolfe, Anderson, Day, S. Wilson, R. Meyers, Dorn, Leonard, Van Luven, D. Sommers, Nealey, Rector, Ballard, McLean, Brumsickle, Bowman, Smith, Walker, Crane, Cole, Spanel, Forner, Brekke, Kremen, Rasmussen, Scott, K. Wilson, P. King and Wood

AN ACT Relating to the transport of substances in tank vehicles; amending RCW 69.04.210; reenacting and amending RCW 46.63.020; adding a new section to chapter 46.61 RCW; adding a new section to chapter 69.04 RCW; adding a new section to chapter 81.56 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 2257 by Representatives Silver, Padjen, Dorn, Vekich, R. King, Dellwo, Rector, Jacobsen, Basich, Youngsman, Betrozoff and May

AN ACT Relating to recreational and athletic activities in grades K-12; and amending RCW 28A.85.020.

Referred to Committee on Education.

HB 2258 by Representatives Day, R. Fisher, McLean, Grant, Silver, Tate, Schoon, May, Anderson, Wang, Nelson, Dellwo, Rector and P. King; by request of Department of Corrections

AN ACT Relating to sale of products of correctional industries; and amending RCW 72.09.100.

Referred to Committee on Health Care.

HB 2259 by Representatives Todd, Crane, Dorn and Rasmussen

AN ACT Relating to landspreading of sewage sludge; amending RCW 70.95.030 and 70.95.180; adding new sections to chapter 70.95 RCW; and creating new sections.

Referred to Committee on Environmental Affairs.

HB 2260 by Representatives Ferguson, Haugen and Wood

AN ACT Relating to the municipal research council; amending RCW 43.110.010 and 82.44.160; and adding a new section to chapter 43.110 RCW.

Referred to Committee on Local Government.

HB 2261 by Representatives Silver, Prince, Ballard, Youngsman, May, K. Wilson and P. King

AN ACT Relating to acceptance of checks and drafts; amending RCW 62A.3-505; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 2262 by Representative Walker

AN ACT Relating to a bailee's liability to an owner; and amending RCW 63.24.170.

Referred to Committee on Judiciary.

HB 2263 by Representatives Walker, D. Sommers and Brumsickle

AN ACT Relating to employment applications; and adding a new section to Title 49 RCW.

Referred to Committee on Commerce & Labor.

HB 2264 by Representative H. Sommers

AN ACT Relating to correction of double amendments regarding general obligation bonds; and reenacting RCW 43.83A.020, 43.99E.015, 43.99F.020, and 75.48.020.

Referred to Committee on Capital Facilities & Financing.

HB 2265 by Representatives Holland, Peery, Horn, Jones, Brumsickle, Rayburn, Schoon, Phillips, Rasmussen, Dorn, Walker, G. Fisher, Valle, P. King, K. Wilson, Wolfe, Wineberry, Ferguson, Padden, Leonard, Todd, Van Luven, Nealey, Doty, Dellwo, McLean, Bowman, Morris, Smith, Tate, Hine, Youngsman, Forner, Kremen, Cooper, Betrozoff, Pruitt, Basich and Miller

AN ACT Relating to the award for excellence in education program; and amending RCW 28A.03.523.

Referred to Committee on Education.

HB 2266 by Representatives Braddock, Brooks, Ballard, Jacobsen, May, Wolfe, Anderson, Van Luven, D. Sommers, Crane, Brumsickle and Wood; by request of Washington Basic Health Plan

AN ACT Relating to confidentiality of basic health plan records; and adding a new section to chapter 70.47 RCW.

Referred to Committee on Health Care.

HB 2267 by Representatives R. King, Bowman, Haugen, Morris, Sayan, Brumsickle, Vekich, Basich, Raiter, Brooks, Spanel, Smith, Jacobsen, May, S. Wilson, R. Meyers, McLean, Holland, Jones and Kremen; by request of Department of Fisheries

AN ACT Relating to providing financial assistance to regional fisheries enhancement groups; adding new sections to chapter 75.50 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 2268 by Representatives Valle, Holland, G. Fisher, Horn, Phillips, Schoon, May, Wineberry, Anderson, Ferguson, Prentice, Leonard, Bowman, Jones, Rasmussen, Belcher, K. Wilson, P. King and Basich

AN ACT Relating to use of school facilities; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2269 by Representatives Valle, Peery, Schoon, Phillips, Walker, Rayburn, Brumsickle, G. Fisher, Heavey, Jacobsen, Wineberry, Wang, Leonard, R. King, Bowman, Cole, Brekke, Scott and P. King

AN ACT Relating to homeless education grants; creating new sections; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2270 by Representatives Heavey, Ballard, Phillips, Rayburn, Walker, Rasmussen, H. Myers, Todd, Crane, Jacobsen, Wolfe, Ferguson, Day, D. Sommers, Nealey, Doty, Rector, Haugen, Brumsickle, Spanel, Cooper, Silver, K. Wilson and P. King

AN ACT Relating to transportation of food items; adding a new section to chapter 46.37 RCW; adding a new section to chapter 47.01 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 2271 by Representatives Kremen, Scott, Braddock, Spanel and K. Wilson

AN ACT Relating to eligibility for a concealed weapon permit; and reenacting and amending RCW 9.41.070.

Referred to Committee on Judiciary.

HB 2272 by Representatives Leonard, Padden, Todd, Winsley, Anderson, Nutley, Ballard, Rector, May, Inslee, Wolfe, Prentice, D. Sommers, Crane and Wood

AN ACT Relating to mobile home landlords; and amending RCW 59.20.060, 59.20.074, and 60.72.010.

Referred to Committee on Housing.

HB 2273 by Representatives R. King, Walker, Smith and Silver; by request of Board of Industrial Insurance Appeals

AN ACT Relating to attorney's fees before the department of labor and industries and the board of industrial insurance appeals; and amending RCW 51.52.120.

Referred to Committee on Commerce & Labor.

HB 2274 by Representatives Moyer, Sayan, Baugher, Cooper, Bowman, Winsley, Padden, Brumsickle, Rayburn, Smith, Wood, Schoon, May, Day, Doty, Dellwo, Rector, Morris, Basich, Youngsman, Kremen, Rasmussen, Betrozoff, Silver, P. King and Spanel

AN ACT Relating to senior volunteers; creating a new section; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2275 by Representatives Ballard, Wolfe, Ferguson, Chandler, Todd, D. Sommers, Nealey, Horn, McLean, Bowman, Tate, Walker, Youngsman and Betrozoff

AN ACT Relating to limiting issuance of drivers' licenses to persons under eighteen; amending RCW 46.04.480 and 46.20.311; adding new sections to chapter 46.20 RCW; and providing an effective date.

Referred to Committee on Education.

HB 2276 by Representatives Peery, Betrozoff, G. Fisher, Brumsickle, Jones, Holland, Phillips, Horn, McLean, Spanel, P. King and Crane

AN ACT Relating to reorganization of Title 28A RCW; amending RCW 28A.01.020, 28A.01.130, 28A.41.110, 28A.58.750, 28A.58.754, 28A.58.758, 28A.41.130, 28A.41.140, 28A.41.160, 28A.41.160, 28A.41.170, 28A.41.145, 28A.41.150, 28A.41.162, 28A.41.050, 28A.41.053, 28A.41.055, 28A.41.112, 28A.41.175, 28A.13.005, 28A.13.010, 28A.13.020, 28A.13.030, 28A.13.040, 28A.13.045, 28A.13.060, 28A.13.070, 28A.13.080, 28A.03.300, 28A.03.320, 28A.03.367, 28A.24.055, 28A.24.065, 28A.24.111, 28A.24.120, 28A.24.170, 28A.24.172, 28A.24.175, 28A.58.428, 28A.58.133, 28A.41.505, 28A.41.510, 28A.41.515, 28A.41.520, 28A.41.525, 28A.41.540, 28A.41.180, 28A.120.014, 28A.120.016, 28A.120.022, 28A.120.024, 28A.120.026, 28A.120.032, 28A.120.036, 28A.120.050, 28A.120.080, 28A.120.082, 28A.120.084, 28A.120.086, 28A.120.062, 28A.120.064, 28A.120.068, 28A.58.800, 28A.58.802, 28A.58.808, 28A.58.809, 28A.58.810, 28A.16.050, 28A.58.217, 28A.58.765, 28A.58.770, 28A.58.772, 28A.58.774, 28A.58.776, 28A.58.778, 28A.02.240, 28A.27.310, 28A.27.320, 28A.97.010, 28A.97.020, 28A.97.030, 28A.97.040, 28A.97.050, 28A.97.120, 28A.97.125, 28A.97.130, 28A.31.040, 28A.31.050, 28A.31.100, 28A.31.102, 28A.31.104, 28A.31.106, 28A.31.110, 28A.31.112, 28A.31.114, 28A.31.115, 28A.31.116, 28A.31.118, 28A.31.120, 28A.31.130, 28A.31.132, 28A.31.134, 28A.31.136, 28A.31.138, 28A.31.139, 28A.31.142, 28A.31.155, 28A.31.165, 28A.34.020, 28A.34.040, 28A.34.150, 28A.34A.020, 28A.34A.090, 28A.34A.110, 28A.34.110, 28A.34.130, 28A.08.010, 28A.27.010, 28A.27.022, 28A.27.030, 28A.27.040, 28A.27.070, 28A.27.080, 28A.27.090, 28A.27.100, 28A.27.102, 28A.27.104, 28A.27.110, 28A.27.120, 28A.27.130, 28A.27.140, 28A.58.215, 28A.58.225, 28A.58.230, 28A.58.242, 28A.05.005, 28A.58.255, 28A.05.062, 28A.05.064, 28A.02.070, 28A.29.020, 28A.30.030, 28A.30.060, 28A.30.070, 28A.30.080, 28A.58.136, 28A.03.423, 28A.58.082, 28A.03.010, 28A.03.030, 28A.03.375, 28A.03.350, 28A.03.419, 28A.03.425, 28A.03.511, 28A.04.010, 28A.04.020, 28A.04.030, 28A.04.040, 28A.04.050, 28A.04.060, 28A.04.070, 28A.04.080, 28A.04.100, 28A.04.127, 28A.04.176, 28A.04.178, 28A.21.020, 28A.21.030, 28A.21.034, 28A.21.035, 28A.21.040, 28A.21.050, 28A.21.086, 28A.21.088, 28A.21.090, 28A.21.102, 28A.21.105, 28A.21.106, 28A.21.112, 28A.21.113, 28A.21.120, 28A.21.135, 28A.21.136, 28A.21.138, 28A.21.170, 28A.21.200, 28A.21.210, 28A.21.310, 28A.57.010, 28A.57.020, 28A.57.029, 28A.57.032, 28A.57.034, 28A.57.040, 28A.57.050, 28A.57.055, 28A.57.060, 28A.57.070, 28A.57.080, 28A.57.090, 28A.57.110, 28A.57.120, 28A.57.140, 28A.57.195, 28A.57.196, 28A.57.230, 28A.57.245, 28A.57.255, 28A.57.260, 28A.57.280, 28A.57.322, 28A.57.324, 28A.57.328, 28A.57.334, 28A.57.336, 28A.57.342, 28A.57.355, 28A.57.356, 28A.57.357, 28A.57.358, 28A.57.390, 28A.57.410, 28A.57.415, 28A.57.425, 28A.57.435, 28A.57.900, 28A.58.630, 28A.58.107, 28A.58.620, 28A.58.085, 28A.58.090, 28A.58.430, 28A.58.435, 28A.58.441, 28A.58.380, 28A.58.080, 28A.58.120, 28A.59.030, 28A.59.040, 28A.59.060, 28A.59.070, 28A.59.080, 28A.59.110, 28A.59.150, 28A.59.180, 28A.60.010, 28A.60.070, 28A.60.310, 28A.60.328, 28A.58.032, 28A.58.033, 28A.58.034, 28A.58.036, 28A.58.037, 28A.58.040, 28A.58.075, 28A.58.131, 28A.02.110, 28A.58.135, 28A.60.200, 28A.60.210, 28A.60.220, 28A.100.080, 28A.100.082, 28A.100.084, 28A.100.086, 28A.100.088, 28A.100.090,

28A.61.030, 28A.66.010, 28A.66.020, 28A.66.040, 28A.58.137, 28A.58.140, 28A.58.150, 28A.58.201, 28A.58.170, 28A.58.0951, 28A.58.1001, 28A.67.030, 28A.67.035, 28A.67.065, 28A.67.220, 28A.67.225, 28A.67.230, 28A.67.072, 28A.67.073, 28A.67.074, 28A.58.445, 28A.58.450, 28A.58.455, 28A.58.460, 28A.58.470, 28A.58.490, 28A.58.510, 28A.58.515, 28A.67.096, 28A.67.240, 28A.67.900, 28A.58.1003, 28A.70.110, 28A.70.160, 28A.70.170, 28A.70.180, 28A.02.260, 28A.70.402, 28A.70.406, 28A.71.100, 28A.71.110, 28A.65.405, 28A.65.420, 28A.65.425, 28A.65.430, 28A.65.445, 28A.65.450, 28A.65.465, 28A.65.470, 28A.65.480, 28A.65.485, 28A.48.010, 28A.48.030, 28A.48.100, 28A.02.300, 28A.02.310, 28A.47.090, 28A.47.776, 28A.47.777, 28A.47.778, 28A.47.779, 28A.47.780, 28A.47.781, 28A.47.782, 28A.47.783, 28A.47.784, 28A.47.785, 28A.47.786, 28A.47.787, 28A.47.788, 28A.47.789, 28A.47.790, 28A.47.791, 28A.47.792, 28A.47.794, 28A.47.795, 28A.47.796, 28A.47.798, 28A.47.799, 28A.47.7991, 28A.47.801, 28A.47.802, 28A.47.803, 28A.47.804, 28A.47.805, 28A.47.807, 28A.47.808, 28A.47.809, 28A.47.810, 28A.47.811, 28A.47.830, 28A.47.842, 28A.47.843, 28A.47.844, 28A.47.845, 28A.47.846, 28A.47B.010, 28A.47B.020, 28A.47B.040, 28A.47B.050, 28A.47B.060, 28A.47B.070, 28A.47B.080, 28A.51.020, 28A.51.190, 28A.51.200, 28A.52.020, 28A.52.030, 28A.52.060, 28A.52.080, 28A.56.040, 28A.56.060, 28A.56.070, 28A.44.150, 28A.44.160, 28A.44.180, 28A.44.190, 28A.44.200, 28A.44.210, 28A.44.220, 28A.44.230, 28A.58.101, 28A.58.1011, 28A.58.195, 28A.58.820, 28A.58.826, 28A.58.828, 28A.58.125, 28A.67.310, 28A.67.330, 28A.130.010, 28A.130.012, 28A.130.014, 28A.58.642, 28A.58.644, 28A.58.720, 28A.58.722, 28A.03.520, 28A.03.523, 28A.03.529, 28A.03.532, 28A.03.535, 28A.03.538, 28A.02.325, 28A.58.842, 28A.03.438, 28A.120.094, 28A.120.096, 28A.100.025, 28A.100.032, 28A.100.034, 28A.100.036, 28A.100.040, 28A.100.042, 28A.100.044, 28A.100.054, 28A.100.068, 28A.125.020, 28A.125.030, 28A.125.040, 28A.87.010, 28A.87.090, 28A.87.130, 28A.87.135, 28A.87.230, 28A.87.231, 28A.87.232, 28A.87.233, 28A.88.010, 28A.93.010, 28A.93.020, 28A.93.030, 28A.92.010, 28A.92.030, 28A.92.040, 13.04.145, 18.71.030, 18.118.010, 18.120.010, 19.27.080, 19.142.010, 28B.10.025, 28B.15.543, 28B.50.873, 28B.80.245, 28B.80.360, 29.13.020, 29.13.060, 31.12.125, 35.13.125, 35.13.130, 39.33.070, 39.34.030, 41.04.655, 41.32.011, 41.59.935, 41.59.940, 42.23.030, 43.17.205, 43.17.210, 43.19.455, 43.43.845, 43.46.095, 43.63A.066, 43.70.900, 43.79.425, 43.99H.020, 43.230.010, 46.16.035, 46.61.385, 50.44.050, 69.50.435, 71A.20.050, 71A.20.070, 72.01.200, 72.05.130, 72.20.040, 74.09.524, 79.01.774, 84.09.037, 84.33.010, 84.33.020, 84.33.160, and 84.52.0531; reenacting and amending RCW 28A.02.201, 28A.04.120, 28A.58.099, 28A.67.070, 28A.70.040, 28A.58.246, 46.68.124, and 74.09.520; adding a new section to chapter 28A.900 RCW; creating new sections; recodifying Title 28A RCW; and decodifying RCW 28A.04.167, 28A.04.170, 28A.04.172, 28A.04.174, and 28A.70.900.

Referred to Committee on Education.

HB 2277 by Representatives Pruitt, D. Sommers, Rust, Walker, Brekke, Schoon, Valle, Fraser, Phillips, Nelson, Sprenkle, Hine and P. King

AN ACT Relating to air quality; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Environmental Affairs.

HB 2278 by Representatives Walker, Peery, Ebersole, Betrozoff, May, Wolfe, Wineberry, Ferguson, Todd, Van Luven, Doty, Horn, Brumsickle, Tate, Holland, Basich, Spanel, Rasmussen, P. King and Wood

AN ACT Relating to prevention and intervention services for elementary students; adding new sections to Title 28A RCW; creating new sections; and making appropriations.

Referred to Committees on Education/Appropriations.

HB 2279 by Representatives Haugen, Nealey, Ferguson and Jones

AN ACT Relating to the care and delivery of human remains; adding a new section to chapter 68.50 RCW; and repealing RCW 68.50.030.

Referred to Committee on Local Government.

HB 2280 by Representatives Jones, Ferguson, Haugen, Brough, Schoon and Spanel

AN ACT Relating to port districts; amending RCW 53.12.010, 53.12.130, and 53.12.120; adding new sections to chapter 53.12 RCW; adding a new section to chapter 53.04 RCW; creating a new section; and repealing RCW 53.12.020, 53.12.035, 53.12.040, 53.12.044, 53.12.050, 53.12.055, 53.12.057, 53.12.060, 53.12.160, 53.12.172, 53.12.180, 53.12.190, 53.12.200, 53.12.210, and 53.12.220.

Referred to Committee on Local Government.

HB 2281 by Representatives Jones, Brough, Ebersole, Moyer, H. Myers, Padden, Haugen, Sayan, Ferguson, Morris, Rector, Heavey, May, Wolfe, Wineberry, Day, Todd, Van Luven, D. Sommers, Doty, Crane,

Brumsickle, Bowman, Smith, Walker, Holland, Basich, Youngsman, Forner, Kirby, P. King, Wood and Miller

AN ACT Relating to treatment of sex offenders; amending RCW 9.94A.120; adding a new chapter to Title 18 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2282 by Representatives Jones, Sayan, Zellinsky, D. Sommers, Rector, Holland, Anderson, Crane, Inslee, Haugen, Todd, Kremen and Pruitt

AN ACT Relating to funding for county fire marshal programs; and adding new sections to chapter 43.63A RCW.

Referred to Committees on Local Government/Appropriations.

HB 2283 by Representatives Jones, Ferguson, Zellinsky and Haugen

AN ACT Relating to exempting property from execution; and amending RCW 6.15.020.

Referred to Committee on Judiciary.

HB 2284 by Representatives Padden, Tate, Brough, Fuhrman, May, Wolfe, Wineberry, Ferguson, Van Luven, D. Sommers, Nealey, Doty, Dellwo, Rector, Horn, Ballard, Crane, Brumsickle, Bowman, Smith, Walker, Youngsman, Forner, Kirby, Kremen, Silver, P. King, Wood and Miller; by request of Attorney General

AN ACT Relating to crime victim services; amending RCW 43.08.250, 7.68.015, 7.68.020, 7.68.030, 7.68.035, 7.68.050, 7.68.060, 7.68.070, 7.68.075, 7.68.080, 7.68.085, 7.68.090, 7.68.110, 7.68.120, 7.68.125, 7.68.130, 7.68.140, 7.68.145, 7.68.200, 7.68.210, 7.68.220, 7.68.230, 7.68.240, 7.68.250, 7.68.270, 7.68.280, 7.68.290, 70.123.020, 70.123.030, 70.123.040, 70.123.050, 70.123.080, 70.123.090, 70.123.100, 70.123.110, 70.125.030, 70.125.040, 70.125.050, and 70.125.055; adding new sections to chapter 7.68 RCW; creating new sections; decodifying RCW 7.68.160 and 7.68.165; repealing RCW 7.68.100, 7.68.150, and 70.123.060; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2285 by Representatives Ballard, Tate, Baugher, Fuhrman, May, Wolfe, Ferguson, R. Meyers, Dorn, Van Luven, D. Sommers, Nealey, Doty, Horn, McLean, Brumsickle, Bowman, Smith, Walker, Youngsman, Forner, Kirby, Kremen, Betzoff, Silver, Wood and Miller; by request of Attorney General

AN ACT Relating to sentencing of serious or repeat sex offenders; amending RCW 9.94A.120, 9.94A.123, 9.94A.150, 9.94A.210, and 9.94A.390; adding a new chapter to Title 9 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 2286 by Representatives Ballard, Brough, Tate, Baugher, Fuhrman, May, Wolfe, Ferguson, S. Wilson, Van Luven, D. Sommers, Nealey, Doty, Horn, McLean, Brumsickle, Bowman, Smith, Walker, Youngsman, Forner, Kirby, Betzoff, Silver, Wood and Miller; by request of Attorney General

AN ACT Relating to commitment of mentally disordered sexually dangerous persons; amending RCW 71.05.320; reenacting and amending RCW 71.05.020; adding a new chapter to Title 71 RCW; and adding a new section to chapter 71.05 RCW.

Referred to Committee on Judiciary.

HB 2287 by Representatives Tate, Ballard, Baugher, Schoon, Fuhrman, May, Wolfe, Ferguson, S. Wilson, Chandler, Van Luven, D. Sommers, Nealey, Doty, Dellwo, Rector, Horn, McLean, Brumsickle, Bowman, Smith, Walker, Youngsman, Forner, Kirby, Kremen, Silver, P. King, Wood and Miller; by request of Attorney General

AN ACT Relating to registration of sexual offenders; adding a new section to chapter 9A.44 RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter

72.09 RCW; adding a new section to chapter 70.48 RCW; adding a new section to chapter 46.20 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2288 by Representatives H. Sommers, Wood, Rasmussen, Schoon and R. King; by request of Department of Community Development

AN ACT Relating to appropriations for projects recommended by the public works board; creating a new section; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2289 by Representatives Sayan, R. King, Bowman, Haugen, Morris, Brumsickle, Brooks, Spanel, Basich, Smith, Jacobsen, Wineberry, Anderson, Wang, Vekich, Dellwo and P. King; by request of Department of Fisheries

AN ACT Relating to the conservation corps; amending RCW 43.220.070 and 43.220-.230; and creating a new section.

Referred to Committee on Trade & Economic Development.

HB 2290 by Representatives Haugen, R. King, Bowman, Sayan, Basich, Brumsickle, Brooks, Morris, Spanel, S. Wilson, R. Meyers and Cole; by request of Department of Fisheries

AN ACT Relating to the establishment of emerging commercial fisheries through a special harvest permit process; amending RCW 75.08.011; adding new sections to chapter 75.30 RCW; adding a new section to chapter 75.10 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 2291 by Representatives Spanel, Bowman, R. King, Haugen, Brumsickle, Sayan, Basich, Brooks, Morris, S. Wilson and Vekich; by request of Department of Fisheries

AN ACT Relating to commercial sea cucumber fishing; amending RCW 75.30.050; adding a new section to chapter 75.30 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Fisheries & Wildlife.

HB 2292 by Representatives R. King, Bowman, Sayan, Brumsickle, Basich, Brooks, Spanel, Smith, Morris, Day, Jones, Youngsman, Cole, P. King, Wood and Kremen; by request of Department of Fisheries

AN ACT Relating to authorizing family fishing days for food fish and shellfish; creating a new section; and adding a new section to chapter 75.25 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 2293 by Representatives R. King, Bowman, Sayan, Morris, Brumsickle, Basich, Brooks, Spanel, Smith, Day, Leonard, D. Sommers, Youngsman, Cole, P. King and Wood; by request of Department of Fisheries

AN ACT Relating to group fishing permits; amending RCW 75.08.011; adding a new section to chapter 75.25 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Fisheries & Wildlife.

HB 2294 by Representatives R. King, Bowman, Haugen, Morris, Brumsickle, Sayan, Spanel, Basich, Brooks, Smith, S. Wilson and Youngsman; by request of Department of Fisheries

AN ACT Relating to salmon taken in test fishing operations; and amending RCW 75.08.255.

Referred to Committee on Fisheries & Wildlife.

MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

STANDING COMMITTEE ASSIGNMENTS

The Speaker announced the following changes in standing committee assignments:

Representative R. Fisher to serve as Chair of Committee on Transportation;

Representative Kirby to replace Representative Todd on Committee on Local Government, to replace Representative H. Myers on Committee on Agriculture & Rural Development, and to replace Representative Walk on Committee on Trade & Economic Development;

Representative Sayan to replace Representative Bristow on Committee on Human Services and to serve as Chair of the committee.

POINTS OF PERSONAL PRIVILEGE

Ms. Brough: Thank you, Mr. Speaker. I wish to speak for a moment about monsters. We are beginning a new session and a new decade; we are faced with tremendous challenges. We find ourselves here today with one overriding issue. We must protect the citizens of our state from monsters--monsters in the form of sexual predators and violent criminals.

Our solution must include several things. It must include a strong element of the community's right to know. We must provide the law enforcement agencies with immunity so they can disclose the location of monsters loose in our communities. Our solution must also include a comprehensive approach to victims' services. We must care more about the victims of crimes than we care about the monsters who commit crimes, and the proof of our concern must be reflected in the legislation that we pass.

I have another point that I think we must have in our minds as we go into this issue and develop a solution to it, and that is the concern about young children being confronted in the courtroom and serving as witnesses. In my heart I know that there is no way that our forefathers would have ever expected a three-year-old to face a sexual predator in a court of law.

My message and my request today is, as we review these bills and others that will follow, let us remember that we are here to protect innocent citizens in our state. Thank you, Mr. Speaker.

Mr. Ebersole: Thank you, Mr. Speaker. It has become traditional that, on the first day of session, we talk about the need to work on a bipartisan basis, and I wanted to reiterate that here today. During the past two years we have had very productive legislative agendas and sessions. We expect to work cooperatively with our very able colleagues on the other side of the aisle to fashion a bipartisan approach to the many issues facing us, such as the need to rid our streets of sexual predators, to protect children and to address the need for victims' rights. We look forward to fashioning a bipartisan solution to all of those issues, just as we did last session with the omnibus drug bill. We look forward to working with you. We will begin work in earnest in committees today and on the floor tomorrow, and I hope we will have a good session for the people of the state.

Mr. Ballard: Thank you, Mr. Speaker. I would like to join the Majority Leader in saying that we are here to do the people's business with bipartisan effort. As usual there will be a lot of challenging issues. Last session we got over some of those hurdles. We didn't always agree and we probably won't always agree this time, but we will try to disagree in a reasonable manner that will serve the people of Washington well. We look forward to working in a good cooperative effort on a number of vital issues that are, quite frankly, bipartisan in their nature. Thank you very much.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:30 a.m., Tuesday, January 9, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

SECOND DAY

MORNING SESSION

House Chamber, Olympia, Tuesday, January 9, 1990

The House was called to order at 10:30 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Ferguson. On motion of Ms. Miller, Representative Ferguson was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Amy Goldberg and Paul Fankhauser. Prayer was offered by The Reverend Dennis Hartsook, Minister of Saint Mark's Lutheran Church of Olympia.

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

INTRODUCTIONS AND FIRST READING

HB 2295 by Representatives Sayan, Wolfe and Basich

AN ACT Relating to reimbursement to department of social and health services employees for costs related to assaults; and amending RCW 72.01.045.

Referred to Committee on Human Services.

HB 2296 by Representatives Cole, Smith, Vekich, Prince, Leonard, Chandler, Walker, Prentice, Jones, R. King, Jacobsen, McLean, Wolfe and Kirby

AN ACT Relating to business relationships between manufacturers and distributors of agriculture equipment and independent retail dealers; adding new sections to chapter 19.98 RCW; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2297 by Representatives Pruitt, Walker, Rust, D. Sommers, Belcher, Phillips, Van Luvan, R. King, G. Fisher, Valle, Brekke, Fraser and Wineberry

AN ACT Relating to air pollution control authorities; amending RCW 70.94.431; and repealing RCW 70.94.0935.

Referred to Committee on Environmental Affairs.

HB 2298 by Representatives Vekich and Wang; by request of Attorney General

AN ACT Relating to water treatment devices; and adding a new chapter to Title 19 RCW.

Referred to Committee on Commerce & Labor.

HB 2299 by Representatives Crane, Jacobsen, Todd, Heavey, Brekke, P. King and Phillips

AN ACT Relating to the use of telefacsimile messages for commercial solicitation; and adding a new section to chapter 80.36 RCW.

Referred to Committee on Energy & Utilities.

HB 2300 by Representatives Crane, Inslee, Todd, Wineberry, Fraser and Jones

AN ACT Relating to court orders; and amending RCW 26.50.050, 26.50.070, and 10.14.080.

Referred to Committee on Judiciary.

HB 2301 by Representatives Crane, Heavey and Kremen

AN ACT Relating to exemption from execution; and adding a new section to chapter 6.17 RCW.

Referred to Committee on Judiciary.

HB 2302 by Representatives Crane and Heavey

AN ACT Relating to recovery of taxes paid; and amending RCW 84.68.020.

Referred to Committee on Revenue.

HB 2303 by Representatives Crane, Locke, Todd, Fraser, Brough and Rayburn

AN ACT Relating to property tax levies for emergency medical care and services; and amending RCW 84.52.069.

Referred to Committee on Local Government.

HB 2304 by Representatives Crane, Todd, Valle, Bowman, Hine and Brumsickle

AN ACT Relating to environmental quality; adding new sections to chapter 70.93 RCW; adding a new section to chapter 75.25 RCW; adding a new section to chapter 75.28 RCW; adding a new section to chapter 77.32 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 2305 by Representative P. King

AN ACT Relating to law enforcement service districts; and adding a new chapter to Title 36 RCW.

Referred to Committee on Local Government.

HB 2306 by Representative P. King

AN ACT Relating to jury summons; and amending RCW 2.36.095.

Referred to Committee on Judiciary.

HB 2307 by Representative P. King

AN ACT Relating to communications with minors; adding a new section to chapter 26.28 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2308 by Representatives P. King, Scott, R. King, Wood, K. Wilson and S. Wilson

AN ACT Relating to mental health; amending RCW 71.05.230, 71.05.240, 71.05.320, 71.05.390, 71.05.430, 71.05.520, 71.05.525, 71.05.550, 71.05.560, 71.24.025, 71.24.035, 72.23.010, and 72.23.025; reenacting and amending RCW 71.05.020; and creating new sections.

Referred to Committee on Human Services.

HB 2309 by Representatives Haugen, Basich, Sayan, Beck, Todd, Moyer, Cantwell, Baugher, Ebersole, Brooks, Peery, Anderson, Jacobsen and Wineberry

AN ACT Relating to license plates for surviving spouses of deceased former prisoners of war; and amending RCW 73.04.115.

Referred to Committee on Transportation.

HB 2310 by Representatives H. Sommers, Schoon and Rasmussen; by request of State Treasurer

AN ACT Relating to financing contracts; and amending RCW 43.82.010, 84.36.010, and 39.94.020.

Referred to Committee on Capital Facilities & Financing.

HB 2311 by Representatives H. Sommers, Schoon and Rasmussen; by request of State Treasurer

AN ACT Relating to the state fire service training center bond retirement fund; adding a new section to chapter 43.63A RCW; creating a new section; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2312 by Representatives H. Sommers, Schoon and Rasmussen; by request of State Treasurer

AN ACT Relating to investment of state funds; and amending RCW 43.250.020, 43.250.030, 43.250.060, 43.250.070, and 43.84.090.

Referred to Committee on Capital Facilities & Financing.

HB 2313 by Representatives Crane, Todd, Heavey, Scott, Hine, Jacobsen, Fraser, Spanel, Jones and P. King

AN ACT Relating to covered loads on vehicles; and amending RCW 46.61.655.

Referred to Committee on Transportation.

MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker assumed the Chair.

JOINT SESSION

The Sergeant at Arms announced the arrival of the Senate at the bar of the House.

The Speaker instructed the Sergeants at Arms of the House and Senate to escort the President of the Senate, Lieutenant Governor Joel Pritchard, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell and Majority Leader Jeannette Hayner to seats on the rostrum.

The Speaker invited the Senators to seats within the House Chamber.

REMARKS BY THE SPEAKER

The Speaker: It is our pleasure this morning to welcome the members of the Senate. We are looking forward to a wonderful session and a message from the Governor. At this point I would like to turn the gavel over to the President of the Senate, Lieutenant Governor Joel Pritchard.

The Speaker presented the gavel to President Pritchard.

The Secretary of the Senate called the roll of the Senate and all members were present except Senators Fleming, Lee, Owen and Vognilid, who were excused.

The Clerk of the House called the roll of the House and all members were present except Representative Ferguson, who was excused.

The President of the Senate appointed Senators Anderson and Rinehart and Representatives Appelwick and Prince as a special committee to advise His Excellency, Governor Booth Gardner, that the Joint Session had assembled and to escort him from his Chambers to a seat on the rostrum.

The President appointed Senators McMullen, Niemi, Talmadge, Thorsness and Nelson and Representatives G. Fisher, Spanel and Wolfe as a special committee to escort the Supreme Court Justices from the State Reception Room to seats within the House Chamber.

The President appointed Senators Patrick and Smitherman and Representatives Basich and Wood as a special committee to escort the State Elected Officials from the State Reception Room to seats within the House Chamber.

The President of the Senate introduced Governor Booth Gardner.

REMARKS BY THE PRESIDENT

President Pritchard: It is my privilege and high honor to introduce the Governor of the State of Washington, Booth Gardner, to address the Joint Session on the State of the State.

STATE OF THE STATE ADDRESS
BY
GOVERNOR BOOTH GARDNER

Governor Gardner: Mr. President, Mr. Speaker, Mr. Chief Justice, Justices of the Supreme Court, honored elected officials and fellow citizens of the State of Washington:

The future has arrived. Washington has celebrated its centennial and begun its second century. The rest of the country is focusing on the decade ahead as a time to prepare for the twenty-first century. But we in Washington know that a new century of statehood and a promising new age have already begun.

The evidence of these new beginnings is everywhere. Apathy is giving way to a new wave of activism. Greed has become less fashionable than generosity. There is a new willingness to confront and solve problems rather than to retreat behind cynicism and self-interest. But best of all, the simple human values of kindness, honesty and openness have replaced political dogma as the way that we govern. Nothing underscores the arrival of this new future so eloquently as the day last November when we watched the Berlin wall open. In homes across America we shared the joy of millions of Germans, as they danced in the streets half a world away from us. Forty years of silence and separation passed suddenly into history. It was a powerful demonstration of the strength of people who are determined to take the future into their own hands.

As we face the future, we can draw on the lessons of those who dared to dream for more than we thought was possible. We can learn from those who turned barriers into gateways. And we will need to. The countries of eastern Europe will soon become both our allies and our competitors in the growing community of free-world economies. They will join a growing list of nations all over the world that have challenged American products in world markets. We should rejoice in the prosperity of other nations, just as we celebrate freedom in eastern Europe. We should recognize that we have problems today not because we have lost our way, but because other countries have found our way. We have helped to create the world in which we now find ourselves.

Now we must face the fact that this world demands more of us than ever before. To remain competitive in the century ahead, we must recognize that what was good enough in the past will not be good enough in the future. Just like the athletes at the Goodwill Games, which will put Washington State on the world stage this summer, we need to put on our running shoes and get ourselves in shape. Improving our economic performance will require that we strengthen all of our institutions--our schools and our universities, our state and local governments, our social service systems, our industries and our families. And, like the people of eastern Europe, we must work to tear down the walls between our own people in this state, because for us they are not walls made of stone or barbed wire; they are the barriers of homelessness, poverty, addiction, illiteracy and fear. To make those walls crumble we must build a state full of healthy families in safe and healthy communities. We must become a state in which every child is learning and where every adult, who is capable, has access to a good job. And we must create a state where rural and urban communities alike share prosperity, where the environment is protected, and where all citizens feel safe and secure.

In this session of the Legislature we can make substantial progress on this agenda. We have the good fortune of a budget surplus to help us. However, we must ensure that today's windfall does not become tomorrow's debt. Our state's population is growing as fast or faster than our revenues. In times like these, the prudent planner saves a third, spends a third, and invests one-third.

In the budget I have proposed, one-third of the available surplus is invested in meeting the needs of children. Children can't learn if they can't see well enough to read the blackboard or if they have a toothache but cannot afford to go to a dentist. Last session of the Legislature we had the vision to enact a program called First Steps. Now sixteen thousand more young children are receiving health care. Today it is time to take the second step--to extend that coverage to all school-age kids whose families are in poverty. Let's make sure that all our classrooms are full of healthy learners.

Let's also continue to invest in excellence in our schools. Let's make sure that our children graduate from high school knowing more than we knew when we graduated. And most important of all, let's ensure that all of our children graduate--not drop out and not become kids who have already decided they are failures when their lives have scarcely begun. We need to restructure schools, as we have begun to do in the Schools for the Twenty-First Century project. We need to return control to local communities, deregulate and diversify our programs so that we respond to the individual needs of every child. We need parents who are partners with teachers in the education of children. And we need the freedom, as parents, to seek the best educational setting for our children, even if it means crossing school district lines to find it. Americans cherish the right to choose. Families choose the day care centers and the colleges their children attend. Now they would like to choose the public school which is best for them. That is a perfectly reasonable request. No one school can meet the needs of all children. In the last session of the Legislature we enacted a measure that allows students who have dropped out of school, kids who are returning from drug or alcohol treatment, and teen parents to get a fresh start in the school of their choice. Why should we wait until they fail or get in trouble to give them this choice? Every child can learn, and every child should have the right to learn in the public school where they learn best. If a child is failing in school, it is because we are failing that child. And we cannot afford to let any children fail.

Every adult can learn, too. The workforce of the future will require constant training and retraining, and we must build the institutional capacity in our community colleges, our vocational institutes, and yes, even in our public schools, for adult job retraining and skills development. Our job training and retraining programs were adequate in the fifties, in the sixties and in the seventies, but they are not adequate now. That is why I am proposing a year-long, intensive review of our job training programs and pilot programs to test new ways of training world class workers for Washington businesses.

Good workers in good jobs are the foundation of a healthy community. But protecting jobs alone is not enough. We must also protect ourselves and our communities. Protecting our communities means facing problems that are so traumatic that it is still difficult for many of us to talk about them--the problems of sexual predators, child abuse, family violence, and drug and alcohol addiction. The recent past has been full of both despair and dramatic progress on these issues. We despair when we hear of the brutal crimes against the vulnerable. In the Ozzie-and-Harriet fifties, such crimes were not absent; they simply were not discussed. But those days are over. In the language of the family therapist, we have finally gotten over our denial phase. We have made the painful effort to face these problems, to confront their enormity and to express openly our outrage and our anger. This is our version of glasnost, of openness to the truth and to the urgent need to change. Members of the Community Protection Task Force faced these issues with enormous courage and developed recommendations that will be strong medicine in the battle against the disease of violence. When Norm Maleng, Helen Harlow and Ida Balliasotes come to you and ask for your support of the community protection bill, you can only give them one answer. But this bill is not for them alone. It is for all of us. It is for every woman who has ever been attacked; it is for every child who has ever been abused and for every victim who has suffered at the hands of a criminal. It is for all of us--all the citizens of this state who deserve to feel safe in their homes and their communities.

The safety of the public must always be the paramount consideration in decisions about who gets out on our streets. But look at the numbers. Our county jails are bursting at the seams, and thousands more violent offenders are headed for prison. We can't put these people back on the streets. That would be the worst crime. We have no choice but to build more prisons, and we'd better get started right now. We know that, in the long run, building prisons is not a solution to the problem of crime, but for the immediate future it is the necessary response. We need to keep criminals behind bars.

And, we need to show more compassion for their victims. Let's all affirm right now that the victims of crime have a right to recovery and to humane treatment that heals the wounds of fear and grief.

In the long term, ending the scourge of violence requires breaking the cycles of poverty, addiction and family chaos. That's why our budget also calls for more treatment for the addicted and more counseling and mental health services for children and for families that are dysfunctional. All of us need to redouble our efforts to ensure that every child and every family in this state is safe and secure; that every child and every family live in circumstances that promote good health and good values.

However, protecting ourselves from the symptoms of poverty isn't enough; we must protect ourselves from the economic conditions that make poverty inevitable. We know that we must protect our natural heritage and that some of our forests have been cut at a rate which is no longer sustainable. But no humane person wants to save the forests by driving the families that depend on those forests into poverty. We cannot solve the timber crisis by confronting one another in court or by organizing angry demonstrations. In the long term all of us want the same thing--sustainable communities in a sustainable environment. To build that essential agreement, I am working closely with the Public Lands Commissioner and our congressional delegation to protect both our forests and the economic health of the communities that depend on those forests.

I have also proposed measures to protect our wetlands, to purchase old growth forests from the school trust, and to make a long-term commitment to the strongest possible protection of Puget Sound water quality. As more and more people move to Washington State, protecting our environment becomes more and more challenging. We must meet that challenge by managing growth instead of arguing about it. All the doctors in the world won't be able to keep our children healthy if the air is polluted, the drinking water contaminated, or if the land will not sustain our needs for food and housing.

While the needs of our children and grandchildren must remain paramount in our plans for the future, there is something which we can do for ourselves. And that is to fix a transportation system that has kept so many of us stuck for too long on our freeways. Those of us who must show up for work on time every morning and get home to our families at night need a break. And we can't wait until the next century. Our new approach to transportation planning recognizes the realities of population growth and the need to plan for it. It makes no sense to keep building more highways when the population is growing faster than we can build on-ramps. It makes even less sense to let our highways and bridges deteriorate, as we have been doing the past few years. We need additional revenue to repair and maintain existing roads and bridges, to develop better mass transit systems and to coordinate planning, so that growth, environmental protection and transportation fit together like the pieces of a puzzle. To prevent hardening of the arterials of our state's circulatory system, we need to change our transportation diet. That is a problem that will not be solved in a year, but this has to be the year that we begin to solve the problem.

It also has to be the year that we don't shoot ourselves in the foot just because we have a one-time six-hundred-million-dollar surplus. We know that to maintain existing levels of government service will cost an additional one and a half billion dollars or more in the next biennium. Every child in Washington needs a school, a home and a street to get from one to the other. Every business in Washington needs skilled workers and managers, a transportation system to get their products to market, and government services that are efficient and accessible. That is why I am continuing our efforts to find ways to save money and to make state government more efficient. The Efficiency Commission and suggestions from state employees have saved this state millions of dollars. But it is no time to rest on our laurels. We need to save more, and we need to be more productive. To be more productive we need to attract, train and retain the very best state employees. You will have legislation before you to address this need. And to save more we need a shared commitment to put some of this budget surplus away. I am going to be difficult to satisfy on this score only because I want Washington State to be a national model of prudence and productivity. And I want us to have a substantial cushion in the bank. To be as blunt as possible, at least one third of today's surplus will still be in the bank when this session of the Legislature is over.

As Washington begins its second century as a state, we are blessed with natural abundance and economic health. We are blessed with people who care about one another and we are blessed with communities that pull together. When we think of what we have achieved here in the last century, it fuels our optimism for the next one. As we begin the next century together, let's embrace the future. Let's take the future into our hands and shape it for the benefit of all the citizens of the State of Washington. We can share in better times if we resolve now to lead rather than follow, to plan rather than react, to conserve rather than squander and to nurture rather than neglect.

If the events of the past year have taught us only one thing, let it be that we can achieve what used to seem beyond our grasp. Our persistence will pay off, just as it has for the people of eastern Europe. Moral, political and economic progress is within our reach, if only we have faith in each other and faith in ourselves and a commitment to create a future that every citizen in this state can share.

Thank you very much.

The President of the Senate instructed the special committee to escort Governor Gardner to his Chambers.

The President instructed the special committee to escort the State Elected Officials from the House Chamber.

The President instructed the special committee to escort the Supreme Court Justices from the House Chamber.

MOTION

On motion of Mr. Ebersole, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker.

The Speaker instructed the Sergeants at Arms of the House and Senate to escort the President of the Senate, Lieutenant Governor Joel Pritchard, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell, Majority Leader Jeannette Hayner and members of the Washington State Senate from the House Chamber.

REPORTS OF STANDING COMMITTEES

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|------------------|---|-----------------|
| | | January 9, 1990 |
| <u>ESHB 1037</u> | Prime Sponsor, Committee on Fisheries & Wildlife: Creating the marine fish enhancement research program. Reported by Committee on Rules | |
| | Rereferred to Committee on Fisheries & Wildlife. | |
| | | January 9, 1990 |
| <u>EHB 1055</u> | Prime Sponsor, Representative R. Fisher: Financing fire protection for state-owned buildings. Reported by Committee on Rules | |
| | Rereferred to Committee on State Government. | |
| | | January 9, 1990 |
| <u>HB 1096</u> | Prime Sponsor, Representative Appelwick: Recording of federal liens. Reported by Committee on Rules | |
| | Rereferred to Committee on Judiciary. | |
| | | January 9, 1990 |
| <u>HB 1107</u> | Prime Sponsor, Representative Pruitt: Concerning citizenship education. Reported by Committee on Rules | |
| | Rereferred to Committee on Education. | |
| | | January 9, 1990 |
| <u>EHB 1109</u> | Prime Sponsor, Representative O'Brien: Dealing with voter registration for high school students. Reported by Committee on Rules | |
| | Rereferred to Committee on Education. | |

- January 9, 1990
- EHB 1129 Prime Sponsor, Representative R. Fisher: Implementing voter registration by mail. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 9, 1990
- HB 1156 Prime Sponsor, Representative Holland: Clarifying provisions relating to eighteen year old high school students' residence for the purpose of school assignment. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- EHB 1158 Prime Sponsor, Representative Holland: Repealing the expiration of the Washington school directors' association. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- EHB 1172 Prime Sponsor, Representative Belcher: Revising requirements for natural resources conservation areas. Reported by Committee on Rules
Rereferred to Committee on Natural Resources & Parks.
- January 9, 1990
- EHB 1222 Prime Sponsor, Representative G. Fisher: Providing for containment of waste. Reported by Committee on Rules
Rereferred to Committee on Environmental Affairs.
- January 9, 1990
- SHB 1280 Prime Sponsor, Committee on Natural Resources & Parks: Modifying requirements of marine geologic explorations. Reported by Committee on Rules
Rereferred to Committee on Natural Resources & Parks.
- January 9, 1990
- HB 1281 Prime Sponsor, Representative Belcher: Providing property tax relief for mineral production. Reported by Committee on Rules
Rereferred to Committee on Revenue.
- January 9, 1990
- HB 1285 Prime Sponsor, Representative Prince: Regarding services and activities fee programs. Reported by Committee on Rules
Rereferred to Committee on Higher Education.
- January 9, 1990
- ESHB 1291 Prime Sponsor, Committee on Natural Resources & Parks: Designating additional components of the scenic river system. Reported by Committee on Rules
Rereferred to Committee on Natural Resources & Parks.
- January 9, 1990
- SHB 1293 Prime Sponsor, Committee on Trade & Economic Development: Revising provisions for the community economic revitalization board. Reported by Committee on Rules
Rereferred to Committee on Trade & Economic Development.
- January 9, 1990
- ESHB 1294 Prime Sponsor, Committee on Trade & Economic Development: Establishing the Washington employment futures program. Reported by Committee on Rules
Rereferred to Committee on Trade & Economic Development.

- HB 1300 Prime Sponsor, Representative Vekich: Repealing worker liability for industrial insurance medical aid fund premiums. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Commerce & Labor.
- HB 1338 Prime Sponsor, Representative Cole: Regulating passing school buses. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Education.
- ESHB 1392 Prime Sponsor, Committee on Natural Resources & Parks: Enacting the wetland management act of 1989. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Natural Resources & Parks.
- HB 1394 Prime Sponsor, Representative Rayburn: Revising irrigation district bidding requirements. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Agriculture & Rural Development.
- SHB 1405 Prime Sponsor, Committee on Capital Facilities & Financing: Regarding building fees for higher education. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Capital Facilities & Financing.
- EHB 1406 Prime Sponsor, Representative Cole: Establishing the school and educational service district pay equity and job analysis assessment project. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Education.
- HB 1439 Prime Sponsor, Representative Todd: Allowing suspension of student with deadly weapon. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Education.
- HB 1448 Prime Sponsor, Representative Jacobsen: Providing for the expenditure of surcharges assessed on radioactive waste disposal. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Energy & Utilities.
- HB 1465 Prime Sponsor, Representative R. Meyers: Making technical corrections in driver and vehicle licensing laws. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Transportation.
- SHB 1495 Prime Sponsor, Committee on Trade & Economic Development: Establishing a business and job retention program. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Trade & Economic Development.
- HB 1498 Prime Sponsor, Representative Belcher: Changing provisions relating to the comprehensive guide to public parks and recreation sites prepared by the interagency committee for outdoor recreation. Reported by Committee on Rules
January 9, 1990
Rereferred to Committee on Natural Resources & Parks.

- January 9, 1990
- SHB 1509 Prime Sponsor, Committee on State Government: Creating a Recognition day. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 9, 1990
- HB 1535 Prime Sponsor, Representative Pruitt: Directing vehicle insurance rates to consider etching of vehicle identification numbers into the vehicles' windows. Reported by Committee on Rules
Rereferred to Committee on Financial Institutions & Insurance.
- January 9, 1990
- HB 1575 Prime Sponsor, Representative H. Sommers: Modifying school district funding. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- EHB 1579 Prime Sponsor, Representative R. Fisher: Allowing state agencies to charge interest on debts. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 9, 1990
- SHB 1601 Prime Sponsor, Committee on Appropriations: Establishing a school breakfast program. Reported by Committee on Rules
Referred to Committee on Education.
- January 9, 1990
- REHB 1648 Prime Sponsor, Representative R. King: Regulating commercial crab fishing in coastal waters. Reported by Committee on Rules
Rereferred to Committee on Fisheries & Wildlife.
- January 9, 1990
- HB 1653 Prime Sponsor, Representative Appelwick: Regulating credit agreements. Reported by Committee on Rules
Rereferred to Committee on Judiciary.
- January 9, 1990
- ESHB 1663 Prime Sponsor, Committee on Housing: Enacting the farmworker housing act. Reported by Committee on Rules
Rereferred to Committee on Housing.
- January 9, 1990
- EHB 1673 Prime Sponsor, Representative Wang: Changing provisions relating to abuse of teachers. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- SHB 1688 Prime Sponsor, Committee on Natural Resources & Parks: Changing lease and contract requirements for tidelands, shorelands, and beds of navigable waters. Reported by Committee on Rules
Rereferred to Committee on Natural Resources & Parks.
- January 9, 1990
- EHB 1724 Prime Sponsor, Representative Prentice: Establishing criteria for state highway designation. Reported by Committee on Rules
Rereferred to Committee on Transportation.
- January 9, 1990
- SHB 1741 Prime Sponsor, Committee on Appropriations: Revising the eleventh grade assessment. Reported by Committee on Rules
Referred to Committee on Education.

- January 9, 1990
- HB 1742 Prime Sponsor, Representative G. Fisher: Providing for annual leave for employees of educational service districts. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- SHB 1814 Prime Sponsor, Committee on Appropriations: Creating the cultural diversity in-service training program for teachers. Reported by Committee on Rules
Referred to Committee on Education.
- January 9, 1990
- HB 1820 Prime Sponsor, Representative Spanel: Authorizing a ballot proposition to increase the number of port commissioners. Reported by Committee on Rules
Rereferred to Committee on Local Government.
- January 9, 1990
- HB 1851 Prime Sponsor, Representative Haugen: Authorizing commercial harvesting in emerging fisheries. Reported by Committee on Rules
Rereferred to Committee on Fisheries & Wildlife.
- January 9, 1990
- EHB 1865 Prime Sponsor, Representative Brough: Limiting class size in grades kindergarten through three. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- EHB 1881 Prime Sponsor, Representative Rayburn: Modifying allowable compensation for irrigation district directors. Reported by Committee on Rules
Rereferred to Committee on Agriculture & Rural Development.
- January 9, 1990
- HB 1882 Prime Sponsor, Representative Rayburn: Authorizing irrigation districts to utilize public utility easements. Reported by Committee on Rules
Rereferred to Committee on Agriculture & Rural Development.
- January 9, 1990
- ESHB 1883 Prime Sponsor, Committee on Fisheries & Wildlife: Requiring the department of ecology to adopt guidelines to be used by local governments in the regulation of aquaculture. Reported by Committee on Rules
Rereferred to Committee on Fisheries & Wildlife.
- January 9, 1990
- SHB 1911 Prime Sponsor, Committee on Local Government: Revising and adding provisions on special districts. Reported by Committee on Rules
Rereferred to Committee on Local Government.
- January 9, 1990
- HB 1929 Prime Sponsor, Representative Pruitt: Defining the terms "lobby" and "lobbying" for the purposes of the public disclosure law. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 9, 1990
- HB 1939 Prime Sponsor, Representative Haugen: Allowing advertising in department of fisheries' publications. Reported by Committee on Rules
Rereferred to Committee on Fisheries & Wildlife.

- January 9, 1990
- HB 1942 Prime Sponsor, Representative Sprengle: Establishing the workplace clean air act. Reported by Committee on Rules
Rereferred to Committee on Environmental Affairs.
- January 9, 1990
- HB 1978 Prime Sponsor, Representative Jacobsen: Revising provisions for application of the state building code. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 9, 1990
- HB 1995 Prime Sponsor, Representative Nelson: Creating the oil heat commission. Reported by Committee on Rules
Rereferred to Committee on Energy & Utilities.
- January 9, 1990
- HB 2008 Prime Sponsor, Representative R. Fisher: Revising laws on ballots and voting systems. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 9, 1990
- ESHB 2023 Prime Sponsor, Committee on Trade & Economic Development: Providing for technology development and commercialization. Reported by Committee on Rules
Rereferred to Committee on Trade & Economic Development.
- January 9, 1990
- EHB 2059 Prime Sponsor, Representative Sayan: Creating the Washington hardwoods commission. Reported by Committee on Rules
Rereferred to Committee on Trade & Economic Development.
- January 9, 1990
- HB 2068 Prime Sponsor, Representative Sayan: Revising provisions for deposit of moneys from surplus school property. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- ESHB 2084 Prime Sponsor, Committee on State Government: Establishing the Washington state commission on African-American affairs within the office of the Governor. Reported by Committee on Rules
Rereferred to Committee on State Government.
- January 9, 1990
- ESHB 2140 Prime Sponsor, Committee on Trade & Economic Development: Establishing the Washington state growth strategies commission. Reported by Committee on Rules
Rereferred to Committee on Trade & Economic Development.
- January 9, 1990
- HB 2149 Prime Sponsor, Representative Appelwick: Revising levy reduction fund calculation. Reported by Committee on Rules
Rereferred to Committee on Education.
- January 9, 1990
- HB 2205 Prime Sponsor, Representative Todd: Relating to aircraft fuel taxes. Reported by Committee on Rules
Rereferred to Committee on Revenue.
- January 9, 1990
- HB 2215 Prime Sponsor, Representative Holland: Dedicating sales and use taxes on candy and sweets for financing public school and higher education construction. Reported by Committee on Rules

Rereferred to Committee on Capital Facilities & Financing.

SHJM 4017 Prime Sponsor, Committee on Fisheries & Wildlife: Asking Congress to direct the army corps of engineers to construct fish bypass facilities on the Columbia River. Reported by Committee on Rules

January 9, 1990

Rereferred to Committee on Fisheries & Wildlife.

HJR 4210 Prime Sponsor, Representative H. Sommers: Authorizing school districts to modify tax levies for enhancement of education when authorized by the legislature. Reported by Committee on Rules

January 9, 1990

Rereferred to Committee on Education.

HCR 4407 Prime Sponsor, Representative Nelson: Creating a joint select committee on seismic events. Reported by Committee on Rules

January 9, 1990

Rereferred to Committee on Energy & Utilities.

HCR 4410 Prime Sponsor, Representative Belcher: Creating a joint select committee on employee compensation. Reported by Committee on Rules

January 9, 1990

Rereferred to Committee on State Government.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolutions listed on today's committee reports under the fifth order of business were rereferred to the committees so designated.

MESSAGES FROM THE SENATE

January 8, 1990

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4426,

HOUSE CONCURRENT RESOLUTION NO. 4427,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

January 8, 1990

Mr. Speaker:

The President has signed:

SENATE CONCURRENT RESOLUTION NO. 8428,

and the same is herewith transmitted.

Gordon a. Golob, Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

HOUSE CONCURRENT RESOLUTION NO. 4426,

HOUSE CONCURRENT RESOLUTION NO. 4427,

SENATE CONCURRENT RESOLUTION NO. 8428.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 10, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRD DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, January 10, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Belcher, Bowman, Dellwo, Hine and Mr. Speaker. On motion of Ms. Cole, Representatives Belcher, Dellwo, Hine and Mr. Speaker were excused. On motion of Ms. Miller, Representative Bowman was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Marie Saltwick and Matt Croft. Prayer was offered by The Reverend Dennis Hartsook, Minister of Saint Mark's Lutheran Church of Olympia.

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

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced the 1989 Capital Lakefair Queen, Miss Inge Schenck, who was accompanied by Mr. Don Sanders, 1990 Capital Lakefair President; Mr. Ron Walters, Chairman, Capital Lakefair Royalty Committee; Ms. Kayren Walters, Co-Chairman, Capital Lakefair Royalty Committee; Mr. and Mrs. Norman Schenck; and Mr. George Yantis, Official Lakefair Photographer. Queen Inge extended a welcome to the members of the House of Representatives.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4716, by Representatives Brough, Schoon, Hine and G. Fisher

WHEREAS, It is the policy of the Legislature to recognize excellence in all fields of endeavor; and

WHEREAS, The Thomas Jefferson High School Girls' Soccer Team captured the Class AAA state high school championship this fall; and

WHEREAS, The Thomas Jefferson Raiders continued to fight in the face of two losses and captured the third berth in the state tourney; and

WHEREAS, The Raiders successfully came from behind in all four state tournament games to win them all; and

WHEREAS, Perseverance in the face of adversity is the essence of the American way; and

WHEREAS, Head Coach Nelson Garcia guided the team and encouraged them never to give up; and

WHEREAS, The Thomas Jefferson High School student body and faculty rallied to the team's efforts; and

WHEREAS, The seventeen members of the team pulled together exemplifying cooperative endeavor and team spirit; and

WHEREAS, Jessie Casbere, Darcy Neil, Leah McGregor, Midori Turner, Lisa Bauner, Cacey Zimmer, Darcy Alderman, Karey Hinkson, Karina Wolanski, Julie Klungness, Jolene Hering, Carrie Byrum, Jennifer McDermott, Gina Mobley, Monique James and Karalee Aderson put forth their best efforts in every game;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives congratulate the Thomas Jefferson High School Raiders' girls' soccer team members and their coaching staff for their great success; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to Nelson Garcia, Head Coach of the Thomas Jefferson Raiders.

Ms. Brough moved adoption of the resolution. Representatives Brough and Schoon spoke in favor of adoption of the resolution.

House Floor Resolution No. 90-4716 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Mr. Eugene K. Lawson, first Chairman and Vice President of the Export-Import Bank of the United States. Mr. Lawson briefly addressed the members of the House of Representatives.

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

INTRODUCTIONS AND FIRST READING

HB 2314 by Representatives R. Meyers, Schmidt, Vekich, Zellinsky, Pruitt and Sayan

AN ACT Relating to Kitsap county superior court judicial positions; amending RCW 2.08.062; creating new sections; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

HB 2315 by Representatives R. Meyers, Belcher, Vekich, Brumsickle, Zellinsky, Sayan, Fraser and Pruitt

AN ACT Relating to superior courts; amending RCW 2.08.062 and 2.08.065; and creating a new section.

Referred to Committees on Judiciary/Appropriations.

HB 2316 by Representatives Zellinsky, Schmidt, Dellwo, Anderson, S. Wilson, Haugen, Kremen, Vekich, R. Meyers, Dorn, Baugher, Jesernig, Jacobsen, Crane, K. Wilson, May, Wang, Silver, Cooper, Van Luven, Inslee and Kirby

AN ACT Relating to automobile liability insurance; and adding a new section to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2317 by Representatives Zellinsky, Schmidt, Heavey, S. Wilson, Kremen, Dellwo, Vekich and Sayan

AN ACT Relating to an exemption from sales tax on motor vehicles for military personnel; and amending RCW 82.08.0264.

Referred to Committee on Revenue.

HB 2318 by Representatives Valle, Berozoff, Peery, Walker, G. Fisher, Brumsickle, Rector, Ferguson, Brekke, Cole, Rayburn, Basich, Jacobsen, Winsley, Schoon, K. Wilson and H. Myers

AN ACT Relating to dropouts; adding new sections to Title 28A RCW; and creating a new section.

Referred to Committees on Education/Appropriations.

HB 2319 by Representatives Haugen, Peery, Fraser, Dorn, Prince, Berozoff, Jacobsen and Winsley

AN ACT Relating to the federal student exchange-visitor program; and adding new sections to Title 28A RCW.

Referred to Committee on Education.

HB 2320 by Representatives Haugen, Ferguson, Spanel, Kremen, Raiter, Cooper, Rasmussen and Dorn

AN ACT Relating to the financing of flood control projects; and amending RCW 86.26.040, 86.26.050, 86.26.060, 86.26.070, 86.26.090, 86.26.100, and 86.26.105.

Referred to Committee on Local Government.

HB 2321 by Representatives Haugen, S. Wilson, Morris, Spanel and Schoon

AN ACT Relating to floating finfish net pens; adding new sections to Title 79 RCW; and creating new sections.

Referred to Committee on Fisheries & Wildlife.

HB 2322 by Representatives Haugen, S. Wilson, Spanel and Zellinsky

AN ACT Relating to the taxation of cultured mussels; and amending RCW 82.27.020.

Referred to Committee on Revenue.

HB 2323 by Representatives Pruitt, Sprengle, Silver, Phillips, Morris, R. Fisher, G. Fisher, Rayburn, Brumsickle, Fraser, Anderson, H. Myers, Rust, R. Meyers, Dorn, Rector, Basich, Kremen, Todd, Winsley, Schoon, Wolfe, Cooper, Insee and Kirby

AN ACT Relating to government accountability; amending RCW 28A.100.017; creating new sections; making appropriations; and declaring an emergency.

Referred to Committees on State Government/Appropriations.

HB 2324 by Representatives Pruitt, P. King, Heavey, Ferguson, Kremen, Crane, Wolfe, Silver and Kirby

AN ACT Relating to the registration of sexual offenders; adding a new chapter to Title 9A RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2325 by Representatives Phillips, Rayburn, Walker, Heavey, Fraser, Miller, Rust, Valle, Pruitt, Rector, R. Meyers, Ferguson, Sayan, R. Fisher, Spanel, Morris, Holland, Braddock, Leonard, Dorn, Jones, Jacobsen, Kremen, Todd, Winsley, Silver and Rasmussen

AN ACT Relating to the transport of substances in commercial motor vehicles; adding a new section to chapter 43.70 RCW; adding a new section to chapter 43.20 RCW; and prescribing penalties.

Referred to Committee on Health Care.

HB 2326 by Representatives Morris, Nutley, Holland, H. Myers, Cooper, Peery, Grant, Haugen, Appelwick, Fraser and Brumsickle

AN ACT Relating to the leasehold excise tax; and amending RCW 35.21.755.

Referred to Committee on Revenue.

HB 2327 by Representatives Silver, H. Sommers, Schoon, Holland, McLean, Fuhrman and Smith; by request of Legislative Budget Committee

AN ACT Relating to sunset review; amending RCW 43.131.010, 43.131.050, 43.131.343, 43.131.344, and 18.74.012; recodifying RCW 43.131.343 and 43.131.344; and repealing RCW 67.70.900, 43.131.256, 43.131.269, 43.131.270, 43.131.315, 43.131.316, 43.131.339, 43.131.345, and 43.131.346.

Referred to Committee on State Government.

HB 2328 by Representatives H. Sommers, Schoon, Holland, Silver, Rector, Crane and Fuhrman; by request of Legislative Budget Committee

AN ACT Relating to sunset review; amending RCW 43.131.010, 43.131.050, 43.131.301, 43.131.302, 43.131.303, and 43.131.304; adding new sections to chapter 18.06 RCW; adding new sections to chapter 43.131 RCW; adding new sections to chapter 53.31 RCW; adding new sections to chapter 67.16 RCW; recodifying RCW 43.131.301, 43.131.302, 43.131.303, 43.131.304, 43.131.359, and 43.131.360; repealing RCW 18.06.900, 18.06.901, 19.118.901, 28A-.61.900, 53.31.900, 67.16.240, and 43.131.256; and repealing section 9, chapter 387, Laws of 1987 (uncodified).

Referred to Committee on State Government.

HB 2329 by Representatives H. Sommers, Silver, Holland, Rector, Crane and Fuhrman; by request of Legislative Budget Committee

AN ACT Relating to sunset review; amending RCW 43.131.319, 43.131.323, 43.131.351, 43.131.352, 43.131.357, and 43.131.358; adding a new section to chapter 18.83 RCW; recodifying RCW 43.131.319, 43.131.320, 43.131.323, 43.131.351, 43.131.352, 43.131.357, and 43.131.362; and repealing RCW 43.131.331, 43.131.332, 43.131.361, and 43.131.362.

Referred to Committee on State Government.

HB 2330 by Representatives Haugen, Ferguson, Cooper, Wang, Raiter, Horn, Zellinsky, Jones, Brumsickle, Basich, Kremen, McLean, Todd, Nealey, Ballard, Morris and Kirby

AN ACT Relating to the taxation authority of junior taxing districts; amending RCW 84.52.043, 70.44.060, 35.61.210, and 84.52.010; and repealing RCW 84.52.100.

Referred to Committees on Local Government/Revenue.

HB 2331 by Representatives H. Myers, Peery, Betzoff, Jacobsen, Brumsickle, Pruitt, Rector, Spanel, Cooper, Phillips, Rayburn, Jones, Basich, Crane, Winsley, Schoon and Wang

AN ACT Relating to teacher preparation on issues of abuse; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2332 by Representatives Bowman, Brumsickle, Schmidt, R. Meyers, Betzoff, R. Fisher, Wood and Silver

AN ACT Relating to transportation planning; and amending section 65, chapter 6, Laws of 1989 1st ex. sess. (uncodified).

Referred to Committee on Transportation.

HB 2333 by Representatives Rasmussen, Rayburn, Kremen, Moyer, McLean, Bowman, Dorn, Spanel, Rust, Jesernig, Rector, Youngsman and Kirby

AN ACT Relating to the impact of disposing of wastes in agricultural areas; creating a new section; and making an appropriation.

Referred to Committees on Agriculture & Rural Development/ Appropriations.

HB 2334 by Representatives Ferguson, Appelwick, Haugen, Jones, Phillips, May, R. Meyers, Hargrove, Heavey, Holland, Winsley, D. Sommers, Wolfe, Fuhrman, Tate, Youngsman, Rasmussen and Raiter

AN ACT Relating to changing the blood and breath alcohol content standards for intoxication for those persons under the age of twenty-one; and amending RCW 46.61.502, 46.61.504, 46.61.506, 9.41.098, and 88.02.095.

Referred to Committee on Judiciary.

HB 2335 by Representatives Silver, R. Fisher, Prince, Anderson, McLean, Pruitt, Smith, Hankins, Rector, Jacobsen, Winsley, Schoon, Wolfe, Fraser and Kirby

AN ACT Relating to cemeteries; amending RCW 68.04.040; adding a new chapter to Title 68 RCW; recodifying RCW 68.05.420; repealing RCW 68.05.410; and prescribing penalties.

Referred to Committee on State Government.

HB 2336 by Representatives O'Brien, Wineberry, Anderson, Rector, Jones, Baugher, Hargrove, P. King, Ferguson, Jacobsen, Crane, Winsley, Schoon, Wolfe, Locke and Silver

AN ACT Relating to manufacture, sale, or delivery of controlled substances; and amending RCW 69.50.435.

Referred to Committee on Judiciary.

HB 2337 by Representatives Cole, Walker, Vekich, Prentice, Ferguson, P. King, Rector and Winsley

AN ACT Relating to privacy of collective bargaining sessions; and amending RCW 42.30.140.

Referred to Committee on Commerce & Labor.

- HB 2338** by Representatives Appelwick, R. Meyers, Crane and May
AN ACT Relating to mandatory arbitration; and reenacting and amending RCW 7.06.020.
Referred to Committee on Judiciary.
- HB 2339** by Representatives Brough, Nutley, Winsley, Leonard, R. King, Jacobsen, Todd, Crane and K. Wilson
AN ACT Relating to mobile home parks; and amending RCW 59.20.070.
Referred to Committee on Housing.
- HB 2340** by Representatives R. Meyers, Schmidt, Zellinsky, Jones, Hargrove, Rector, Winsley and Rasmussen
AN ACT Relating to the fraudulent installation of fire protection sprinkler systems; adding a new section to chapter 9.45 RCW; and prescribing penalties.
Referred to Committee on Judiciary.
- HB 2341** by Representatives R. Meyers, Schmidt, Zellinsky, Jones, Rector, Baugher, Hargrove, Basich, Jesernig, Winsley, Schoon and Kirby
AN ACT Relating to tampering with fire protection equipment; amending RCW 9.40.100; and prescribing penalties.
Referred to Committee on Judiciary.
- HB 2342** by Representatives Vekich, Zellinsky, R. King, Cole, Schmidt, Leonard, Winsley, Prentice, Ferguson, Sayan and Jones
AN ACT Relating to fire protection sprinkler systems; adding a new chapter to Title 18 RCW; creating a new section; and providing an effective date.
Referred to Committee on Commerce & Labor.
- HB 2343** by Representatives Fraser, Holland, Wang, Horn and May; by request of Department of Revenue
AN ACT Relating to tax information and the secrecy clause; and amending RCW 82.32.330.
Referred to Committee on Revenue.
- HB 2344** by Representatives Wang, Holland, Horn, Grant, Schoon, Van Luvan and Phillips; by request of Department of Revenue
AN ACT Relating to the payment of taxes by electronic funds transfer; amending RCW 82.32.080; adding a new section to chapter 82.32 RCW; and providing an effective date.
Referred to Committee on Revenue.
- HB 2345** by Representatives Basich, Holland, Haugen, Wang, Horn, R. King and Hargrove; by request of Department of Revenue
AN ACT Relating to remittance of taxes for enhanced food fish; and amending RCW 82.27.060.
Referred to Committee on Revenue.
- HB 2346** by Representatives Jacobsen, Appelwick, Jones and Prentice
AN ACT Relating to the veterans affairs advisory committee; and amending RCW 43.60A.080.
Referred to Committee on State Government.
- HB 2347** by Representatives Wang, Holland, Horn, Phillips, Brumsickle, Schoon, Wolfe and Fuhrman; by request of Department of Revenue
AN ACT Relating to unstamped cigarettes; amending RCW 82.24.030, 82.24.040, 82.24.050, 82.24.110, 82.24.130, and 82.24.250; and declaring an emergency.
Referred to Committee on Revenue.
- HB 2348** by Representatives Rector, Schoon, Cantwell, Prince, Doty, Pruitt, Rayburn, R. Meyers, Dorn, Jones, Wineberry, Kremen, Todd,

Winsley, Walker, Wang, Cooper, Brough, H. Myers, Rasmussen and Phillips; by request of Governor Gardner

AN ACT Relating to investment in human capital; creating new sections; providing an expiration date; and declaring an emergency.

Referred to Committees on Trade & Economic Development/ Appropriations.

HB 2349 by Representatives R. Meyers, Schmidt, Inslee, Rector, Pruitt, R. King, Holland, Kremen, McLean, Crane, Winsley, Schoon, K. Wilson, Locke, Brough, Miller, Van Luven, H. Myers and Kirby; by request of Washington State Patrol

AN ACT Relating to adoption of rules regarding DNA identification; amending RCW 43.43.758; adding a new section to chapter 43.43 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2350 by Representatives R. Meyers, Schmidt, Belcher, Anderson, Brumsickle, Ferguson, Wineberry, Betzoff, Holland, McLean, Winsley, Schoon and Miller; by request of Washington State Patrol

AN ACT Relating to possession of firearms; and amending RCW 9.41.300.

Referred to Committee on Judiciary.

HB 2351 by Representatives R. Fisher, McLean, Sayan, Anderson, Basich, Betzoff and Schoon; by request of Washington State Patrol

AN ACT Relating to exempt positions within the Washington state patrol; and adding a new section to chapter 41.06 RCW.

Referred to Committee on State Government.

HB 2352 by Representatives Prentice, Brumsickle, Cole, May, Anderson, Valle, Betzoff, Leonard, Inslee, Rayburn, Wineberry, Rector, Kremen and Winsley

AN ACT Relating to pilot tutoring programs; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committees on Education/Appropriations.

HB 2353 by Representatives R. Fisher, Silver, H. Sommers, McLean, Anderson, Rector and Jacobsen

AN ACT Relating to reporting accounts receivable to credit reporting agencies; and amending RCW 43.88.175.

Referred to Committee on State Government.

HB 2354 by Representatives G. Fisher, Betzoff, Peery, Holland, Dorn, Brumsickle, P. King, Basich, Ferguson, Jacobsen, Wineberry, Winsley, Schoon, Wang and Van Luven

AN ACT Relating to education in Pacific Rim languages; adding a new section to Title 28A RCW; adding new sections to chapter 28B.80 RCW; and making an appropriation.

Referred to Committees on Higher Education/Appropriations.

HB 2355 by Representatives Cole, Betzoff, Peery, Holland, Rector and Winsley

AN ACT Relating to buses; amending RCW 46.61.370 and 46.61.375; adding a new section to chapter 46.37 RCW; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2356 by Representatives Peery, Betzoff, Cole, Holland, Pruitt, Leonard, Jones, P. King, Jacobsen, Wineberry, Rector, Wang, Cooper, Miller, Van Luven, Rasmussen and Phillips

AN ACT Relating to before-and-after school care; amending RCW 74.15.020; adding new sections to chapter 28A.34 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2357 by Representatives Peery, Betzoff, G. Fisher and Holland

AN ACT Relating to school district financial responsibility; and adding a new section to Title 28A RCW.

Referred to Committees on Education/Appropriations.

HB 2358 by Representatives H. Myers, Brumsickle, G. Fisher, Holland, Rector, Jones, Jacobsen, Wineberry, Kremen, Winsley, Schoon, Tate, Wang, Cooper, Miller, Van Luven and Phillips

AN ACT Relating to education; adding new sections to Title 28A RCW; creating new sections; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2359 by Representatives Valle, Peery, Betzoff, Holland, Leonard, Rector, Jacobsen, Wineberry, Winsley, Wang, Miller and Van Luven

AN ACT Relating to homeless education grants; creating new sections; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2360 by Representatives Peery, Betzoff, Dorn, Holland, P. King and K. Wilson

AN ACT Relating to scoliosis screening; amending RCW 28A.31.130, 28A.31.132, and 28A.31.134; repealing RCW 28A.31.139; and declaring an emergency.

Referred to Committee on Health Care.

HB 2361 by Representatives H. Sommers, Silver, Vekich, Sayan, Jones, Hargrove, Basich, Schoon, Braddock, Peery and Betzoff

AN ACT Relating to the expenditure of previously appropriated funds for the dredging of Grays Harbor; amending section 204, chapter 12, Laws of 1989 1st ex. sess. (uncodified); and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2362 by Representatives R. King, Smith, Prentice, Walker, Vekich, Cole, Jones, Wang, Leonard, Basich, Rector, Winsley and Wolfe

AN ACT Relating to industrial insurance programs in state agencies and institutions of higher education; adding a new section to chapter 51.44 RCW; adding a new section to chapter 28B.16 RCW; adding a new section to chapter 41.06 RCW; adding a new section to chapter 51.32 RCW; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2363 by Representatives R. King, Prentice, Scott, Vekich, Cole, Wang, Jones and Basich

AN ACT Relating to hours of labor; and adding new sections to chapter 49.28 RCW.

Referred to Committee on Commerce & Labor.

HB 2364 by Representatives Spanel, Belcher, R. Fisher, Ferguson, K. Wilson, Brumsickle and Braddock

AN ACT Relating to forest practice applications and conversion of forested lands to other uses; and amending RCW 76.09.060.

Referred to Committee on Natural Resources & Parks.

HB 2365 by Representatives Spanel, Ferguson, R. Fisher, Brumsickle, Sayan, K. Wilson, Sprenkle and Braddock

AN ACT Relating to forest practices on lands likely to convert to other uses; amending RCW 76.09.050 and 76.09.240.

Referred to Committee on Natural Resources & Parks.

HB 2366 by Representatives Spanel, Peery, Walker, Brekke, Leonard, Pruitt, Prentice, Rasmussen, R. Meyers, P. King, Rector, Winsley and May

AN ACT Relating to parent education; adding new sections to Title 28A RCW; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2367 by Representatives Spanel, Brumsickle, Vekich and K. Wilson

AN ACT Relating to reforestation on private timber lands; amending RCW 76.09.120; and making an appropriation.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 2368 by Representatives Rust, Holland, H. Sommers, Cole, May, Fraser, Winsley, Miller and Morris

AN ACT Relating to taxation of residential property near county jail facilities; adding a new section to chapter 84.36 RCW; and creating a new section.

Referred to Committee on Revenue.

HB 2369 by Representatives Rust, D. Sommers, Brekke, Smith, Phillips, Chandler, Nelson, G. Fisher, Sprengle, Fraser, Pruitt, Valle, Betzoff, Rector, Spanel and May

AN ACT Relating to permits for facilities for the disposal or incineration of hazardous waste; amending RCW 70.105.005, 70.105.007, 70.105.150, 70.105.160, 70.105.165, 70.105.200, and 70.105.215; adding a new section to chapter 70.105 RCW; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 2370 by Representatives Pruitt, Jacobsen, Rector, Brumsickle, Anderson, Phillips, Bowman, H. Myers, Valle, Cole, G. Fisher, Dorn, Rasmussen, Prentice, Fraser, Heavey, Leonard, Sprengle, Wineberry, R. Fisher, Todd, Basich, Ferguson, Winsley and Schoon

AN ACT Relating to community service; amending RCW 41.06.072; adding a new chapter to Title 43 RCW; creating new sections; providing an expiration date; and making an appropriation.

Referred to Committees on State Government/Appropriations.

HB 2371 by Representatives Pruitt, Peery, Rasmussen, Phillips, Brumsickle, H. Myers, Valle, Cole, G. Fisher, Fraser, P. King, Ferguson, Winsley and Schoon

AN ACT Relating to community service by high school students; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committees on Education/Appropriations.

HB 2372 by Representatives Jacobsen, Silver, Prince, Locke, Ebersole, Ballard, Miller, Fraser, Insee, Bowman, Wood, Prentice, Grant, Wang, Anderson, Pruitt, Rayburn, Rector, Brumsickle, Basich, Ferguson, Jesernig, Wineberry, Betzoff, Todd, Winsley, Schoon, Spanel, Wolfe, Doty, Walker, May, Van Loven, Rasmussen and Kirby; by request of State Board for Community College Education

AN ACT Relating to the community college exceptional faculty awards program; and adding new sections to chapter 28B.50 RCW.

Referred to Committees on Higher Education/Appropriations.

MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

January 9, 1990

HB 2243 Prime Sponsor, Representative H. Sommers: Establishing a six-year term of appointment for the director of personnel. Reported by Committee on Rules

Referred to Committee on State Government.

January 9, 1990

HB 2246 Prime Sponsor, Representative Hargrove: Making an appropriation for the 7th street theatre in Hoquiam. Reported by Committee on Rules

Referred to Committee on Capital Facilities & Financing.

January 9, 1990

HB 2249 Prime Sponsor, Representative Inslee: Revising restrictions on vehicle window tinting. Reported by Committee on Rules

Referred to Committee on Transportation.

January 9, 1990

HB 2250 Prime Sponsor, Representative Vekich: Revising provisions on unemployment compensation during labor disputes. Reported by Committee on Rules

Referred to Committee on Commerce & Labor.

January 8, 1990

HB 2253 Prime Sponsor, Representative Spanel: Repealing exemption from the state minimum wage for students at institutions of higher education. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, Prentice, Smith, Walker and Wolfe.

Absent: Representative O'Brien.

Referred to Committee on Appropriations.

January 8, 1990

HB 2273 Prime Sponsor, Representative R. King: Revising provisions for attorney's fees before the department of labor and industries and the board of industrial insurance appeals. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, Prentice, Smith, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 9, 1990

HJM 4024 Prime Sponsor, Representative Basich: Promoting a Pacific Coast Highway Corridor. Reported by Committee on Rules

Referred to Committee on Transportation.

January 9, 1990

HJM 4025 Prime Sponsor, Representative Sayan: Asking Congress to enact legislation concerning oil spills. Reported by Committee on Rules

Referred to Committee on Environmental Affairs.

January 9, 1990

HCR 4414 Prime Sponsor, Representative Sayan: Resolving to have the joint committee on marine and ocean resources continue its work. Reported by Committee on Rules

Referred to Committee on Natural Resources & Parks.

MOTION

On motion of Mr. Ebersole, the bills, memorials and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

THIRD READING

HOUSE BILL NO. 1035, by Representatives Haugen, S. Wilson, Anderson, May, McLean, Winsley, Wineberry and Morris

Providing additional qualifications for precinct election officers.

The bill was read the third time and placed on final passage.

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1035, and the bill passed the House by the following vote: Yeas, 92; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

House Bill No. 1035, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of Second Substitute House Bill No. 1174 and Engrossed House Bill No. 1175 and that the bills hold their places on the third reading calendar. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1264, by Committee on Local Government (originally sponsored by Representatives Nealey, Haugen, Ferguson, McLean, Horn, Cooper and Moyer)

Changing provisions relating to local registrars.

The bill was read the third time and placed on final passage.

Representatives Nealey and Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1264, and the bill passed the House by the following vote: Yeas, 92; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

Substitute House Bill No. 1264, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1307, by Representatives Phillips, Holland, Wang and Appelwick; by request of Department of Revenue

Revising assessment levels for equalizing personal property.

The bill was read the third time and placed on final passage.

Mr. Phillips spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1307, and the bill passed the House by the following vote: Yeas, 92; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

House Bill No. 1307, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1323, by Representatives Hine, Silver, Sayan, D. Sommers, Patrick, McLean, Bristow, H. Sommers, Bowman, Day, Wineberry, Dorn, Dellwo, Crane, Brough, Valle, Rector, Wang, Betrozoff, R. Fisher, Fraser, Basich, O'Brien, Locke, May, P. King, Phillips, Pruitt, Brekke, Appelwick, Jacobsen, Van Luven, Wood and Horn; by request of Joint Committee on Pension Policy

Changing provisions relating to portability of public employment retirement benefits.

The bill was read the third time and placed on final passage.

Mr. Grant spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1323, and the bill passed the House by the following vote: Yeas, 92; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

House Bill No. 1323, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1328, by Representatives Belcher, Miller, Valle, Locke, Wang, Rust, Appelwick, Doty, Spanel, H. Sommers, Wineberry, R. Fisher, Jacobsen, Fraser, Rasmussen, Brekke, Cole, Leonard, Phillips, Rayburn, K. Wilson, P. King, Anderson, Crane, Morris, Dellwo, Nutley, Jones, Nelson, Chandler, Hine, Hankins and Ebersole

Conditioning golf course eligibility for open space valuation.

The bill was read the third time and placed on final passage.

Ms. Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1328, and the bill passed the House by the following vote: Yeas, 71; nays, 21; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Betrozoff, Braddock, Brekke, Brough, Brumsickle, Cantwell, Cole, Cooper, Day, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Smith, Sommers H, Spanel, Sprenkle, Tate, Valle, Van Luven, Vekich, Wang, Wilson K, Wineberry, Youngsman - 71.

Voting nay: Representatives Ballard, Baugher, Brooks, Chandler, Crane, Doty, Fuhrman, Kirby, McLean, Nealey, Padden, Schmidt, Silver, Sommers D, Todd, Walker, Wilson S, Winsley, Wood, Zellinsky - 21.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

House Bill No. 1328, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I had intended to vote for House Bill No. 1328 as I had when it was previously considered on final passage in 1989. My "No" vote was inadvertent.

JEANNETTE WOOD, 21st District.

ENGROSSED HOUSE BILL NO. 1343, by Representatives Jones, Patrick, R. King, Sayan, Leonard, Cole, Wolfe, Wang, Winsley and Walker

Establishing procedures for determining jurisdiction in disputed industrial insurance claims and providing for benefits.

The bill was read the third time and placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1343, and the bill passed the House by the following vote: Yeas, 92; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

Engrossed House Bill No. 1343, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1433, by Representatives Wineberry, R. Fisher, McLean, Anderson, Nelson, Wang, Inslee, R. King and Todd

Extending the voter registration period.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Mr. Todd moved adoption of the following amendments:

On page 1, line 14, after "of this" strike "1989" and insert "1990"

On page 1, line 25, after "of this" insert "1990"

Mr. Todd spoke in favor of adoption of the amendments, and they were adopted.

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

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1433, and the bill passed the House by the following vote: Yeas, 84; nays, 7; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wood, Youngsman, Zellinsky - 84.

Voting nay: Representatives Brough, Chandler, Fuhrman, Nealey, Padden, Wilson S, Wolfe - 7.

Absent: Representative Gallagher - 1.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

Reengrossed House Bill No. 1433, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1505, by Representatives Zellinsky, Baugher, Sayan, Dellwo, Chandler, Anderson, Day, Crane, Winsley, Beck, Schmidt, Prentice, Rayburn, Kremen, Rector, Bowman and P. King

Forbidding the use of age as a basis for rating the cost of medicare supplemental health insurance.

The bill was read the third time and placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1505, and the bill passed the House by the following vote: Yeas, 90; nays, 1; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 90.

Voting nay: Representative Wilson K - 1.

Absent: Representative Gallagher - 1.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

House Bill No. 1505, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1557, by Committee on Commerce & Labor (originally sponsored by Representatives Vekich, Patrick, Belcher, Sayan, Winsley, R. King, Ebersole, R. Meyers, Walk, Braddock, Phillips, Fraser, Holland, Jacobsen, Anderson, Heavey, Basich, Nelson, Appelwick, Morris, Jones, Todd, P. King, Wineberry, Sprenkle and Dorn)

Providing for state employee collective bargaining.

The bill was read the third time and placed on final passage.

Representatives Vekich and Sayan spoke in favor of passage of the bill, and Mr. Smith opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1557, and the bill passed the House by the following vote: Yeas, 72; nays, 20; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Beck, Betzoff, Braddock, Brekke, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Heavey, Holland, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wood, Zellinsky - 72.

Voting nay: Representatives Ballard, Brooks, Brough, Chandler, Doty, Fuhrman, Haugen, Horn, May, McLean, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Wilson S, Wolfe, Youngsman - 20.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

Engrossed Substitute House Bill No. 1557, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1623, by Representatives Belcher, Bowman, Ferguson, Brumsickle, Haugen, Hargrove, Locke and McLean

Benefiting winter recreation activities of the state parks and recreation commission.

The bill was read the third time and placed on final passage.

Mr. Appelwick spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1623, and the bill passed the House by the following vote: Yeas, 92; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

Engrossed House Bill No. 1623, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1646, by Representatives Dellwo and Winsley

Regarding disciplinary action against realtors.

The bill was read the third time and placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1646, and the bill passed the House by the following vote: Yeas, 92; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Betrozoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 5.

Engrossed House Bill No. 1646, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute House Bill No. 2198 on the third reading calendar. The motion was carried.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2198, by Committee on Energy & Utilities (originally sponsored by Representatives Nelson, Hankins, Cooper, Miller, May, Jacobsen, Brooks, Todd and H. Myers)

Pertaining to energy efficiency and conservation.

The bill was read the third time and placed on final passage.

Representatives Nelson and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2198, and the bill passed the House by the following vote: Yeas, 87; nays, 5; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Berozoff, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 87.

Voting nay: Representatives Baugher, Chandler, Fuhrman, Kirby, Wilson S - 5.
Excused: Representatives Belcher, Bowman, Dellwo, Hine, and Mr. Speaker - 8.

Engrossed Substitute House Bill No. 2198, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

January 10, 1990

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4426,

HOUSE CONCURRENT RESOLUTION NO. 4427,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

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

MOTION

On motion of Mr. Ebersole, the rules were suspended to allow consideration of House Floor Resolution No. 90-4717.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4717, by Representative Ebersole

BE IT RESOLVED, That House Floor Resolution No. 89-4604 and Rule 24 of the House Rules of the Fifty-first Legislature be hereby amended to read as follows:

"Standing Committees

Rule 24. The standing committees of the house and the number of members that shall serve on each committee shall be as follows:

1. Agriculture & Rural Development	12
2. Appropriations	30
3. Capital Facilities & Financing	13 14
4. Commerce & Labor	11
5. Education	19
6. Energy & Utilities	13
7. Environmental Affairs	12
8. Financial Institutions & Insurance	15
9. Fisheries & Wildlife	11
10. Health Care	11
11. Higher Education	14 13
12. Housing	9
13. Human Services	11
14. Judiciary	19
15. Local Government	14
16. Natural Resources & Parks	11
17. Rules	19
18. Revenue	17
19. State Government	10 9
20. Trade & Economic Development	13
21. Transportation	27 28"

Mr. Ebersole moved adoption of the resolution and spoke in favor of it.

House Floor Resolution No. 90-4717 was adopted.

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

STANDING COMMITTEE ASSIGNMENTS

The Speaker (Mr. O'Brien presiding) announced the following changes in standing committee assignments:

Representative Basich to replace Representative Walk on Committee on Transportation;

Representative Forner to replace Representative Patrick on Committee on Commerce & Labor, Committee on Judiciary, and Committee on Transportation;

Representative Heavey to serve on Committee on Capital Facilities & Financing;

Representative Inslee to replace Representative Bristow on Committee on Appropriations and relieved from Committee on Higher Education,

Representative H. Myers to replace Representative R. Fisher on Committee on Natural Resources & Parks and relieved from Committee on Higher Education;

Representative Rector to replace Representative Bristow on Committee on Capital Facilities & Financing;

Representative Sayan relieved from Committee on State Government;

Representative Schmidt to replace Representative Patrick on the Legislative Transportation Committee;

Representative Todd to replace Representative Rector on Committee on State Government, to serve as Chair of Committee on State Government, and relieved from Committee on Energy & Utilities.

POINTS OF PERSONAL PRIVILEGE

Mr. Prince: Mr. Speaker and members of the House: I rise to ask your forgiveness for a mistake that I have inadvertently made. Some of you may be aware of the newspaper article relating to my comments, which are said to have a racial or ethnic connotation.

There is no way that I can justify what has happened, except that it was the furthest thing from my intent. I was very much taken aback when it was pointed out that it could be interpreted in other ways. I have no real excuse. I made an error. I cannot plead ignorance, because I have been here too long and I know better. I cannot claim fowl, because the words I used could be misconstrued in the manner that they were. I can only ask the forgiveness of the body and the forgiveness of the people who were affected, and I hope they believe it was not my intent.

To the credit of the groups affected, it is my understanding that they are researching my record before they decide how to judge my statement. This shows a sophistication within the group, as well as progress for this society, and I am very thankful to them for taking this course.

I have lost more sleep over this than probably any mistake that I have made to date. I was concerned first by what my friends might think. I was also concerned by how this might affect my workability within this body, if they believed that I had intended such a statement. But, more importantly, it was such a conflict with how I personally view myself, that it has caused me a great deal of stress.

To have you fully understand how I feel, let me relate a story that took place a little over twenty years ago. When I was Sergeant at Arms of this body, I had a friend who told me that I was "colorless." Where I come from that means "lackluster." I was a little bit taken aback. My friend immediately sensed my concern and started to explain. I realized at once that I had been given as great a compliment as one could ever expect to receive in this society that, although it is getting better, is still anything but colorless. I have taken pride in this comment; I have always tried to live up to it; I have always tried to judge people on their ability and on their actions.

Again, let me say I am sorry for a very obvious error on my part. I am hoping that some good will come of this, even if it only means I am more careful in the future. I am hopeful that we, as a society and as an institution, try to live up to the challenge that my friend laid down--to continue forward and strive to become a more colorless society as we move into the future. Thank you.

Ms. Prentice: Thank you, Mr. Speaker. I rise to attest to the fact that this gentleman, the previous speaker, is not only colorless, he is truly color blind. He is not racist. He is reflecting the social consequences of years of society's neglect and

indifference and the devaluation of minorities as people. We need to put this episode behind us. We also must address those social determinants, such as the continuation of exploited child labor. Thank you, Mr. Speaker.

Mr. Locke: Thank you, Mr. Speaker. Members of the body: I wish to react to the statements of my good friend, Representative Gene Prince, who spoke just a few moments ago. I think all of us know him and know him well and know that he is a great friend of minority issues and minority concerns. All of us who know Representative Prince know that no offense was taken or intended, and from that no offense was perceived on our part, and that, therefore, no offense was made. Thank you very much.

Mr. Wineberry: Thank you, Mr. Speaker. I have had the pleasure of working with Representative Prince in the Committee on Higher Education and in this Legislature for the last six years. Despite the way in which the context of the comments was framed in articles I read, I never expected any kind of apology because I know that they were not intended in that context. Unlike the sport of baseball, where an error goes up under the name of a particular player and it stays there, fortunately, in public service, the only mistake that remains in error is one that goes uncorrected. I believe that all of us recognize that Representative Prince has corrected his minor error, not just by the comments he has made on the floor today, but by his record of supporting minority rights and supporting higher education opportunities for people of all ethnic groups. That is the record that will remain under your name, not this article. It has been the pleasure of many of us, who have been contacted by citizens over in that area, to stand in your defense, because you have stood in the defense of so many of them on the issues that we have addressed in this Legislature.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, January 12, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, January 12, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Braddock, Locke, Morris, Peery, Schoon, Silver, H. Sommers and Todd. With consent of the House, Representatives Locke, Morris, Peery, Schoon, Silver, H. Sommers and Todd were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Melissa Fasano and Sophia Saltwick. Prayer was offered by The Reverend Dennis Hartsook, Minister of Saint Mark's Lutheran Church of Olympia.

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

MESSAGE FROM THE GOVERNOR

January 8, 1990

To the Honorable, the Senate
and House of Representatives
of the State of Washington
Ladies and Gentlemen:

In compliance with the provision of Section 11 of Article III of the Constitution of the State of Washington, the Governor hereby submits his report of each case of reprieve, commutation or pardon that he has granted since the adjournment of the 1989 Second Special Session of the Fifty-First Legislature, copy of which is attached.

Respectfully submitted,
Terry Sebring, Counsel.

CONDITIONAL COMMUTATION/CLEMENCY ORDER DELIA ALANIZ

On December 23, 1988, Delia Alaniz was sentenced by the Superior Court for Skagit County for the State of Washington to a term of 123 months (ten years and three months) in prison after a plea of guilty to Murder in the Second Degree of her husband, Roy Alaniz.

Delia Alaniz has now served approximately one year and ten months of her sentence, having been originally incarcerated on January 28, 1988, and sentenced on December 23, 1988.

Numerous petitions and letters have been received by the Governor on behalf of Delia Alaniz urging that her sentence be commuted. The matter was thoroughly reviewed by the Clemency and Pardons board which recommended a conditional clemency by a 3 to 2 vote at its September 8, 1989 meeting.

The documents presented indicate that Delia Alaniz and her children were physically, sexually and mentally abused by her husband, Roy Alaniz, throughout their 17 years of marriage, that she was in fear for her life and the physical well-being of her children due to her husband's past actions and threats; that she was later diagnosed as suffering from the battered woman syndrome which explains, in part, why she was unable to successfully use the community and legal resources available to effectively intervene to stop the violence and sexual abuse, that these facts do not relieve Delia Alaniz from the responsibility of her actions, though they do explain her motive and inability to help herself by legal means.

Violence against women and children is all too common and a disturbing problem in our society. Although we have made efforts in our state by passing laws which are intended to provide protection, counseling and shelter to victims of

family violence such as Delia Alaniz and her children, no system can guarantee absolute protection. Though I do not condone the action by Delia Alaniz, it is my hope that her story will increase public awareness of the tragic consequences of the battered woman syndrome and will reinforce our determination to continue to provide more effective alternatives to end this destructive cycle of inner family violence.

Delia Alaniz has accepted the responsibility for her actions and admitted her guilt. Due to the unique nature of this crime, it is unlikely that Delia Alaniz will present any future danger to society if released at this time subject to the conditions set forth herein. I further believe that Delia Alaniz and her family have already paid a substantial emotional price as victims of the years of abuse by Roy Alaniz and subsequently as victims due to the criminal action taken by Delia Alaniz.

This is an extraordinary case and justice is served by granting a conditional clemency at this time for the remainder of Delia Alaniz's sentence, subject to the following conditions, with the explicit understanding that Delia Alaniz may be returned to prison to complete the balance of her sentence if the conditions are not fulfilled. The Department of Corrections is hereby directed to supervise the following conditions and to release Delia Alaniz from prison upon final verification that she has employment, a place to reside, and she has signed a copy of this document after advice of counsel indicating she understands the conditions herein and agrees to them in full. The Department of Corrections shall have the responsibility to supervise her and periodically report her progress to the Governor's Office and to also monitor her for any violations of the conditions.

Delia Alaniz's conditional clemency is subject to the following conditions and may be revoked by the Governor for violation of any or all of these conditions:

1. Enter and successfully complete counseling as ordered or approved by the community corrections officer. Seek psychological counseling for her children.

2. Complete five years' of community service in the form of educating the public and courts about domestic violence as ordered or approved by the community corrections officer.

3. Be employed and/or involved in an educational program acceptable to the community corrections officer and obtain permission from the community corrections officer before changing residence, employment or educational programs.

4. Not use or possess drugs or alcohol without a prescription from a licensed physician and submit to testing for the use of alcohol/drugs as scheduled by the community corrections officer.

5. Possess no deadly weapons on her person and not own or possess a firearm.

6. Obey all laws.

7. Possess a Department of Corrections-issued identification card, a Washington State identification card or a Washington State driver's license at all times.

8. Submit to the search of her person, residence, vehicle, and/or belongings when ordered to do so by the community corrections officer.

9. Obtain written permission from the community corrections officer before traveling outside of Washington State.

10. Repay any monies received from the Crime Victims Fund and other legal financial obligations imposed by the court on a fee schedule set by the community corrections officer. This provision shall also include the obligation to pay supervision fees based upon ability to pay and at the direction of the community corrections officer.

11. Not cohabitate with another adult without the prior permission of the community corrections officer.

12. Follow the directions of the community corrections officer in meeting any or all of the conditions imposed by the Department of Corrections to facilitate the carrying out of the conditions herein. These conditions include appearing, when directed, to meet with her community corrections officer, submitting monthly reports on how she's fulfilling the conditions and providing any information needed to assure compliance with the conditions.

VIOLATION PROCEDURE

Should a violation of any of the conditions herein occur, the following process will be followed:

1. The community corrections officer may detain Delia Alaniz in jail or prison and/or issue a warrant for her arrest upon a determination that there is probable cause to believe a violation of any of the conditions has occurred.

2. Detention beyond 48 hours must be reviewed and approved by the Secretary of the Department of Corrections or his/her designee.

3. Within five days of placement in custody, a supervisory level employee of the Department of Corrections will conduct a hearing to review the probable cause determination.

4. Upon a finding of probable cause, the violation(s) will be brought to the attention of a representative appointed by the Governor as his/her designee and that person will schedule a hearing, within 30 days of the probable cause review hearing decision, to determine if a violation has occurred. The Governor's designee shall make findings of fact as to a violation and make a recommendation to the Governor whether to revoke or modify the conditional clemency. This recommendation shall become the final decision within ten (10) days unless the Governor decides to modify it. There shall be no right to appeal or seek further review from the decision of the Governor or the Governor's designee.

TERM OF CONDITIONAL CLEMENCY

The period of this conditional clemency shall be from the date of Delia Alaniz's release from confinement with the State Department of Corrections until the expiration date of her 123 months sentence. If she violates any of the conditions of this clemency, the Governor or his/her designee may sentence her to the remaining unserved portion of the prison term, approximately eight years and five months, which will be remaining upon her release, even though a revocation will extend her new release date beyond her original release date had she remained in prison for the whole term without being released on a conditional clemency. Any violation of this conditional clemency must occur prior to the expiration date of the original 123 month sentence for it to be a basis for revoking her conditional clemency.

CONDITIONAL CLEMENCY GRANTED

NOW, THEREFORE, I, Booth Gardner, Governor of the State of Washington, by virtue of the authority vested in me by the laws of the State of Washington, do hereby grant the conditional clemency for Delia Alaniz, Department of Corrections' No. 946488, for her conviction of Murder in the Second Degree of her husband Roy Alaniz, pursuant to the conditions set forth herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the State of Washington to be affixed at Olympia this 27th day of October, A.D., Nineteen Hundred and Eight-Nine.

(Seal)

Booth Gardner, Governor.

INTRODUCTIONS AND FIRST READING

HB 2373 by Representatives Holland, H. Sommers, Schoon, Wang, Rasmussen, Ferguson, Silver, Todd, Winsley, Van Luvan, Rector and Horn

AN ACT Relating to bond information; and amending RCW 39.44.200 and 39.44.210.

Referred to Committee on Capital Facilities & Financing.

HB 2374 by Representatives Holland, Haugen and Ferguson

AN ACT Relating to penalties and interest on delinquent utility rates or charges; amending RCW 35.67.200, 35.67.250, 36.89.090, 36.94.150, 56.16.100, and 57.08.080; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35.97 RCW; adding a new section to chapter 53.08 RCW; adding a new section to chapter 54.16 RCW; adding a new section to chapter 87.03 RCW; and repealing RCW 36.89.092.

Referred to Committee on Local Government.

HB 2375 by Representatives Betrozoff, Peery, Brumsickle, Valle, Walker, H. Myers, Rasmussen, Schoon, Winsley, Pruitt, Brough, Moyer, Wolfe, Todd, Haugen, Scott, P. King, Rector, Wood, Doty, Basich, Youngsman, May, Kremen, Ferguson, Wineberry and Horn

AN ACT Relating to ALL KIDS CAN LEARN incentive grants; adding new sections to Title 28A RCW; and creating a new section.

Referred to Committees on Education/Appropriations.

HB 2376 by Representatives Betrozoff, Dorn, Peery, Brumsickle, Walker, Schoon, Winsley and P. King

AN ACT Relating to reporting of continuing education units; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2377 by Representatives Heavey, Doty, Cantwell, Pruitt, Wineberry, Kremen, Brough, Hargrove, Scott, Winsley, Anderson, Crane, Prentice, Holland, Van Luven, Moyer, Miller, P. King, Todd, Haugen, Inslee, Kirby, Smith, Rector, Wood, Jones, Dellwo, Youngsman, May, R. King, Ferguson, Rasmussen and Brekke

AN ACT Relating to encouraging companies to assist in the provision of child care; amending RCW 43.31.512; adding new sections to chapter 43.31 RCW; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 2378 by Representatives Leonard, Holland, Walker, Cole, Nutley, Pruitt, Prentice, Kirby, Heavey, Ebersole, G. Fisher, Peery, H. Sommers, Miller, Winsley and Wineberry

AN ACT Relating to educational service districts; and amending 28A.21.090.

Referred to Committee on Education.

HB 2379 by Representatives Peery, Betrozoff, Dorn, Jacobsen, Hargrove, Holland, Van Luven, P. King, H. Myers, Kirby, Wineberry, Ebersole, May, Ferguson and Rasmussen; by request of Governor Gardner

AN ACT Relating to student enrollment options; adding new sections to Title 28A RCW; and creating new sections.

Referred to Committees on Education/Appropriations.

HB 2380 by Representatives Scott, S. Wilson, R. King, Cole, Belcher, Haugen, Cantwell, P. King, Wood, Beck, Hargrove, Sprenkle, Locke, Todd, Wineberry, May, Ferguson, K. Wilson and Spanel

AN ACT Relating to funding of dispute resolution centers; amending RCW 3.62.060; adding a new section to chapter 7.75 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 2381 by Representatives Scott, S. Wilson, Cole, R. King, Crane, Pruitt, Zellinsky, Wood, R. Fisher, R. Meyers, G. Fisher, Hine, Haugen, Braddock, Cantwell, P. King, Basich and Kremen

AN ACT Relating to the sale of boat trailers by vessel dealers; reenacting and amending RCW 46.70.011; and adding a new section to chapter 88.02 RCW.

Referred to Committee on Transportation.

HB 2382 by Representatives Smith, Cole, Prentice, Vekich, Leonard, Zellinsky, Walker, Wolfe, Winsley, Van Luven, Moyer, Todd and Jones

AN ACT Relating to temporary total disability payments made on behalf of an injured worker's child; and amending RCW 51.32.090.

Referred to Committee on Commerce & Labor.

HB 2383 by Representatives Morris, Schoon, Locke, Prentice, P. King, Rector, O'Brien, Rasmussen and Brekke; by request of Governor Gardner

AN ACT Relating to the creation of a jail standards incentive board; amending RCW 70.48.020, 70.48.071, 70.48.100, 70.48.440, 72.64.100, 72.64.110, 10.98.010, and 10.98.140; adding new sections to chapter 70.48 RCW; adding a new section to chapter 72.64 RCW; repealing RCW 70.48.061, 70.48.160, and 70.48A.090; and declaring an emergency.

Referred to Committee on Health Care.

HB 2384 by Representatives Appelwick, Tate, Morris, Winsley, Crane, Walker, Valle, Holland, Betrozoff, Bowman, Brunsickle, Beck, Van Luven, McLean, S. Wilson, Brough, Schmidt, Moyer, Fuhrman, Nealey, Wolfe, Miller, P. King, Fraser, Todd, Haugen, Heavey, H. Myers, Scott, Wang, Insløe, Kirby, Smith, Hine, R. Fisher, Rector, Wood, Wineberry, Hankins, Forner, Doty, Horn, Dellwo, Basich, Ebersole, Youngsman, Zellinsky, May, Brooks, Jacobsen, Kremen, R. Meyers, Phillips, O'Brien, Ferguson, K. Wilson, Spanel and Rasmussen; by request of Governor Gardner

AN ACT Relating to criminal offenders; amending RCW 13.40.205, 10.77.163, 10.77.165, 71.05.325, 71.05.390, 71.05.420, 71.05.440, 9.94A.155, 13.50.050, 9.92.151, 9.94A.150, 70.48.210, 13.40.020, 13.40.160, 13.40.110, 13.40.210, 43.43.745, 7.68.060, 7.68.085, 9.94A.390, 13.40.150, 9.94A.350, 9.94A.120, 9.94A.360, 9.95.009, 9A.44.050, 9A.44.083, 9A.44.076, and 9A.88.010; reenacting and amending RCW 9.94A.030, 9.94A.310, 9.94A.320, 9.94A.400, 43.43.830, 43.43.832, 43.43.834, and 43.43.838; adding new sections to chapter 13.40 RCW; adding a new section to chapter 10.77 RCW; adding a new section to chapter 71.05 RCW; adding a new section to chapter 4.24 RCW; adding new sections to chapter 9A.44 RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 10.01 RCW; adding new sections to chapter 72.09 RCW; adding a new section to chapter 70.48 RCW; adding a new section to chapter 46.20 RCW; adding a new section to chapter 9.94A RCW; adding a new chapter to Title 71 RCW; adding a new chapter to Title 43 RCW; creating new sections; prescribing penalties; making appropriations; providing an effective date; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

HB 2385 by Representatives Sayan, Moyer and Winsley; by request of Department of Social and Health Services

AN ACT Relating to clarification of existing laws regarding chemical dependency; amending RCW 70.96A.150, 70.96A.140, and 74.09.____; reenacting and amending RCW 70.96A.020; and declaring an emergency.

Referred to Committee on Human Services.

HB 2386 by Representatives Ballard, R. Fisher, McLean, Wolfe, Miller, Forner and Horn

AN ACT Relating to the payment of temporary permit fees to vehicle dealers; and amending RCW 46.16.045.

Referred to Committee on Transportation.

HB 2387 by Representatives Ballard, R. Meyers, McLean and Hankins

AN ACT Relating to abandoned vehicles; and amending RCW 46.55.010 and 46.55.085.

Referred to Committee on Transportation.

HB 2388 by Representatives Rust, D. Sommers, Sprengle, Holland, Jacobsen, Anderson, Crane, Prentice, Pruitt, Van Luven, Wood, Phillips, Ferguson and Brekke; by request of Department of Ecology

AN ACT Relating to the management and regulation of infectious waste; amending RCW 43.21B.300, 43.21B.310, 70.105.010, and 82.18.020; adding a new chapter to Title 70 RCW; adding a new section to chapter 70.105 RCW; adding new sections to chapter 81.77 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 2389 by Representatives G. Fisher, D. Sommers, Rust, Jacobsen, Crane, Valle, Pruitt, Rayburn, P. King, Rector, Phillips and Ferguson; by request of Department of Ecology

AN ACT Relating to containment of waste materials; and amending RCW 70.93.060.

Referred to Committee on Environmental Affairs.

HB 2390 by Representatives Rust, Phillips, Jacobsen, Nelson, Valle, Pruitt, Sprenkle, P. King, Heavey, Hine, R. Fisher, Rector, Dellwo, Basich, O'Brien, Spanel, Brekke and Crane; by request of Governor Gardner

AN ACT Relating to the reduction of hazardous substances and waste; amending RCW 70.95C.010, 70.95C.020, 70.95C.030, and 70.95C.040; adding a new section to chapter 70.95 RCW; adding new sections to chapter 70.95C RCW; adding a new chapter to Title 70 RCW; repealing RCW 70.105A.010, 70.105A.020, 70.105A.030, 70.105A.035, 70.105A.040, 70.105A.050, 70.105A.060, 70.105A.070, 70.105A.080, 70.105A.090, 70.105A.900, and 70.105A.905; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 2391 by Representatives Wood, Haugen, Ferguson, Wolfe and Horn

AN ACT Relating to recording procedures; adding new sections to chapter 40.14 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 2392 by Representatives Holland, Ebersole and R. Meyers

AN ACT Relating to business and occupation taxation of travel charter and tour operators; and amending RCW 82.04.260.

Referred to Committee on Revenue.

HB 2393 by Representatives Sayan, Moyer, Silver, Winsley and Rector; by request of Office of Financial Management

AN ACT Relating to administration of the family independence program; amending RCW 74.21.020, 74.21.030, 74.21.040, 74.21.050, 74.21.070, and 74.21.190; creating a new section; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 2394 by Representatives Day, Morris, Rector, Silver, D. Sommers, Braddock, Prentice, Moyer and Dellwo

AN ACT Relating to prescription forms for out-of-state practitioners; amending RCW 69.41.120; and declaring an emergency.

Referred to Committee on Health Care.

HB 2395 by Representatives Anderson, Brooks, Braddock, Moyer, Locke, Prentice, Jacobsen, Scott and Wineberry

AN ACT Relating to the reimbursement of nursing homes specifically authorized to meet the needs of persons living with AIDS; amending RCW 74.46.481; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 2396 by Representatives Chandler, Ferguson, Smith, Baugher, Tate, Van Luven, Wolfe, Holland, Forner, Betzoff, Brumsickle, McLean, S. Wilson, Brough, Winsley, Moyer, Fuhrman, Nealey, Miller, Rayburn, Wood, Dellwo, Youngsman and Brooks

AN ACT Relating to transportation; adding a new section to chapter 47.68 RCW; adding a new section to chapter 53.08 RCW; adding new chapters to Title 47 RCW; creating new sections; making appropriations; and declaring an emergency.

Referred to Committees on Transportation/Appropriations.

HB 2397 by Representatives Baugher, McLean, Haugen, Brumsickle, Day, Brooks, Inslee, Betzoff, S. Wilson, Schmidt, Smith, Zellinsky, Gallagher, Kirby, Chandler, Hargrove, Miller, Rayburn, Wood, Jones, Basich and Ferguson

AN ACT Relating to flood plains; and amending RCW 86.16.010, 86.16.020, 86.16.031, and 86.16.041.

Referred to Committee on Local Government.

HB 2398 by Representatives Baugher, Brooks, Gallagher, D. Sommers, Sayan, Grant, Inslee, Kirby, Vekich, Chandler, Rayburn and Dellwo

AN ACT Relating to the Washington horse racing commission; and amending RCW 67.16.012.

Referred to Committee on Commerce & Labor.

HB 2399 by Representatives Baugher, McLean, Kirby, Brumsickle, Todd, D. Sommers, Brooks, Kremen, Inslee, Gallagher, Vekich and K. Wilson

AN ACT Relating to raffles; and amending RCW 9.46.0277 and 9.46.0321.

Referred to Committee on Commerce & Labor.

HB 2400 by Representatives Raiter, Morris, R. King, S. Wilson, Bowman, Smith and Brumsickle

AN ACT Relating to drift area associations; adding new sections to chapter 75.28 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Fisheries & Wildlife.

HB 2401 by Representatives Grant, Brooks, Cantwell and Doty

AN ACT Relating to increasing limits for associate development organization expenditures; and amending RCW 53.36.130.

Referred to Committee on Trade & Economic Development.

HB 2402 by Representatives Rector, Betzoff, Dellwo, R. Meyers, Belcher, Miller, Brekke, Hankins, Hine, Cooper, H. Myers, Crane, Fraser, Peery, Heavey, Todd, Valle, Braddock, Winsley, Anderson, Pruitt, Holland, Van Luven, Brough, Wang, Wineberry, Kremen and Ferguson

AN ACT Relating to the Washington state leave sharing program; and amending RCW 41.04.655, 41.04.660, 41.04.665, 41.04.670, and 28A.58.0991.

Referred to Committee on State Government.

HB 2403 by Representatives Rector, Ballard, Peery, Silver, Heavey, Dellwo, Jacobsen, Nelson, Hankins, Miller, H. Sommers, Kirby, Winsley, McLean, Todd, H. Myers and Jones

AN ACT Relating to video telecommunications; amending RCW 43.105.017 and 43.105.052; and making an appropriation.

Referred to Committees on State Government/Appropriations.

HB 2404 by Representatives Padden, Crane, R. Meyers, Wolfe and P. King

AN ACT Relating to traffic infractions; amending RCW 46.63.060, 46.63.070, and 46.63.100; and adding a new section to chapter 46.63 RCW.

Referred to Committee on Judiciary.

HB 2405 by Representatives Rector, Winsley, Nutley, Padden, Anderson, Leonard, Jacobsen, Dellwo, Wang, Brekke, Todd, Moyer, Inslee, Scott, Valle, Wood, Phillips and O'Brien

AN ACT Relating to prevention of homelessness; amending RCW 43.185.050 and 43.185.070; and adding a new chapter to Title 43 RCW.

Referred to Committee on Housing.

HB 2406 by Representatives D. Sommers, Day, Moyer, Baugher, Dellwo, Gallagher, Schoon, Holland, Rector and Nealey

AN ACT Relating to tobacco products on school property; and amending RCW 28A.31.170.

Referred to Committee on Education.

HB 2407 by Representatives Vekich and Prentice

AN ACT Relating to workplace safety bonus programs; adding a new section to chapter 51.28 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2408 by Representatives Jones, Vekich, Smith, R. Meyers, Hargrove, Zellinsky, S. Wilson, G. Fisher, Ballard, Basich, Schmidt, Peery, Sayan, Haugen, Braddock, Jacobsen, R. King, Wolfe, Pruitt, H. Myers and May

AN ACT Relating to higher education for placebound students; and adding a new section to chapter 28B.80 RCW.

Referred to Committee on Higher Education.

HB 2409 by Representatives Haugen, Brough and Ferguson

AN ACT Relating to cities and towns; amending RCW 35.02.078, 35.02.130, 35.02.190, 35.02.210, and 35.02.220; adding new sections to chapter 35.02 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 2410 by Representatives Anderson, Wolfe, Prentice, Brooks, Locke, Scott, Miller, Wood, Wineberry and Brekke

AN ACT Relating to extending hospice benefits to the end of the biennium; reenact-ing and amending RCW 74.09.520; and declaring an emergency.

Referred to Committee on Health Care.

HB 2411 by Representatives Braddock, Brooks and Prentice; by request of Health Care Authority

AN ACT Relating to the health care authority; amending RCW 41.04.205, 41.05.011, 41.05.021, 41.05.031, and 41.05.090; and adding a new section to chapter 41.05 RCW.

Referred to Committee on Health Care.

HB 2412 by Representatives Valle, Brumsickle, Cole, Scott, Winsley, Pruitt, Holland, Van Luven, McLean, Rayburn, Sprengle, P. King, Fraser, Heavey, H. Myers, Wang, Crane, Kirby, Hine, R. Fisher, Rector, Wineberry, Basich, Ebersole, May, Jacobsen, R. King, Phillips, Ferguson, K. Wilson and Brekke; by request of Governor Gardner

AN ACT Relating to teachers training teachers; adding new sections to Title 28A RCW; repealing RCW 28A.67.240; and creating new sections.

Referred to Committees on Education/Appropriations.

HB 2413 by Representatives Wood, Rector, Locke, Prince, Ebersole, Dellwo, Miller, Anderson, Jacobsen, Peery, Wineberry, Day, Winsley, Brumsickle, Wolfe, P. King, Wang, Forner, Horn, Youngsman, May, Kremen and Ferguson

AN ACT Relating to educational opportunities; amending RCW 28A.03.432; and making an appropriation.

Referred to Committees on Higher Education/Appropriations.

HB 2414 by Representatives Rust, D. Sommers, Nelson, Walker, Pruitt, Brekke, Sprengle, Fraser, Valle, Jacobsen, Van Luven and Phillips

AN ACT Relating to stratospheric ozone depletion; amending RCW 70.94.030; adding new sections to chapter 70.94 RCW; and creating new sections.

Referred to Committee on Environmental Affairs.

HB 2415 by Representatives Nealey, Rayburn, Jesernig, McLean, Holland, Moyer, Wolfe, Smith and R. King

AN ACT Relating to gasohol; amending RCW 43.41.130; and creating new sections.

Referred to Committee on Agriculture & Rural Development.

HB 2416 by Representatives Dellwo, Chandler, Zellinsky, Anderson, Nutley and Winsley; by request of Insurance Commissioner

AN ACT Relating to insurance; amending RCW 48.04.010, 48.17.110, 48.17.160, 48.17-.180, 48.17.450, 48.17.540, 48.21.180, 48.30.140, 48.30.150, 48.30.210, 48.30.230, 48.44.240, and 48.46.350; repealing RCW 48.17.440; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 2417 by Representatives Dellwo, Chandler, Zellinsky, Anderson, Nutley, Winsley, Crane, Inslee, Kremen and R. Meyers; by request of Insurance Commissioner

AN ACT Relating to cancellation of contracts between insurers and agents; adding a new section to chapter 48.17 RCW; and repealing RCW 48.17.590.

Referred to Committee on Financial Institutions & Insurance.

HB 2418 by Representatives Dorn, Brumsickle, Peery, Holland, G. Fisher, Walker, Jones, Basich, K. Wilson, Scott, Winsley, McLean, Rayburn, H. Myers, Rector, Wineberry, Rasmussen and Brekke

AN ACT Relating to the task force to promote self-esteem and personal and social responsibility; creating new sections; and making an appropriation.

Referred to Committee on Education.

HB 2419 by Representatives Dorn, Walker, Rasmussen, Brumsickle, Peery, Hargrove, G. Fisher, Braddock, Basich, R. Meyers, Winsley and H. Myers

AN ACT Relating to intervention specialists; and creating a new section.

Referred to Committee on Education.

HB 2420 by Representatives Dorn, Brumsickle, Kirby, Betzoff, Rasmussen, R. Meyers, Winsley, Pruitt, H. Myers and Ferguson

AN ACT Relating to approved continuing education and in-service credit; and amending RCW 28A.71.110.

Referred to Committee on Education.

HB 2421 by Representatives Dorn, Belcher, Beck, Rasmussen, Betzoff and R. King

AN ACT Relating to safety standards for jet skis; and amending RCW 43.51.400.

Referred to Committee on Natural Resources & Parks.

HB 2422 by Representatives Padden, Peery, Wolfe, H. Myers, Betzoff and Hargrove

AN ACT Relating to transcript review; and adding new sections to Title 28A RCW.

Referred to Committee on Education.

HB 2423 by Representatives Prentice, D. Sommers, Sprenkle, Locke, Silver, Tate, Hine, Day, Ballard, Braddock, Holland, Vekich, Bowman, Dorn, Wolfe, G. Fisher, Padden, Leonard, Pruitt, Van Luven, Rector, Wineberry, Doty, Dellwo and Winsley

AN ACT Relating to continuity of nursing care in nursing homes; and amending RCW 74.46.481.

Referred to Committee on Appropriations.

HB 2424 by Representatives Ballard, Wang, Holland, Pruitt, Horn, Morris, Silver, Basich, Brumsickle, Rust, Miller, Rasmussen, Wood, Fraser, Bowman, Todd, Wolfe, Leonard, Youngsman, G. Fisher, Forner, Van Luven, Jacobsen, Betzoff, Beck, Winsley, Fuhrman, Rayburn, Sprenkle, P. King, Heavey, Inslee, Crane, Kirby, Smith, R. Fisher, Rector, Hankins, Doty, Jones, Tate, Dellwo, Ebersole, Zellinsky, May, Brooks, Kremen, R. Meyers, Phillips, Ferguson, K. Wilson, Spanel and McLean

AN ACT Relating to directing a study to define taxpayers' rights and responsibilities; and creating new sections.

Referred to Committee on Revenue.

HB 2425 by Representatives Rasmussen, Dorn, McLean, Ebersole, Rayburn, Heavey, Van Luven, Kirby, Spanel, Walker, K. Wilson, Betzoff, Brumsickle, Jesernig, Moyer, Raiter, Winsley, Wood, S. Wilson, Brough, Fuhrman, Wolfe, Miller, Sprengle, Todd, Crane, Smith, Rector, Wineberry, Forner, Tate, Basich, Youngsman, Zellinsky, May, O'Brien and Ferguson

AN ACT Relating to revocation of driving privileges for drug or alcohol law violations; and amending RCW 46.20.265, 66.44.365, 69.41.065, 69.50.420, and 69.52.070.

Referred to Committee on Judiciary.

HB 2426 by Representatives Vekich, Walker, Chandler and Winsley; by request of Employment Security Department

AN ACT Relating to employer contributions for unemployment compensation; amending RCW 50.04.205, 50.24.110, 50.29.025, 50.29.070, and 50.44.060; adding a new section to chapter 50.04 RCW; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2427 by Representatives Inslee, Ferguson, Rayburn, Prentice, Holland, Dorn, Nealey, Silver, Betzoff, Brumsickle, Rasmussen, Grant, Rector, Walker, G. Fisher, Jones, P. King, Anderson, Cole, Prince, Schoon, Van Luven, Winsley, Sprengle, Fraser, Heavey, H. Myers, Scott, Crane, Kirby, Smith, Hine, Wood, Doty, Dellwo, Ebersole, Jacobsen, Kremen, R. Meyers, Phillips, K. Wilson and Spanel

AN ACT Relating to technological and vocational education; amending RCW 28A.67.115 and 28B.80.350; adding a new chapter to Title 28A RCW; adding new sections to Title 28A RCW; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.50 RCW; adding a new section to chapter 28B.80 RCW; creating new sections; making appropriations; providing an expiration date; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 2428 by Representatives Zellinsky and Ferguson

AN ACT Relating to notice of actions by the insurance commissioner; and adding a new section to chapter 48.02 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2429 by Representatives R. Meyers and Scott

AN ACT Relating to attempts by vessel operators to elude pursuing law enforcement vessels; adding a new section to chapter 88.08 RCW; and prescribing penalties.

Referred to Committee on Fisheries & Wildlife.

HB 2430 by Representatives P. King, Vekich, Walker, Prentice, Winsley, Jones and Kremen; by request of Attorney General

AN ACT Relating to motor vehicle warranties; and amending RCW 19.118.021.

Referred to Committee on Commerce & Labor.

HB 2431 by Representatives Jacobsen, Phillips, Wineberry, Anderson, Nelson, Locke, Leonard, Prentice, Cole, Appelwick, O'Brien, Rust, Valle, Hargrove and Brekke

AN ACT Relating to the Union Bay wetland management area; and adding a new section to chapter 77.12 RCW.

Referred to Committee on Natural Resources & Parks.

HB 2432 by Representatives Heavey, Beck, Hargrove, Ebersole, Kremen, Vekich, Cole, Grant, Jacobsen, Sprengle, Rust, Scott, Wang, Crane, R. Fisher, Rector, Wineberry, Jones, Dellwo, Basich, R. King and Spanel

AN ACT Relating to unemployment compensation during labor disputes; amending RCW 50.20.090 and 50.29.020; creating new sections; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2433 by Representatives Basich, Dorn, McLean, Leonard, O'Brien, Winsley, Rasmussen, Brumsickle, Peery, Pruitt, Cole, Rust, Betrozoff, K. Wilson, G. Fisher, Nelson, Rayburn, Phillips, Locke, Sayan, Jacobsen, Scott, Holland, Rector, Wineberry, Jones and Brekke

AN ACT Relating to development of self-esteem and social responsibility; adding new sections to Title 28A RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2434 by Representatives R. Meyers, Walker, Kremen, Winsley and Spanel

AN ACT Relating to deficit reimbursements for certain county ferries; and amending RCW 47.56.725.

Referred to Committee on Transportation.

HB 2435 by Representatives Nutley, Vekich and Walker

AN ACT Relating to continuing education for land surveyors; and amending RCW 18.43.080.

Referred to Committee on Commerce & Labor.

HB 2436 by Representatives Nutley, Winsley, Leonard, Wood and May

AN ACT Relating to the Washington housing trust fund; and amending RCW 43.185.070.

Referred to Committee on Housing.

HB 2437 by Representatives Nutley, Leonard, Winsley and Todd

AN ACT Relating to tenant application fees; adding a new section to chapter 59.18 RCW; creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Housing.

HB 2438 by Representatives Sprenkle, Holland, Jacobsen, Anderson, Valle, Miller and Ferguson

AN ACT Relating to the state library; and adding a new section to chapter 27.04 RCW.

Referred to Committee on State Government.

HB 2439 by Representatives Jacobsen, Pruitt, Rector, Miller, Dellwo, Fraser, Wood, Jesernig, Van Luven, P. King and Ferguson

AN ACT Relating to community service by students at state institutions of higher education; creating new sections; and providing an expiration date.

Referred to Committee on Higher Education.

HB 2440 by Representatives Jacobsen, Miller, Dellwo, Fraser, Wood, Rector, Jesernig, Van Luven, Anderson, Inslee and Hankins

AN ACT Relating to higher education textbooks; and adding a new section to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 2441 by Representatives Jacobsen, Miller, Rector, Van Luven, Dellwo, Spanel, Anderson, Pruitt, Wood, Doty and Ferguson

AN ACT Relating to disabled students in higher education; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 2442 by Representatives Jacobsen, May, Nelson, Heavey, Anderson, Prentice, Zellinsky, Betrozoff, Pruitt, H. Myers, Rector, Dellwo and R. Meyers

AN ACT Relating to telecommunications devices for the hearing and speech impaired; amending RCW 43.20A.720, 43.20A.725, and 43.20A.730; creating a new section; and repealing section 7, chapter 304, Laws of 1987 (uncodified).

Referred to Committee on Energy & Utilities.

HB 2443 by Representatives O'Brien, Jacobsen, Prince, Anderson, Heavey, Crane, Valle, Winsley, Moyer, P. King, Todd, Day, Rector, Wood, Wineberry and R. King

AN ACT Relating to the Warren G. Magnuson institute for biomedical research and health professions training; and adding a new section to chapter 28B.20 RCW.

Referred to Committee on Higher Education.

HB 2444 by Representatives Kirby, Nealey, Haugen, Smith, Ballard, Rayburn and Jones

AN ACT Relating to irrigation districts; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Local Government.

HB 2445 by Representatives Winsley, Leonard, Wood and Miller

AN ACT Relating to mobile home park rental agreements; and amending RCW 59.20.060.

Referred to Committee on Housing.

HB 2446 by Representatives Winsley, Padden, Nutley and Wolfe

AN ACT Relating to public housing authorities; and amending RCW 35.82.070.

Referred to Committee on Housing.

HB 2447 by Representatives Locke, Padden, Dellwo, Nutley, Jacobsen and Jesernig

AN ACT Relating to law library fees; and amending RCW 27.24.070.

Referred to Committee on Judiciary.

HB 2448 by Representatives Valle, Brooks, Prentice and D. Sommers

AN ACT Relating to indoor clean air; and amending RCW 70.160.070 and 70.160.080.

Referred to Committee on Health Care.

HB 2449 by Representatives Valle, Jones, Phillips, Rust, K. Wilson and Fraser

AN ACT Relating to vessels carrying oil and hazardous materials; and amending RCW 88.16.050, 88.16.070, and 88.16.180.

Referred to Committee on Transportation.

HB 2450 by Representatives Valle, D. Sommers, Anderson, Beck and Kremen

AN ACT Relating to the select joint committee on sunset review; amending RCW 43.131.120 and 43.06.010; and repealing RCW 43.131.115 and 43.131.118.

Referred to Committee on State Government.

HB 2451 by Representatives Prentice, D. Sommers, Sprengle, Rayburn, Ferguson, Day, Moyer, Rector, P. King, Wang, Spanel and Brekke

AN ACT Relating to registered nurses; amending RCW 18.88.280; and adding a new section to chapter 18.88 RCW.

Referred to Committee on Health Care.

HB 2452 by Representatives R. King, Nelson, Vekich, Smith, Walker, Jones, Winsley and R. Meyers

AN ACT Relating to safety in Washington navigable waters; amending RCW 75.08-.012; adding a new chapter to Title 49 RCW; adding a new chapter to Title 75 RCW; prescribing penalties; making an appropriation; and declaring an emergency.

Referred to Committees on Commerce & Labor/Appropriations.

HB 2453 by Representatives Nelson, Berozoff, Peery, Wood, Cole, Rayburn, Phillips, Walker, G. Fisher, Jacobsen, Valle, Rasmussen, Anderson, Todd, Brekke, Appelwick, Leonard, Spanel, Wineberry, K. Wilson, Pruiitt, Brumsickle, Winsley, Dellwo, May and Ferguson

AN ACT Relating to parental involvement in education; adding new sections to Title 28A RCW; making an appropriation; and providing an expiration date.

Referred to Committees on Education/Appropriations.

HB 2454 by Representatives Nelson, Hankins, H. Myers, Miller, Jacobsen, May, Anderson, Valle, R. Fisher, Rector, Wood, Dellwo, Basich, Ebersole, R. Meyers, Phillips, Ferguson, Fraser, Todd, Heavey, Scott, Crane and Hine

AN ACT Relating to seismic safety; amending RCW 70.86.030; adding new sections to chapter 70.86 RCW; creating a new section; making an appropriation; and providing an expiration date.

Referred to Committees on Energy & Utilities/Appropriations.

HB 2455 by Representatives Locke, Silver, H. Sommers, Miller, Pruitt, Rector, Phillips, O'Brien and Ferguson

AN ACT Relating to authorizing local governments to establish public corporations to finance facilities of nonprofit corporations; adding a new chapter to Title 35 RCW; and prescribing penalties.

Referred to Committee on Local Government.

HB 2456 by Representatives Locke, Crane, Padden, H. Myers, Brough, Winsley, Rector, Dellwo, Kremen, O'Brien and P. King

AN ACT Relating to procedures for asserting the criminal mental defenses of insanity and diminished capacity; and amending RCW 10.77.010, 10.77.030, and 10.77.080.

Referred to Committee on Judiciary.

HB 2457 by Representatives Wolfe, Jones, R. King, Silver, Padden, Walker, Leonard, Tate, Cole, D. Sommers, Moyer and Winsley

AN ACT Relating to employment agencies; and amending RCW 19.31.020 and 19.31.245.

Referred to Committee on Commerce & Labor.

HB 2458 by Representatives Van Luven, Ferguson, Betzoff, Miller, Holland, Forner, May, Cantwell, Schmidt, Horn and P. King

AN ACT Relating to the scenic and recreational highway system; and amending 47.39.020.

Referred to Committee on Transportation.

HB 2459 by Representatives Inslee, Wineberry, Raiter, Belcher, R. Meyers, Moyer, Baugher, Rector, Schmidt, Dorn, Locke, H. Myers, Smith, P. King, Brough, Prentice, Padden, Forner, Jesernig, Tate, Scott, Anderson, Pruitt, Wood, Nealey, Dellwo, May, Ferguson, Rayburn, Kirby, Spanel and Rasmussen

AN ACT Relating to punitive damages for wrongful death or personal injuries caused while driving under the influence of alcohol or drugs; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 2460 by Representatives Inslee, Padden, Raiter, Appelwick, R. Meyers, Moyer, Rayburn, Hargrove, Rector, Dorn, H. Myers, Grant, Anderson, Jesernig, Van Luven, Wood, Jones, Zellinsky, R. King, Kremen, Crane and Kirby

AN ACT Relating to civil docket priority for parties over seventy years of age or who are terminally ill; adding a new section to chapter 4.44 RCW; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2461 by Representatives Van Luven, Heavey, Schmidt, Prentice, Haugen, Fraser, Brekke, Silver, May, Miller and P. King

AN ACT Relating to emergency vehicle lighting and equipment; adding a new section to chapter 46.37 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 2462 by Representatives Van Luven, Jacobsen, Miller, Fraser, Prentice, H. Sommers, Beck, Todd, McLean, Moyer, Rector, Wineberry, Dellwo and Ferguson

AN ACT Relating to financial aid; adding a new chapter to Title 28B RCW; and providing an expiration date.

Referred to Committee on Higher Education.

HB 2463 by Representatives Van Luven, Morris, Silver, Anderson, Hankins, Winsley, Bowman, Beck, Jones, May, Wolfe and Miller

AN ACT Relating to release of vehicle registration records; amending RCW 46.12.380; adding new sections to chapter 46.12 RCW; creating a new section; and prescribing penalties.

Referred to Committee on State Government.

HB 2464 by Representatives May, Brooks, Sayan, Leonard, Ferguson, Prentice, Jacobsen, Valle, Cole, Scott, Horn, Vekich, Anderson, Jesernig, Wineberry and Nealey

AN ACT Relating to health insurance coverage for chore service workers; and amending RCW 70.127.080.

Referred to Committee on Health Care.

HB 2465 by Representatives May, Braddock, Hankins, Leonard, Brooks, Prentice, Miller, Jacobsen, Brough, R. Meyers, Ferguson, S. Wilson, Silver, Sayan, Nealey, Cole, Scott, Horn, Sprenkle, Rust, Vekich, Spanel, Dellwo, Appelwick, Schmidt, Rasmussen, Morris, Anderson, Chandler, Jesernig, Cantwell, Betrozoff, Holland, Rector, Wineberry, Wang, Smith and Brekke

AN ACT Relating to resuscitation of persons after cardiac or respiratory arrest; amending RCW 70.122.010, 70.122.020, 70.122.050, 70.122.070, and 70.122.080; and adding new sections to chapter 70.122 RCW.

Referred to Committee on Health Care.

HB 2466 by Representatives Vekich, Prentice, Winsley, Jones, Holland, Wineberry, G. Fisher, Cole, Braddock, P. King, Ebersole, Anderson, Rector, Kremen and Wang

AN ACT Relating to health benefits for employees under school service contracts; and adding a new section to Title 28A RCW.

Referred to Committee on Commerce & Labor.

HB 2467 by Representatives Padden, Appelwick, Dellwo and R. Meyers; by request of Office of the Administrator for the Courts

AN ACT Relating to juries; amending RCW 8.04.080, 8.04.100, 8.12.090, 8.16.060, 85.05.120, and 36.24.030; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2468 by Representative Braddock

AN ACT Relating to conservatorship; adding new sections to chapter 43.20A RCW; and creating a new section.

Referred to Committee on Health Care.

HB 2469 by Representatives Braddock and Prentice

AN ACT Relating to limited medical licenses for University of Washington school of medicine departmental or divisional fellowship programs; and amending RCW 18.71.095.

Referred to Committee on Health Care.

HB 2470 by Representatives Cole, Leonard, Jones, R. King, O'Brien, Basich, Valle, Nelson, Hargrove, Prentice and Wang

AN ACT Relating to pain management programs in industrial insurance; and adding a new section to chapter 51.36 RCW.

Referred to Committee on Commerce & Labor.

HB 2471 by Representatives Cole, R. King, Walker, Scott, Anderson, Pruitt, Peery, Dorn, Rust, Basich, Nelson, G. Fisher, K. Wilson, Leonard, Prentice, Holland, Winsley, Wineberry, Phillips, P. King, Todd, Wang and Brekke

AN ACT Relating to child care; amending RCW 74.12.340; and adding a new section to chapter 28A.34 RCW.

Referred to Committee on Education.

HB 2472 by Representatives Cole, Smith, Prentice, Leonard, R. King, Walker, O'Brien, Winsley, Ferguson and Wang

AN ACT Relating to the improved administration of the alcoholic beverage control title only with respect to the sale of spirits by class H liquor licensees, gifts of liquor by persons not licensed by the liquor control board to persons not licensed by the board, sale of liquor collections, seizure of liquor, use of military reserve duty cards for identification to purchase liquor, and deleting obsolete language and correcting an erroneous reference; amending RCW 66.04.010, 66.24.400, 66.08.180, 66.16.040, and 66.32.090; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 2473 by Representatives Rayburn, Smith, Nealey, Chandler, Baugher, Prince and Kirby

AN ACT Relating to the subdividing of land that is in whole or in part within an irrigation district; and amending RCW 58.17.310.

Referred to Committee on Agriculture & Rural Development.

HB 2474 by Representatives Appelwick, Locke, Brough, Leonard, Anderson, Crane, Van Luven, Wineberry, May and P. King; by request of Office of Administrator for the Courts

AN ACT Relating to superior court judges; amending RCW 2.08.061; and creating a new section.

Referred to Committee on Judiciary.

HB 2475 by Representatives Ferguson, Haugen, Horn and Nutley

AN ACT Relating to a limitation on license fees and taxes; amending RCW 67.40.100; and creating a new section.

Referred to Committees on Local Government/Capital Facilities & Financing.

HB 2476 by Representatives Horn, Haugen, Nutley, Ferguson and May

AN ACT Relating to leasing by cities and towns; and amending RCW 35.42.200.

Referred to Committees on Local Government/Capital Facilities & Financing.

HB 2477 by Representatives Ferguson, Haugen and Horn

AN ACT Relating to the taxation of public authorities; and amending RCW 84.36.010 and 35.21.755.

Referred to Committees on Local Government/Revenue.

HB 2478 by Representatives Locke, R. Fisher and Phillips

AN ACT Relating to standing, stopping, and parking violations; amending RCW 46.16.216 and 46.20.270; and providing an effective date.

Referred to Committee on Transportation.

HB 2479 by Representatives Baugher, McLean, Heavey, Brumsickle, R. Fisher, D. Sommers, Sayan, Todd, Grant, Brooks, Kremen, Betrozoff, Gallagher, Kirby, Chandler, S. Wilson, Jacobsen, Jesernig, Beck, Van Luven, Rector, Wood, Tate, May, R. Meyers, Ferguson, Wolfe, Miller, Rayburn, Sprenkle, P. King, Spanel and Dorn

AN ACT Relating to transportation of food items; adding a new section to chapter 46.37 RCW; adding a new section to chapter 47.01 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 2480 by Representatives Baugher, Dellwo, Braddock, Wineberry, Prentice and Brekke

AN ACT Relating to denturistry; amending RCW 18.120.020; reenacting and amending RCW 18.130.040; adding a new chapter to Title 18 RCW; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 2481 by Representatives Baugher, Chandler, Jesernig, Hargrove, Inslee, Rector, Jones, Rayburn and Kirby

AN ACT Relating to the deferral of special assessments and/or real property taxes; and amending RCW 84.38.030.

Referred to Committee on Revenue.

HB 2482 by Representatives G. Fisher, Miller, Rust, Holland, Wineberry and May; by request of Governor Gardner

AN ACT Relating to the Puget Sound water quality authority; amending RCW 90.70.005, 90.70.011, 90.70.045, 90.70.055, 90.70.060, 90.70.070, and 90.70.080; adding new sections to chapter 90.70 RCW; repealing RCW 90.70.900; providing an effective date; and declaring an emergency.

Referred to Committee on Environmental Affairs.

HB 2483 by Representatives Cole, Jones, Holland, Leonard, Nelson, Anderson, Prentice, Pruitt, Van Luvan, Wood, Wineberry, Horn, May, Phillips and Wang

AN ACT Relating to corporal punishment; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2484 by Representatives Betrozoff, Dorn, Holland, Valle, Winsley and Ferguson

AN ACT Relating to the Washington state high school and beyond program; amending RCW 28A.03.360; and adding new sections to Title 28A RCW.

Referred to Committee on Education.

HB 2485 by Representatives Rector, Vekich, Prentice, Leonard, Jones and Dellwo

AN ACT Relating to the regulation of industrial insurance; amending RCW 51.14.020 and 51.28.070; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2486 by Representatives Vekich, Cole, Leonard, Prentice, Braddock, Jones, Nelson, Rector, Wineberry and Brekke

AN ACT Relating to health care benefits for part-time employees; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; and adding a new section to chapter 48.46 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2487 by Representatives Vekich, Cole, Prentice, Leonard and Jones

AN ACT Relating to self-insurers' management of industrial insurance matters; and amending RCW 51.14.030.

Referred to Committee on Commerce & Labor.

HB 2488 by Representatives Rector, Miller, Wood, Jacobsen, Fraser, Prince, Jesernig, S. Wilson, Wineberry, Jones, Dellwo, H. Myers, Inslee and Brekke

AN ACT Relating to higher education; and amending RCW 28B.15.820.

Referred to Committee on Higher Education.

HB 2489 by Representatives Rector, Miller, Jacobsen, Hankins, Spanel, Fraser, Wood, Heavey, Jesernig, Dellwo, S. Wilson, Prentice, Wineberry, Jones, Ferguson, H. Myers, Scott, Inslee and Brekke

AN ACT Relating to single parents in higher education; creating a new section; making an appropriation; and providing an expiration date.

Referred to Committees on Higher Education/Appropriations.

HB 2490 by Representatives Rector, Miller, Jacobsen, Prince, Jesernig, S. Wilson, Scott, Hargrove, Prentice, Wood, Wineberry, Jones, Dellwo, Ferguson and Brekke

AN ACT Relating to single parents in higher education; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 2491 by Representatives Leonard, Smith, Jones, Prentice, Walker, Cole, Forner, R. King, Vekich, Winsley, Wineberry and Ferguson; by request of Department of Labor and Industries

AN ACT Relating to the industrial insurance labor-management cooperation program; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committees on Commerce & Labor/Appropriations.

HB 2492 by Representatives Appelwick, Van Luven, Ferguson, H. Sommers, Leonard, Crane, Miller, O'Brien, Cole, May, Anderson, Betzoff, Wineberry and P. King

AN ACT Relating to pro tempore judges; and amending RCW 35.20.200.

Referred to Committee on Judiciary.

HB 2493 by Representatives H. Sommers, Todd, McLean, Schoon, Jacobsen, Crane, Betzoff, Winsley, O'Brien, P. King and Rasmussen; by request of Department of Community Development

AN ACT Relating to preservation of historic sites; amending RCW 27.34.220; creating new sections; and providing an effective date.

Referred to Committee on Capital Facilities & Financing.

HB 2494 by Representatives Rust, Phillips, Schoon, Pruitt, D. Sommers, Todd, Miller, G. Fisher, Valle, Brekke, Walker, Jacobsen, Sprengle, Fraser, Anderson, Hargrove, Prentice, Van Luven, Winsley, R. Fisher, Wood, Wineberry, Jones, Dellwo, May, R. King, Kremen, P. King, Haugen, Wang, Crane, Hine, Spanel and Rasmussen

AN ACT Relating to oil and hazardous substance spills; amending RCW 90.48.315, 90.48.320, 90.48.330, 90.48.335, 90.48.355, 90.48.360, 88.16.090, 88.16.100, 88.40.005, 88.40.010, 88.40.020, and 88.40.030; adding new sections to chapter 90.48 RCW; adding a new section to chapter 88.16 RCW; creating a new section; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 2495 by Representatives H. Myers, Peery, G. Fisher, Brough, Phillips, Jacobsen and P. King

AN ACT Relating to a uniform entry to practice assessment for teacher certification candidates; and amending RCW 28A.70.010.

Referred to Committee on Education.

HB 2496 by Representatives H. Myers, Peery, Brumsickle, Cooper, Betzoff, Rector, Pruitt, Belcher, Winsley, Wineberry, Ferguson, P. King and Fraser

AN ACT Relating to mentors for students; creating new sections; providing an expiration date; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2497 by Representatives Jones, Smith, Vekich, Walker, Prentice, Wolfe, R. King, Winsley and Rector; by request of Department of Labor and Industries

AN ACT Relating to the allowance and reopening of industrial insurance claims; and adding a new section to chapter 51.32 RCW.

Referred to Committee on Commerce & Labor.

HB 2498 by Representatives Jones, Smith, Vekich, Cole, Prentice, Wolfe, R. King, Betzoff, Winsley, Rector, Wineberry and Dellwo; by request of Department of Labor and Industries

AN ACT Relating to penalties for violations of minimum wage laws; amending RCW 49.46.100 and 49.48.020; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2499 by Representatives Prentice, Walker, Vekich and Winsley; by request of Department of Labor and Industries

AN ACT Relating to industrial insurance assessments; and amending RCW 51.16.200 and 51.48.150.

Referred to Committee on Commerce & Labor.

HB 2500 by Representatives Prentice, Walker, Cole, Leonard, Winsley and Wood; by request of Department of Labor and Industries

AN ACT Relating to workers' compensation claim files; and amending RCW 51.28.070.

Referred to Committee on Commerce & Labor.

HB 2501 by Representatives R. King, Cole, Leonard and Basich; by request of Department of Labor and Industries

AN ACT Relating to workers' compensation benefits; amending RCW 51.32.050, 51.32.060, and 51.32.090; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2502 by Representatives Cole, Walker and Leonard; by request of Department of Labor and Industries

AN ACT Relating to construction liens; and amending RCW 60.04.250.

Referred to Committee on Commerce & Labor.

HB 2503 by Representatives Vekich, Walker, R. King and Winsley; by request of Department of Labor and Industries

AN ACT Relating to the investment of industrial insurance funds; and amending RCW 51.44.100.

Referred to Committee on Commerce & Labor.

HB 2504 by Representatives H. Sommers, Schoon, Rasmussen, Jacobsen, Betzoff, Holland and Winsley; by request of Governor Gardner

AN ACT Relating to the capital budget; authorizing certain projects; amending section 2, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 121, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 125, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 282, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 283, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 297, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 407, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 415, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 428, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 459, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 469, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 708, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 710, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 718, chapter 12, Laws of 1989 1st ex. sess. (uncodified); amending section 801, chapter 12, Laws of 1989

1st ex. sess. (uncodified); and amending section 903, chapter 12, Laws of 1989 1st ex. sess. (uncodified); adding new sections to chapter 12, Laws of 1989 (uncodified); making appropriations; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2505 by Representatives McLean, Dellwo, Chandler, Zellinsky, Ballard, Nealey and Kirby

AN ACT Relating to the use of farmers home administration guaranty loan funds; adding a new chapter to Title 31 RCW; prescribing penalties; making an appropriation; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 2506 by Representatives Haugen, Kirby, S. Wilson, Smith, Brooks, Morris, Ferguson, Zellinsky, Rayburn, Raiter, Phillips, Nealey, Horn, Wood, Wolfe, Rector, Dellwo and Kremen

AN ACT Relating to county and state revenue responsibilities for defense costs; amending RCW 2.50.040, 2.50.050, 2.50.060, and 2.50.080; and adding a new section to chapter 2.50 RCW.

Referred to Committees on Judiciary/Appropriations.

HB 2507 by Representatives Haugen, S. Wilson, Ferguson, Zellinsky, Phillips and Nealey

AN ACT Relating to county levies for health-related benefits; amending RCW 84.52-.043; adding a new section to chapter 41.26 RCW; and providing an effective date.

Referred to Committees on Local Government/Revenue.

HB 2508 by Representatives Vekich, Smith, Cole, Beck, Jones, Ferguson, Jacobsen and Holland

AN ACT Relating to pasteurization in relation to licenses for the sale of beer; and amending RCW 66.24.320, 66.24.330, 66.24.350, and 66.24.360.

Referred to Committee on Commerce & Labor.

HB 2509 by Representatives Vekich, Smith, R. King, Leonard and Prentice; by request of Department of Labor and Industries

AN ACT Relating to industrial insurance death benefits; and amending RCW 51.32.050.

Referred to Committee on Commerce & Labor.

HB 2510 by Representatives Cole, Wolfe, Jones, Leonard, Prentice and Winsley; by request of Department of Labor and Industries

AN ACT Relating to the imposition of civil penalties for violation of the industrial welfare statutes; amending RCW 49.12.170; adding new sections to chapter 49.12 RCW; repealing RCW 49.12.161; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2511 by Representatives R. King, Walker, Leonard and Smith; by request of Department of Labor and Industries

AN ACT Relating to maritime occupations; and amending RCW 51.12.100.

Referred to Committee on Commerce & Labor.

HB 2512 by Representatives O'Brien, Crane and Wineberry

AN ACT Relating to suspension of drivers' licenses of minors; adding a new section to chapter 46.20 RCW; and adding a new section to chapter 13.40 RCW.

Referred to Committee on Judiciary.

HB 2513 by Representatives Walker, Rust, D. Sommers, Fraser, G. Fisher, Pruitt, Phillips, Brekke, Betrozoff, Winsley, May, Ferguson and Wolfe

AN ACT Relating to litter; adding a new section to chapter 72.09 RCW; adding a new section to chapter 36.58A RCW; and creating a new section.

Referred to Committee on Environmental Affairs.

HB 2514 by Representatives Walker, Rust, Pruitt, D. Sommers, Phillips, Fraser, Brekke, G. Fisher, Jacobsen, Scott, Leonard, Valle, Betrozoff, Bowman, Winsley, Wineberry, Tate, May, Ferguson and Wolfe

AN ACT Relating to highway litter control: adding a new section to chapter 47.40 RCW; and creating a new section.

Referred to Committee on Transportation.

HJM 4026 by Representatives Phillips, Sayan, Rust, D. Sommers, G. Fisher, Walker, Fraser, Valle, Spanel, Sprenkle, Jones, Brekke, Jacobsen, Pruitt, Wood, Wineberry, Dellwo, Ferguson, P. King, Wang and Rasmussen

Requesting Congress to address oil spills and vessel standards and operating procedures.

Referred to Committee on Environmental Affairs.

HCR 4429 by Representatives H. Myers, Miller, Nelson, Hankins, Cooper, Beck, Raiter, G. Fisher, Phillips, Belcher, D. Sommers, Jacobsen, Anderson, Pruitt, Rector, Wood, Dellwo, R. King, Ferguson, P. King and Todd

Creating a joint select committee on seismic events.

Referred to Committee on Energy & Utilities.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

January 10, 1990

EHB 1055 Prime Sponsor, Representative R. Fisher: Financing fire protection for state-owned buildings. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 16, strike "1989" and insert "1990"

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Absent: Representatives Morris and O'Brien.

Referred to Committee on Appropriations.

January 11, 1990

HB 1394 Prime Sponsor, Representative Rayburn: Revising irrigation district bidding requirements. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass with the following amendment:
On page 1, line 19, after "of this" strike "1989" and insert "1990"

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Passed to Committee on Rules for second reading.

January 10, 1990

EHB 1579 Prime Sponsor, Representative R. Fisher: Allowing state agencies to charge interest on debts. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:
On page 1, line 9, after "debts" strike "are to be paid" and insert "become past due"

On page 1, line 15, after "cost-effective," insert "This section does not affect any authority of the state to charge or collect interest under any other law on a debt owed to the state by a governmental unit."

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Referred to Committee on Appropriations.

January 12, 1990

ESHB 1666 Prime Sponsor, Committee on State Government: Establishing voter registration along with driver licensing. Reported by Committee on Rules

Rereferred to Committee on State Government.

January 11, 1990

EHB 1881 Prime Sponsor, Representative Rayburn: Modifying allowable compensation for irrigation district directors. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 1882 Prime Sponsor, Representative Rayburn: Authorizing irrigation districts to utilize public utility easements. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 24, after "easements," insert "When utilizing or proposing to utilize a public utility easement, an irrigation district shall submit project plans and coordinate activities with appropriate utilities."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Passed to Committee on Rules for second reading.

January 12, 1990

HB 2074 Prime Sponsor, Representative Wang: Clarifying that superior court judges are not considered county employees for purposes of entitlement to employee benefits. Reported by Committee on Rules

Rereferred to Committee on Appropriations.

January 12, 1990

HB 2154 Prime Sponsor, Representative Belcher: Regarding retirement benefits. Reported by Committee on Rules

Rereferred to Committee on Judiciary.

January 10, 1990

HB 2260 Prime Sponsor, Representative Ferguson: Changing provisions relating to the Municipal Research Council. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representative Nutley.

Passed to Committee on Rules for second reading.

January 10, 1990

HB 2264 Prime Sponsor, Representative H. Sommers: Correcting double amendments regarding general obligation bonds. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Braddock, Fraser, Heavey, Peery, Rector, Wang and Winsley.

Absent: Representatives Bowman and Jacobsen.

Passed to Committee on Rules for second reading.

January 10, 1990

HB 2276 Prime Sponsor, Representative Peery: Reorganizing Title 28A RCW. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, Horn and P. King.

Passed to Committee on Rules for second reading.

January 10, 1990

HB 2279 Prime Sponsor, Representative Haugen: Providing county reimbursement for selected transportation of human remains. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representative Nutley.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 2290 Prime Sponsor, Representative Haugen: Regarding establishment of emerging commercial fisheries. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith and Spanel.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 2292 Prime Sponsor, Representative R. King: Authorizing family fishing days. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith and Spanel.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 2293 Prime Sponsor, Representative R. King: Authorizing the department of fisheries to issue group fishing permits to licensed care facilities. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith and Spanel.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 2294 Prime Sponsor, Representative R. King: Removing restrictions on the sale of salmon taken in test fishing operations. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Brooks, Cole, Haugen, Smith and Spanel.

Absent: Representatives Basich, Bowman and Vekich.

Passed to Committee on Rules for second reading.

January 10, 1990

HB 2362 Prime Sponsor, Representative R. King: Providing incentives for state agencies and institutions of higher education to participate in industrial insurance safety programs and return-to-work programs. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Appropriations.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

THIRD READING

SECOND SUBSTITUTE HOUSE BILL NO. 1174, by Committee on Appropriations (originally sponsored by Representatives Phillips, Wood, Haugen, Ferguson, Rayburn, Horn, Raiter, Wolfe, Cooper, Nutley, Todd, Doty, Hine, Winsley, Jones, Nelson, Sayan and Ebersole; by request of Governor Gardner)

Creating a procedure for local government service agreements.

The bill was read the third time and placed on final passage.

Mr. Phillips spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1174, and the bill passed the House by the following vote: Yeas, 88; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spanel, Sprenkle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Appelwick, Braddock - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

Second Substitute House Bill No. 1174, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1175, by Representatives Raiter, Horn, Haugen, Ferguson, Wolfe, Rayburn, Wood, Cooper, Nutley, Todd, Doty, Hine, Winsley, Jones, Nelson, Sayan, Phillips, Brough, Ebersole and Sprengle; by request of Governor Gardner

Establishing a citizens' review process for altering local governments.

The bill was read the third time and placed on final passage.

Mr. Raiter spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1175, and the bill passed the House by the following vote: Yeas, 88; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spaniel, Sprengle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Appelwick, Braddock - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

Engrossed House Bill No. 1175, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1661, by Committee on Local Government (originally sponsored by Representatives Hine, G. Fisher, Valle and Heavey)

Regulating the placement of electrical facilities.

The bill was read the third time and placed on final passage.

Representatives Cooper and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1661, and the bill passed the House by the following vote: Yeas, 88; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Betzoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spaniel, Sprengle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Appelwick, Braddock - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

Substitute House Bill No. 1661, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1682, by Representatives Brough, Vekich, Patrick, Jacobsen, Cole, Leonard, Todd, O'Brien and Schoon

Revising provisions for fund raising events by bona fide charitable or nonprofit organizations.

The bill was read the third time and placed on final passage.

Ms. Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1682, and the bill passed the House by the following vote: Yeas, 70; nays, 18; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bowman, Brooks, Brough, Brumsickle, Cantwell, Cooper, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G,

Fisher R. Forner, Fraser, Gallagher, Grant, Hankins, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Sayan, Scott, Smith, Sommers D, Spanel, Sprenkle, Valle, Vekich, Walker, Wilson K, Wilson S, Winsley, Wolfe, Wood, Zellinsky, and Mr. Speaker - 70.

Voting nay: Representatives Betrozoff, Brekke, Chandler, Cole, Crane, Dellwo, Fuhrman, Hargrove, Heavey, May, Nelson, Rector, Schmidt, Tate, Van Luven, Wang, Wineberry, Youngsman - 18.

Absent: Representatives Appelwick, Braddock - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

House Bill No. 1682, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1797, by Committee on Housing (originally sponsored by Representatives Todd, Nutley, Cooper, Cantwell, Nelson, Brough and Rasmussen)

Applying the mobile home landlord-tenant act to individual lots.

The bill was read the third time and placed on final passage.

Representatives Nutley and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1797, and the bill passed the House by the following vote: Yeas, 88; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spanel, Sprenkle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Appelwick, Braddock - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

Substitute House Bill No. 1797, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of Engrossed Substitute House Bill No. 1825 and that the bill hold its place on the third reading calendar. The motion was carried.

HOUSE BILL NO. 1890, by Representatives R. Fisher and Anderson

Changing provisions concerning redistricting.

The bill was read the third time and placed on final passage.

Representatives R. Fisher and Basich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1890, and the bill passed the House by the following vote: Yeas, 62; nays, 26; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Basich, Baugher, Belcher, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, McLean, Meyers R, Myers H, Nelson, Nutley, O'Brien, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Spanel, Sprenkle, Valle, Van Luven, Vekich, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Forner, Fuhrman, Holland, Horn, May, Miller, Moyer, Nealey, Padden, Prince, Smith, Sommers D, Tate, Walker, Wolfe, Wood, Youngsman - 26.

Absent: Representatives Appelwick, Braddock - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

House Bill No. 1890, having received the constitutional majority, was declared passed.

Representative Appelwick appeared at the bar of the House.

HOUSE BILL NO. 2035, by Representatives R. Fisher, Anderson, Jacobsen and P. King

Permitting individuals or voter registration officers to complete applications to register to vote.

The bill was read the third time and placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2035, and the bill passed the House by the following vote: Yeas, 88; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spanel, Sprengle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Braddock, Gallagher - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

House Bill No. 2035, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE JOINT RESOLUTION NO. 4200, by Representatives Haugen, Ferguson, Winsley, May, Rayburn, P. King, Cooper and Jones

Amending the Constitution to provide an alternative method for the framing of a county charter.

The resolution was read the third time and placed on final passage.

Ms. Haugen spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Resolution No. 4200, and the resolution passed the House by the following vote: Yeas, 88; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spanel, Sprengle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Braddock, Nealey - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

Engrossed House Joint Resolution No. 4200, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE JOINT RESOLUTION NO. 4203, by Representatives Cooper, Horn, Haugen, Ferguson, Phillips, Rayburn, Raiter, Wood, Wolfe, Nutley, Doty, Hine and Nelson

Amending the Constitution to alter the requirements for changing county boundaries.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the resolution was returned to second reading for purpose of amendment.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen and Ferguson:

On page 1, line 28, strike "petition form" and insert "petitions"

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen and Ferguson:

On page 2, line 1, strike "creating" and insert "authorizing the creation of"

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

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

Mr. Cooper spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Joint Resolution No. 4203, and the resolution passed the House by the following vote: Yeas, 87; nays, 1; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spanel, Sprengle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representative Brough - 1.

Absent: Representatives Braddock, Gallagher - 2.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

Reengrossed House Joint Resolution No. 4203, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4204, by Committee on Local Government (originally sponsored by Representatives Raiter, Wolfe, Haugen, Ferguson, Rayburn, Horn, Wood, Cooper, Todd, Doty, Nelson, Phillips and Brough; by request of Governor Gardner)

Allowing the review and modification of local government.

The resolution was read the third time and placed on final passage.

Mr. Raiter spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Joint Resolution No. 4204, and the resolution passed the House by the following vote: Yeas, 89; absent, 1; excused, 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers D, Spanel, Sprengle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Absent: Representative Braddock - 1.

Excused: Representatives Locke, Morris, Peery, Schoon, Silver, Sommers H, Todd - 7.

Substitute House Joint Resolution No. 4204, having received the constitutional majority, was declared passed.

Mr. Todd appeared at the bar of the House.

The Speaker assumed the Chair.

POINT OF PERSONAL PRIVILEGE

Mr. Ballard: Thank you, Mr. Speaker. In accordance with provisions of Reed's Rule 168 and House Rule 16(B)(1), I rise to a Question of Privilege relating to the rights and reputation of all the members of this august body. In Reed's Rule 167 you will find a discussion about Questions of Privilege. In that discussion it is noted that sometimes an assembly may be so attacked that the good effects of the assembly's action may be lost, and the purpose of the Question of Privilege then is to allow the assembly to "set itself right with the community."

The purpose of the Point of Personal Privilege and these comments relates to the murals, the strong feelings that many members have on them, and the fact that we should have a full discussion and a vote because of the future impact upon this body. Thank you very much.

SPEAKER'S RULING

The Speaker: The Speaker would remind the House that Questions of Privilege are defined in Section 168 of Reed's Rules, as Representative Ballard has pointed out, and are matters affecting the safety, dignity and integrity of the House collectively or matters regarding the rights, reputation or conduct of an individual member. Points of Personal Privilege should not be used to discuss or debate issues. That debate should wait until the specific issue is formally before the House; that is, when we have an action or motion before us. I commend and thank Representative Ballard for his brief remarks in that he felt this matter affected the dignity of the entire body.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien) presiding called the House to order.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, January 15, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Monday, January 15, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Appelwick. On motion of Ms. Fraser, Representative Appelwick was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Steve Adams and Melanie Hansen. Prayer was offered by The Reverend Sandra Lee, Minister of the Unitarian Universalist Fellowship of Olympia.

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

INTRODUCTIONS AND FIRST READING

HB 2515 by Representatives P. King, Winsley, Baugher, Chandler, Zellinsky, Beck, Crane and Insee

AN ACT Relating to the maintenance and investment of assets by reciprocal insurance exchanges; amending RCW 48.13.060; and adding a new section to chapter 48.13 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2516 by Representatives Todd, Winsley, Nutley, Leonard and Jacobsen

AN ACT Relating to building code education and training programs; amending RCW 18.27.060; adding a new section to chapter 19.27 RCW; creating new sections; and making an appropriation.

Referred to Committees on Housing/Appropriations.

HB 2517 by Representatives Phillips, Betzoff, Cole, Holland, Locke, Wang, O'Brien, Peery, Wineberry, Prentice, Walker, Brekke, Miller, Leonard, Rayburn, Valle, Jacobsen, Appelwick, Pruitt, H. Sommers, Rust, Nelson, Anderson, Brough, Horn, P. King, May, Winsley and McLean

AN ACT Relating to the voluntary elimination, reduction, or prevention of minority group isolation in public elementary and secondary schools; adding new sections to Title 28A RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2518 by Representatives Rayburn, Nealey, Kremen, McLean, Jesernig, Baugher, Grant, Kirby, Rasmussen, Youngsman, Chandler, Doty, Rector, Dellwo, Smith, P. King, Jacobsen, Basich, Fuhrman, Ballard, Spanel, H. Myers and Insee

AN ACT Relating to marketing agricultural products; adding a new section to chapter 43.23 RCW; creating a new section; and making an appropriation.

Referred to Committees on Agriculture & Rural Development/ Appropriations.

HB 2519 by Representatives G. Fisher, Holland, Peery, Cole, Betzoff, Brumsickle, Dorn, R. Fisher, Jones, Spanel, R. Meyers, Schoon, Walker, Phillips, P. King, Rector, Dellwo, Scott, Miller, Jacobsen, Basich, Wood, Winsley and Todd

AN ACT Relating to school buses; adding a new section to Title 28A RCW; creating new sections; and declaring an emergency.

Referred to Committee on Education.

HB 2520 by Representatives R. Fisher and Schmidt

AN ACT Relating to certificates of ownership for snowmobiles; and adding a new section to chapter 46.12 RCW.

Referred to Committee on Transportation.

HB 2521 by Representative R. Meyers

AN ACT Relating to wrongful death; and amending RCW 4.20.046, 43.20B.415, and 43.20B.445.

Referred to Committee on Judiciary.

HB 2522 by Representative R. Meyers

AN ACT Relating to wrongful death; and amending RCW 4.20.020, 4.20.060, and 4.24.010.

Referred to Committee on Judiciary.

HB 2523 by Representatives Prentice, Brooks, Braddock and Dorn; by request of Department of Social and Health Services

AN ACT Relating to patient trust funds in nursing facilities; amending RCW 74.46.700, 74.46.710, 74.46.720, 18.52A.030, 43.190.020, 74.08.044, 74.09.250, 74.09.260, 74.09.510, and 74.09.700; reenacting and amending RCW 74.09.520; and providing an effective date.

Referred to Committee on Health Care.

HB 2524 by Representatives Leonard, Day, Braddock, Crane and Dellwo; by request of Department of Health

AN ACT Relating to the board of pharmacy; amending RCW 18.64A.010, 18.64A.030, 18.64A.050, and 18.64.005; creating a new section; and repealing RCW 43.131.249 and 43.131.250.

Referred to Committee on Health Care.

HB 2525 by Representatives Miller, Jacobsen, Nelson and May; by request of Washington Utilities and Transportation Commission

AN ACT Relating to regulation of radio communications services; and amending RCW 80.36.370.

Referred to Committee on Energy & Utilities.

HB 2526 by Representatives Jacobsen, Miller, Nelson and May; by request of Washington Utilities and Transportation Commission

AN ACT Relating to registration of telecommunication companies; and amending RCW 80.36.350.

Referred to Committee on Energy & Utilities.

HB 2527 by Representatives Jacobsen, Miller and Nelson; by request of Washington Utilities and Transportation Commission

AN ACT Relating to regulatory fees; and amending RCW 80.24.010 and 81.24.010.

Referred to Committee on Energy & Utilities.

HB 2528 by Representatives R. Fisher, Schmidt, R. Meyers, Dorn, Horn, Scott, Sayan, May, Forner and Wood; by request of Governor Gardner

AN ACT Relating to transportation taxes; amending RCW 82.36.025, 46.68.090, 82.36-030, 82.38.150, 36.79.140, 82.36.440, 82.38.280, 46.16.070, 46.68.035, 46.44.0941, 46.44.095, 46.68.030, 46.16.030, 46.87.020, 46.87.070, 46.87.120, 46.87.140, 46.08.010, 82.44.010, 82.44.020, 82.44.060, 82.44.110, 82.44.120, 82.44.150, 82.44.160, 82.44.170, 82.14.200, 82.14.210, 35.58-2721, 35.58.273, 43.62.010, 46.16.015, 82.50.400, 82.50.410, 82.50.510, 46.12.360, 47.56.711, 47.60.160, 47.60.326, 47.60.420, and 47.60.440; reenacting and amending RCW 82.02.030 and 47.60.150; adding a new section to chapter 46.68 RCW; adding a new section to chapter 47.60 RCW; adding new sections to chapter 82.44 RCW; adding new sections to chapter 82.50 RCW; adding a new chapter to Title 82 RCW; creating new sections; repealing RCW 82.44.013, 82.44.040, 82.44.045, 82.44.050, 82.50.420, 82.50.430, 47.56.712, 47.56.713, 47.56.714, 47.56.715, 47.56.716, 47.56.365, and 47.60.543; providing effective dates; and declaring an emergency.

Referred to Committee on Transportation.

HB 2530 by Representatives R. Fisher, Schmidt, Baugher, Jacobsen and Wood; by request of Governor Gardner

AN ACT Relating to transportation appropriations; amending section 4, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 5, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 7, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 9, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 10, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 11, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 12, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 16, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 19, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 24, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 26, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 28, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 29, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 30, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 31, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 32, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 36, chapter 6, Laws of 1989 1st ex. sess. (uncodified); amending section 56, chapter 6, Laws of 1989 1st ex. sess. (uncodified); and amending section 65, chapter 6, Laws of 1989 1st ex. sess. (uncodified); adding a new section to chapter 6, Laws of 1989 1st ex. sess. (uncodified); and declaring an emergency.

Referred to Committee on Transportation.

HB 2531 by Representatives Day, D. Sommers, Braddock, Rector and Dellwo; by request of Department of Health

AN ACT Relating to nursing home administration; amending RCW 18.52.020, 18.52.030, 18.52.040, 18.52.050, 18.52.110, 18.52.130, and 18.52.140; adding new sections to chapter 18.52 RCW; and repealing RCW 18.52.060, 18.52.070, 18.52.100, and 18.52.170.

Referred to Committee on Health Care.

HB 2532 by Representatives Phillips, Fuhrman, Cole, Holland, Brekke, Peery, H. Myers, Rasmussen, K. Wilson, Pruitt, Rector, Crane, Jones, Dellwo, Scott, Rayburn, P. King, Kremen, Spanel, Winsley, Todd and Sprenkle

AN ACT Relating to mental health; adding a new chapter to Title 71 RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2533 by Representatives Jacobsen, Van Luvan, Heavey, Ballard, Hine, Miller, Peery, Cooper, Betzoff, G. Fisher, Walker, Rector, Dellwo, Scott, Fuhrman, May, Wood, Tate, Brumsickle, Ferguson and Sprenkle

AN ACT Relating to the local master's degree teacher training program; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2534 by Representatives Vekich, Winsley, R. King, Day, Rector, Jones and Dellwo

AN ACT Relating to certified payrolls; and amending RCW 39.12.040.

Referred to Committee on Commerce & Labor.

HB 2535 by Representatives Holland, Rust and Locke

AN ACT Relating to the imposition of impact fees and excise taxes on residential development activity to finance school facilities; amending RCW 82.02.020 and 58.17.110; adding a new section to Title 28A RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.32 RCW; and adding a new section to chapter 58.17 RCW.

Referred to Committee on Local Government.

HB 2536 by Representatives Phillips, Winsley, Todd, Rector, Nutley, Brekke, Anderson, Leonard, Jacobsen, Basich, Locke, Sprenkle and Prentice

AN ACT Relating to federally assisted housing; adding new sections to chapter 59.28 RCW; and declaring an emergency.

Referred to Committee on Housing.

HB 2537 by Representatives Cooper, Ferguson and Nutley

AN ACT Relating to compensation of public utility district employees; and amending RCW 54.16.100.

Referred to Committee on Local Government.

HB 2538 by Representatives Sayan, Baugher, S. Wilson, Gallagher, Prince, Rector, Dellwo, Scott, Rayburn, Jones, Jacobsen, G. Fisher, Basich, Kremen, Ballard, Kirby and Todd

AN ACT Relating to motor vehicle warranties; and amending RCW 19.118.021.

Referred to Committee on Commerce & Labor.

HB 2539 by Representatives Wood, Jacobsen, Ferguson, Nealey and Haugen

AN ACT Relating to water and sewer districts; and amending RCW 56.08.100, 57.08.100, 56.08.140, and 57.08.120.

Referred to Committee on Local Government.

HB 2540 by Representatives Wang, Anderson and Jacobsen

AN ACT Relating to excise taxation of weapons; amending RCW 82.12.0251; adding a new section to chapter 82.08 RCW; adding new sections to chapter 82.12 RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Revenue.

HB 2541 by Representatives Youngsman, Padden, Belcher, Nealey, Kremen and May

AN ACT Relating to portability of public employment retirement benefits; amending RCW 41.54.010; and providing an effective date.

Referred to Committee on Appropriations.

HB 2542 by Representatives Youngsman, Appelwick, Padden, Locke, Belcher, Doty, Silver, Nealey, Walker, Rector, Dellwo, Bowman, Horn, Rayburn, Miller, Fuhrman, Kremen, Ballard, May, Schoon, Forner, Wood, Tate, Brumsickle, Rasmussen, Cooper and Sprenkle

AN ACT Relating to the forfeiture of vehicles involved in illegal transfers of controlled substances; amending RCW 69.50.101 and 69.50.505; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2543 by Representatives Morris, Moyer, Braddock, Holland, Jones, Brooks, H. Myers, Winsley, Nelson, Wineberry, Brekke, Bowman, Sprenkle, Raiter, Leonard, Spanel, Vekich, Brough, Appelwick, Cole, Belcher, Baugher, Peery, Wang, Haugen, Insee, Hine, R. Fisher, Prentice, Pruitt, R. King, Walker, Rector, Crane, Dellwo, Smith, Horn, Scott, Rayburn, P. King, Valle, Miller, Jacobsen, G. Fisher, Basich, Kremen, May, Schoon, Forner, Locke, Wood, Brumsickle, Youngsman, Todd, Rasmussen, Cooper and Day

AN ACT Relating to the community violence prevention and public security act; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Health Care.

HB 2544 by Representatives Nelson and Jacobsen

AN ACT Relating to interest rates, liens, and foreclosures for delinquent sewerage charges; amending RCW 35.67.200; and adding a new section to chapter 35.67 RCW.

Referred to Committee on Local Government.

HB 2545 by Representatives Rasmussen, Rayburn, Nealey, Kremen, Grant, Youngsman, Smith, Ballard, Prince, Doty, Prentice, McLean, Cooper, Vekich, P. King, Haugen and Kirby

AN ACT Relating to the dairy products commission; amending RCW 15.44.170; adding a new section to chapter 15.44 RCW; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HB 2546 by Representatives Phillips, Hankins, Nelson, May, R. Meyers, Miller, Jacobsen, Brooks, Todd, Anderson, Jesernig and Jones

AN ACT Relating to continuation of the Washington telephone assistance program; amending RCW 80.36.420, 80.36.430, 80.36.440, 80.36.460, and 80.36.470; amending section 12, chapter 229, Laws of 1987 (uncodified); repealing RCW 80.36.480; and providing an expiration date.

Referred to Committee on Energy & Utilities.

HB 2547 by Representatives Hargrove, Padden and Dellwo

AN ACT Relating to prejudgment interest; amending RCW 4.56.110; adding a new section to chapter 4.56 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2548 by Representatives R. Fisher, McLean, Horn, R. King, Anderson, Todd and Wood

AN ACT Relating to precinct committee officers; and amending RCW 29.42.050.

Referred to Committee on State Government.

HB 2549 by Representatives R. Fisher, McLean, Horn, R. King, Anderson, Todd and Wood

AN ACT Relating to candidates for elective office; amending RCW 29.18.010, 29.18.015, 29.18.025, 29.18.040, 29.18.050, 29.18.105, 29.18.120, 29.18.200, 29.21.010, 29.21.015, 29.21.070, 29.21.140, 29.30.040, 28A.57.314, 29.04.180, 29.13.025, 29.18.150, 29.24.070, 29.68.080, 35A.29.105, 35A.29.110, 53.12.035, and 54.12.010; reenacting and amending RCW 29.42.040; adding a new section to chapter 29.01 RCW; adding new sections to chapter 29.30 RCW; creating a new chapter in Title 29 RCW; recodifying RCW 29.13.075, 29.18.015, 29.18.025, 29.18.032, 29.18.040, 29.18.045, 29.18.050, 29.18.053, 29.18.055, 29.18.057, 29.18.070, 29.18.080, 29.18.105, 29.21.140, 29.21.350, 29.21.360, 29.21.370, 29.21.380, 29.21.385, 29.21.390, and 29.21.400; creating new sections; repealing RCW 29.18.020, 29.18.022, 29.18.030, 29.18.031, 29.18.035, 29.18.060, 29.18.090, 29.18.100, 29.18.110, 29.21.017, 29.21.020, 29.21.040, 29.21.060, 29.21.075, 29.21.080, 29.21.085, 29.21.090, 29.21.110, 29.21.120, 29.21.130, 29.21.150, 29.21.160, 29.21.180, 29.21.190, 29.21.200, 29.21.210, 29.21.220, and 29.21.330; and providing an effective date.

Referred to Committee on State Government.

HB 2550 by Representatives R. Fisher, McLean, Horn, R. King, Anderson, Todd and Wood

AN ACT Relating to the appointment of precinct election officers; and amending RCW 29.45.010 and 29.45.030.

Referred to Committee on State Government.

HB 2551 by Representatives Jacobsen, Prince, Rector, Van Luven, Nelson, Wineberry, R. King, Silver, Kremen, Wood, Rayburn, K. Wilson, Spanel, Basich, Pruitt, Dellwo, P. King, Valle, Miller, Doty, Locke, Inslee and Brekke

AN ACT Relating to services and activities fee programs; and amending RCW 28B.15.045.

Referred to Committee on Higher Education.

HB 2552 by Representatives Braddock and Schoon

AN ACT Relating to the motel/hotel tax; and adding a new section to chapter 67.28 RCW.

Referred to Committees on Local Government/Revenue.

HB 2553 by Representatives Prentice, Brooks, Morris, Sprenkle, Wolfe, Day and May

AN ACT Relating to the uniform disciplinary act; and amending RCW: 18.130.070.

Referred to Committee on Health Care.

HB 2554 by Representatives Rayburn, McLean, Youngsman and Rasmussen; by request of Department of Agriculture

AN ACT Relating to pesticide records; and amending RCW 17.21.100.

Referred to Committee on Agriculture & Rural Development.

HB 2555 by Representatives Rayburn, Nealey, McLean and Rasmussen; by request of Department of Agriculture

AN ACT Relating to the Washington animal remedy act; and repealing RCW 15.52.010, 15.52.050, 15.52.060, 15.52.070, 15.52.080, 15.52.090, 15.52.100, 15.52.110, 15.52.120, 15.52.130, 15.52.140, 15.52.150, 15.52.160, 15.52.170, 15.52.180, 15.52.320, 15.52.330, 15.52.340, and 15.52.900.

Referred to Committee on Agriculture & Rural Development.

HB 2556 by Representatives Jacobsen, May, Nelson, Hankins, Brooks, H. Myers, Miller, Cooper, Anderson, Pruitt, Holland, Rector, Dellwo, R. Meyers, Dorn, Wood and Todd

AN ACT Relating to persons unable to use customary telephones; amending RCW 43.20A.720, 43.20A.725, and 43.20A.730; creating a new section; and repealing section 7, chapter 304, Laws of 1987 (uncodified).

Referred to Committee on Energy & Utilities.

HB 2557 by Representatives Sprenkle, Prentice, Leonard, Wolfe, Fraser, Brooks, Moyer, Rust, Valle, Jesernig, May, Nelson, Locke, Cole, Morris, Phillips, Jacobsen, Dorn, Braddock, Rector, Pruitt, Inslee, Rasmussen and Brekke

AN ACT Relating to the promotional distribution of tobacco; and adding a new chapter to Title 70 RCW.

Referred to Committee on Health Care.

HB 2558 by Representatives Bowman, R. Meyers, Brumsickle, Padden, McLean, Belcher, Doty, R. King, Crane, Brough, Miller, Ballard, Silver, Tate, Winsley, Youngsman and Rasmussen

AN ACT Relating to giving grandparents and family members priority in alternative placement situations; amending RCW 13.04.011, 13.32A.130, 13.32A.140, 13.32A.150, 13.32A.160, 13.32A.170, 13.32A.180, 13.32A.190, 13.34.236, 13.34.060, 13.34.070, 13.34.130, 13.34.145, and 13.34.210; and adding new sections to chapter 13.34 RCW.

Referred to Committee on Human Services.

HB 2559 by Representatives Bowman, R. Meyers, McLean, Padden and Brumsickle

AN ACT Relating to providing identification to police officers; and amending RCW 46.61.020 and 46.61.021.

Referred to Committee on Judiciary.

HB 2560 by Representatives Peery and Sprenkle

AN ACT Relating to continuing education credit requirements; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2561 by Representatives P. King, Schoon and Crane; by request of Law Revision Commission

AN ACT Relating to replevin; amending RCW 7.64.010, 7.64.020, 7.64.035, 7.64.045, 7.64.050, 7.64.100, and 7.64.110; adding new sections to chapter 7.64 RCW; and repealing RCW 7.64.060, 7.64.080, 7.64.090, and 7.64.120.

Referred to Committee on Judiciary.

HB 2562 by Representatives P. King, Schoon and Crane; by request of Law Revision Commission

AN ACT Relating to the repeal of hospital commission statutes; and amending RCW 43.131.254.

Referred to Committee on Judiciary.

HB 2563 by Representatives P. King, Schoon and Crane; by request of Law Revision Commission

AN ACT Relating to subsistence and lodging allowances for the law revision commission; and amending RCW 1.30.030.

Referred to Committee on Judiciary.

HB 2564 by Representatives P. King, Schoon and Crane; by request of Law Revision Commission

AN ACT Relating to employee wage deductions; and amending RCW 49.48.010 and 49.52.060.

Referred to Committee on Judiciary.

HB 2565 by Representatives Prentice, Brooks, Braddock, Rector and Dellwo; by request of Department of Health

AN ACT Relating to practical nurses; amending RCW 18.78.005, 18.78.020, 18.78.030, 18.78.040, 18.78.050, 18.78.055, 18.78.060, 18.78.080, and 18.78.100; reenacting and amending RCW 18.78.090; and repealing RCW 18.78.110.

Referred to Committee on Health Care.

HB 2566 by Representatives Kirby, Wolfe, Rayburn, Baugher, Brooks, Moyer, Fuhrman, Grant, Jesernig, Rector, Dellwo, Bowman, Scott, Sayan, Jones, Haugen, Miller, Kremen, Ballard, Spanel, Silver, Schoon, Doty, H. Myers, Brumsickle, Youngsman, Todd, Insee, Rasmussen, McLean and Prentice; by request of Governor Gardner

AN ACT Relating to rural health care; adding a new section to Title 28A RCW; adding a new chapter to Title 48 RCW; adding a new chapter to Title 70 RCW; providing an effective date; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 2567 by Representatives Todd, McLean, R. Fisher and Sprenkle; by request of Governor Gardner

AN ACT Relating to the improvement of state employee recruitment, retention, and development; amending RCW 41.06.070, 41.06.430, 28B.16.040, 28A.61.070, 28B.16.110, 28B.16.112, 28B.16.116, 36.21.011, 36.21.015, 41.04.020, 41.04.362, 41.04.380, 41.04.395, 41.06.030, 41.06.080, 41.06.280, 41.06.130, 41.06.160, 41.06.163, 41.06.167, 41.06.350, 41.06.400, 41.07.020, 41.07.030, 41.07.900, 41.60.050, 41.64.900, 41.68.030, 41.68.040, 41.68.050, 43.03.028, 43.03.130, 43.105.052, 43.105.080, 43.130.060, 49.74.030, 50.13.060, 84.48.032, 41.06.110, 41.06.120, 41.06.140, 41.06.170, 41.60.015, 43.06.410, and 49.74.020; reenacting and amending RCW 41.06.150, 28B.16.100, 41.06.020, and 42.17.2401; adding new sections to chapter 43.03 RCW; adding a new section to chapter 4.92 RCW; adding new sections to chapter 41.04 RCW; creating new sections; decodifying RCW 41.06.300, 41.06.320, and 41.06.330; and repealing RCW 43.03.110 and 43.03.120.

Referred to Committee on State Government.

HB 2568 by Representatives Belcher, Beck, Locke, Brooks, Cole, R. King, Miller, Sayan, K. Wilson, Haugen, Holland, Dellwo, Rector, Brough, P. King, Valle, Jacobsen, G. Fisher, Basich, O'Brien, Spanel, Fraser, Wood, Winsley, Ferguson, Todd, Insee, Rasmussen, R. Fisher, Sprenkle, Day and Brekke; by request of Governor Gardner

AN ACT Relating to funding for the acquisition and development of land for wildlife conservation and outdoor recreation; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committees on Natural Resources & Parks/Capital Facilities & Financing.

HB 2569 by Representatives Sprenkle, Walker, Valle, D. Sommers, Rust, May, Brekke, G. Fisher, Pruitt, Fraser, Spanel and Todd

AN ACT Relating to oil recycling; amending RCW 19.114.020; adding new sections to chapter 19.114 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 2570 by Representatives Sprenkle, Walker, Fraser, Pruitt, May, G. Fisher, Brekke, R. King, R. Meyers, Spanel, Winsley, Todd, Rasmussen and Cooper

AN ACT Relating to waste reduction; adding new sections to chapter 70.95C RCW; and repealing RCW 70.95C.110.

Referred to Committee on Environmental Affairs.

HB 2571 by Representatives Sprenkle, Walker, Valle, D. Sommers, Rust, Schoon, Brekke, G. Fisher, Pruitt, Fraser, May, Spanel and Todd

AN ACT Relating to exemption of recyclable materials from motor freight carrier regulation; and amending RCW 81.80.040.

Referred to Committees on Environmental Affairs/Transportation.

HB 2572 by Representatives Sprenkle, Pruitt, Rust, Valle, G. Fisher, Fraser, Dellwo, Wang, Jacobsen, Spanel and Winsley

AN ACT Relating to newsprint content; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environmental Affairs.

HB 2573 by Representatives Belcher, Brough and R. King; by request of Department of Wildlife

AN ACT Relating to state issued wildlife licenses or permits; and amending RCW 4.24.210.

Referred to Committee on Natural Resources & Parks.

HB 2574 by Representatives P. King, Nelson, Hankins, Brooks, H. Myers, Miller, S. Wilson, Rasmussen, and Cooper

AN ACT Relating to the telephone solicitation of certain death-related business; and amending RCW 18.39.300 and 68.46.055.

Referred to Committee on Energy & Utilities.

HB 2575 by Representatives McLean, R. Meyers, Ballard and Silver

AN ACT Relating to nonappearance by occupant of motor vehicle; amending RCW 46.64.020; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2576 by Representatives R. King, S. Wilson, Bowman, Haugen and Jacobsen; by request of Department of Wildlife

AN ACT Relating to the department of wildlife; making technical revisions and updating statutes; amending RCW 77.04.010, 77.04.055, 77.12.655, 77.32.320, 77.32.340, 77.32.350, and 77.32.360; and repealing RCW 77.12.660.

Referred to Committee on Fisheries & Wildlife.

HB 2577 by Representatives Morris, R. King, S. Wilson and Haugen; by request of Department of Wildlife

AN ACT Relating to special hunting permits to be sold at auction, by raffle, or by sealed bid; and amending RCW 77.12.700.

Referred to Committee on Fisheries & Wildlife.

HB 2578 by Representatives Jones, Winsley, Vekich, Leonard, Crane, Cole, Prentice, R. King, Day, Wineberry, Wang, Fraser, Rector, Dellwo, Scott and Todd; by request of Department of Labor and Industries

AN ACT Relating to administration and enforcement of prevailing wage law; amending RCW 39.12.050, 39.12.065, and 39.12.070; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2579 by Representatives Bowman, Heavey, Tate, Hargrove, Smith, P. King, Kremen and Youngsman

AN ACT Relating to the teachers' retirement system; and amending RCW 41.32.010 and 41.32.260.

Referred to Committee on Appropriations.

HB 2580 by Representatives Bowman and Brumsickle

AN ACT Relating to fishing at the mouth of the Cowlitz river; adding new sections to chapter 75.12 RCW; adding a new section to chapter 77.16 RCW; creating a new section; providing an expiration date; and declaring an emergency.

Referred to Committee on Fisheries & Wildlife.

HB 2581 by Representatives Bowman, Sayan, McLean, Brumsickle, Walker, Rector, Miller, Schoon, Tate and Winsley

AN ACT Relating to protection of adult dependent and developmentally disabled persons; amending RCW 26.44.056; and reenacting and amending RCW 26.44.050.

Referred to Committee on Human Services.

HB 2582 by Representatives Bowman, McLean, Basich, Hargrove, Moyer, Walker, R. Meyers, Fuhrman, Ballard, Silver, Schoon, Wood, Tate, Winsley and Todd

AN ACT Relating to runaway youth; and amending RCW 74.13.034.

Referred to Committee on Human Services.

HB 2583 by Representatives May, Dellwo, Betrozoff, Prentice, Moyer, Rasmussen, Bowman, Wolfe, Walker, Rector, Wood, Winsley, Day and Brekke

AN ACT Relating to diabetes education; adding a new section to chapter 48.20 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; and creating a new section.

Referred to Committee on Financial Institutions & Insurance.

HB 2584 by Representatives Haugen, Nealey, Nutley, Ferguson, Nelson, Zellinsky, Wood, Phillips and Raiter

AN ACT Relating to contracts for work or material by public utility districts; and amending RCW 54.04.070.

Referred to Committee on Local Government.

HB 2585 by Representatives Rasmussen, Youngsman, Wang, Brough, Dorn, R. Meyers, Bowman, Scott, Miller, O'Brien, Fuhrman, Ballard, May, Schoon, Wood, Tate, Todd, Locke, R. Fisher and Sprengle; by request of Governor Gardner

AN ACT Relating to drivers' licenses; amending RCW 46.04.580, 46.20.308, 46.20.311, 46.20.380, 46.20.391, 46.61.515, and 46.68.060; adding a new section to chapter 46.04 RCW; adding a new section to chapter 46.20 RCW; creating new sections; repealing RCW 46.20.599; prescribing penalties; making an appropriation; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2586 by Representatives Heavey, Jacobsen, O'Brien, Ballard, Holland, Phillips, Valle and Wang

AN ACT Relating to integration of schools; adding new sections to Title 28A RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2587 by Representatives Prince, Nealey and P. King

AN ACT Relating to port district road improvements; and adding new sections to chapter 53.08 RCW.

Referred to Committee on Local Government.

HB 2588 by Representatives Spanel, Van Luven, K. Wilson, Ferguson, Locke, Youngsman, Nelson, Morris, Cole, Rust, Sprengle, Fraser and Brekke

AN ACT Relating to conservation areas; adding new sections to chapter 36.32 RCW; and adding a new section to chapter 82.46 RCW.

Referred to Committee on Revenue.

HB 2589 by Representatives Day, D. Sommers, Dellwo, Wolfe, Rector, Haugen, Silver and Padden

AN ACT Relating to the financing of water pollution control facilities and activities; and reenacting and amending RCW 70.146.060.

Referred to Committee on Environmental Affairs.

HJR 4224 by Representatives Padden, Phillips, Youngsman, Crane, Todd, Wolfe, Moyer, Tate, McLean, Ballard and Bowman

Ratifying an amendment to the United States Constitution on congressional pay raises.

Referred to Committee on State Government.

HCR 4430 by Representatives Zellinsky, Schmidt, Vekich, R. Meyers, Sayan and Pruitt

Designating State Route 3 "The Marine Corps Memorial Highway."

Referred to Committee on Transportation.

MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 90-4718, by Representatives Ferguson, Van Luven, Haugen, Wood, D. Sommers, May, R. Meyers, Betzoff, Miller and Horn

WHEREAS, Monday, August 7, 1989, Kelsey Stellick, 15, a varsity soccer, basketball and track athlete at Sammamish High School in Bellevue, won the National AAU Girls' Intermediate Heptathlon Junior Olympics competition at San Antonio, Texas with a score of 4158 points; and

WHEREAS, Kelsey Stellick's record-breaking statistics in the competition were logged at: 100 hurdles at 16.1 seconds; high jump at 5'3"; shot put at 30'9"; the 200 meter run at 28.2 seconds; the long jump at 15'1/4"; the javelin throw at 127'6"; and the 800 meter run at 2 minutes and 38 seconds; and

WHEREAS, On Wednesday, August 9, 1989, Kelsey Stellick did further win the National AAU Girls' Intermediate Junior Olympics Javelin title with a throw of 129 feet 11 inches, thus becoming the very first Washington athlete to capture two national titles; and

WHEREAS, Kelsey Stellick previously placed second in the Athletics Congress Junior Olympics national event in Spokane; and

WHEREAS, Kelsey Stellick is an outstanding competitive athlete who trained daily for two months prior to the national meet and was expertly coached by Roger Hansen and Jeanine Shephard; and

WHEREAS, Kelsey Stellick, a High School Junior with a 3.8 grade point average, competes on three varsity teams: Soccer, basketball and track; is a modest, sincere person despite her champion status; and she provides an excellent example for others to emulate; and

WHEREAS, Kelsey Stellick serves as an inspiration to others who battle severe health problems, as she spent one and one-half months at the burn unit of Harborview Hospital undergoing surgery and therapy and is completely recovered today, largely through her own strong will and determination; and

WHEREAS, Kelsey Stellick won the aforementioned athletic national titles without even reaching her personal best, nevertheless accomplishing a feat of momentous proportion that also brought recognition and prestige to her home state and to the citizens of Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor Kelsey Stellick as an all-around winner for these outstanding achievements; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted to Kelsey Stellick, to Coaches Jeanine Shephard and Roger Hansen, and to Mary Lou Johnson, Principal of Sammamish High School.

Mr. Ferguson moved adoption of the resolution. Representatives Ferguson and Van Luven spoke in favor of adoption of the resolution.

House Floor Resolution No. 90-4718 was adopted.

HOUSE FLOOR RESOLUTION NO. 90-4719, by Representatives Wineberry, Ballard, O'Brien, Hine, Sayan, Heavey, Anderson, Zellinsky, Appelwick, Basich, Baugher, Beck, Belcher, Betroitzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Winsley, Wolfe, Wood and Youngsman

WHEREAS, January 15, 1990 is the observance of Dr. Martin Luther King, Jr.'s birthday as both a federal holiday and Washington State legal holiday; and

WHEREAS, We, the members of the House of Representatives, as we gather together, are honored to pay tribute to the 61st anniversary of the birth of Reverend Dr. Martin Luther King, Jr. who set an example of leadership and selfless conduct for all of us to follow; and

WHEREAS, The Reverend Martin Luther King, Jr. demonstrated his love of mankind by devoting his life to fighting poverty, prejudice and racial intolerance and by endeavoring to help all human beings live in freedom and with dignity; and

WHEREAS, Dr. King was internationally acclaimed and was awarded the Nobel Peace Prize in recognition of his leadership in and dedication to achieving economic, educational and social equality for all persons; and

WHEREAS, This Nobel Laureate, by his memory, continually reminds us to fulfill his dream, a dream depicting a world of human equality; and

WHEREAS, This great American champion of the oppressed was assassinated while espousing his principles of pacifism and the assassination deeply grieved every citizen of this nation; and

WHEREAS, The Congress of the United States has honored Dr. King by creating a permanent federal holiday to commemorate the anniversary of his birth; and

WHEREAS, The Washington State Legislature has seen fit to honor this man as has the Congress and other states by declaring his birthday a legal, paid state and school holiday; and

WHEREAS, We urge Washington's corporate and business community to join the nation and our state in officially commemorating the holiday;

NOW, THEREFORE, BE IT RESOLVED, That on this day, we, the members of the House of Representatives of the State of Washington, pause in our endeavors to pay homage to one of America's most honorable and honored citizens, the Reverend Dr. Martin Luther King, Jr., in order to call to the attention of the residents of this state Dr. King's wisdom and accomplishments and to rededicate ourselves to the pursuit of his principles; and

BE IT FURTHER RESOLVED, That the Chief Clerk of the House of Representatives transmit a copy of this Resolution to the various organizations throughout the state which are dedicated to the achievement of racial equality.

Mr. Wineberry moved adoption of the resolution and spoke in favor of it.

On motion of Mr. Wineberry, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Representatives Miller, Zellinsky, Heavey and Prentice spoke in favor of adoption of the resolution.

House Floor Resolution No. 90-4719 was adopted.

HOUSE FLOOR RESOLUTION NO. 90-4720, by Representatives Inslee, Doty, Rayburn, Smith and Baugher

WHEREAS, The Yakima Valley SunDome is dedicated in appreciation to the citizens of Yakima County and their faith in the future of the valley; and

WHEREAS, The people of Yakima County have chosen to offer their proud facility to the public on January 16, 1990; and

WHEREAS, The public is excited to review their fine public building; and

WHEREAS, The citizens of the Yakima Valley and throughout central Washington will benefit daily from the wide variety of activities scheduled in the Yakima Valley SunDome, helping to expand the quality of life in their community; and

WHEREAS, We wish to join with the people of the Yakima Valley in welcoming this exciting event, ushering in the 1990s;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives declare January 16, 1990 as YAKIMA VALLEY SUNDOME GRAND OPENING DAY.

Mr. Inslee moved adoption of the resolution. Representatives Inslee, Doty and Rayburn spoke in favor of adoption of the resolution.

House Floor Resolution No. 90-4720 was adopted.

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

REPORTS OF STANDING COMMITTEES

January 11, 1990

HB 2272 Prime Sponsor, Representative Leonard: Changing provisions relating to mobile home landlords. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Inslee and Rector.

Absent: Representatives Padden and Todd.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 2310 Prime Sponsor, Representative H. Sommers: Modifying the state's ability to lease and lease back land. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betzoff, Bowman, Fraser, Jacobsen, Rector and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Heavey.

Absent: Representatives Braddock, Peery, Wang and Winsley.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 2311 Prime Sponsor, Representative H. Sommers: Reinstating the state fire service training center bond retirement fund. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betzoff, Bowman, Fraser, Heavey, Jacobsen, Rector and Wang.

Absent: Representatives Braddock, Peery and Winsley.

Passed to Committee on Rules for second reading.

January 11, 1990

HB 2312 Prime Sponsor, Representative H. Sommers: Expanding the public funds investment account. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Bowman, Fraser, Heavey, Jacobsen, Rector and Wang.

Absent: Representatives Braddock, Peery and Winsley.

Passed to Committee on Rules for second reading.

January 12, 1990

HB 2454 Prime Sponsor, Representative Nelson: Creating the seismic safety commission. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson, Chair; Hankins, Ranking Republican Member; Brooks, Cooper, Jacobsen, Jesernig and H. Myers.

MINORITY recommendation: Do not pass. Signed by Representative S. Wilson.

Absent: Representatives Gallagher, May, R. Meyers and Miller.

Referred to Committee on Appropriations.

January 12, 1990

HCR 4429 Prime Sponsor, Representative H. Myers: Creating a joint select committee on seismic events. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute resolution be substituted therefor and the substitute resolution do pass. Signed by Representatives Nelson, Chair; Hankins, Ranking Republican Member; Brooks, Cooper, Jacobsen, Jesernig, H. Myers and S. Wilson.

Absent: Representatives Gallagher, May, R. Meyers and Miller.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

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

THIRD READING

HOUSE BILL NO. 1176, by Representatives Nelson, May, Jacobsen, Crane and Miller; by request of Washington State Energy Office

Creating the energy efficiency account.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Mr. Nelson moved adoption of the following amendment by Representatives Nelson and Hankins:

On page 1, line 26, after "facilities" insert ", and which include project design, development, administration, implementation and long-term assurance of energy savings"

Representatives Nelson and Hankins spoke in favor of adoption of the amendment, and it was adopted.

Mr. Nelson moved adoption of the following amendment by Representatives Nelson and Hankins:

On page 2, line 11, after "schedule," insert "Utilities and other entities may also make payments into the account."

Representatives Nelson and Hankins spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson and Hankins spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1176, and the bill passed the House by the following vote: Yeas, 96; excused, 1.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representative Appelwick - 1.

Engrossed House Bill No. 1176, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1223, by Representatives R. Fisher, McLean, Fraser and Miller; by request of Secretary of State

Removing the secretary of state from filing of interlocal cooperation agreements.

The bill was read the third time and placed on final passage.

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1223, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Gallagher - 1.

Excused: Representative Appelwick - 1.

House Bill No. 1223, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1226, by Representatives R. Fisher, McLean, Anderson and Miller; by request of Secretary of State

Requiring lists of electors and presidential candidates.

The bill was read the third time and placed on final passage.

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1226, and the bill passed the House by the following vote: Yeas, 96; excused, 1.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representative Appelwick - 1.

Engrossed House Bill No. 1226, having received the constitutional majority, was declared passed.

Representative Appelwick appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1237, by Committee on Judiciary (originally sponsored by Representatives Appelwick, Patrick, Crane, Moyer, Scott and Schmidt)

Changing allowable fees charged by clerks of the superior court.

The bill was read the third time and placed on final passage.

Mr. Crane spoke in favor of passage of the bill, and Mr. Padden opposed it.

The Speaker called on Representative Jesernig to preside.

Representatives Appelwick and Sayan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1237, and the bill passed the House by the following vote: Yeas, 59; nays, 38.

Voting yea: Representatives Anderson, Appelwick, Belcher, Braddock, Brekke, Cantwell, Chandler, Cole, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Hine, Jacobsen, Jesernig, Jones, King R, Kirby, Leonard, Locke, Meyers R, Miller, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Van Luvan, Vekich, Wang, Wilson K, Wilson S, Wineberry, and Mr. Speaker - 59.

Voting nay: Representatives Ballard, Basich, Baugher, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Cooper, Doty, Forner, Fuhrman, Hankins, Heavey, Holland, Horn, Insee, King P, Kremen, May, McLean, Moyer, Nealey, Padden, Prince, Rayburn, Schoon, Silver, Smith, Sommers D, Tate, Walker, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 38.

Engrossed Substitute House Bill No. 1237, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1257, by Committee on Transportation (originally sponsored by Representatives Gallagher, S. Wilson, Baugher, Crane, R. Meyers, Day, Cantwell, Walk, Haugen and R. Fisher)

Regulating overdimensional load service.

The bill was read the third time and placed on final passage.

Mr. Baugher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1257, and the bill passed the House by the following vote: Yeas, 97.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van

Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Substitute House Bill No. 1257, having received the constitutional majority, was declared passed.

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

MOTION

On motion of Mr. Ebersole, House Bill No. 2493 was referred from Committee on Capital Facilities & Financing to Committees on State Government/Capital Facilities & Financing.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 17, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TENTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, January 17, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Baugher, R. Fisher, Inslee, Locke, Rayburn, Rust, K. Wilson, S. Wilson and Mr. Speaker. With consent of the House, Representatives Baugher, R. Fisher, Locke, Rayburn, Rust, K. Wilson, S. Wilson and Mr. Speaker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Erin McDougal and Zach Vall-Spinosa. Prayer was offered by Sister Barbara Schamber, Provincial Superior, Sacred Heart Province, and Sister Kathryn Rutan, Provincial Superior, St. Ignatius Province.

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

OATH OF OFFICE

The Speaker (Mr. O'Brien presiding) instructed the Sergeant at Arms to escort Don Bennett to the rostrum.

The Speaker (Mr. O'Brien presiding) introduced Judge Carol Fuller, Thurston County Superior Court. Judge Fuller administered the oath of office to Mr. Bennett.

The Speaker (Mr. O'Brien presiding) instructed the Sergeant at Arms to escort Representative Bennett to his seat on the House floor.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Mrs. Don Bennett, who was seated in the gallery.

INTRODUCTIONS AND FIRST READING

HB 2590 by Representatives Wood, Heavey, Miller, Doty, Walker, Van Luven, Rasmussen, Prince, Bowman, Schmidt, P. King, Winsley, Holland, May and Ferguson

AN ACT Relating to entrance requirements for undergraduate programs at institutions of higher education; and amending 28B.10.050.

Referred to Committee on Higher Education.

HB 2591 by Representatives Wood, Jacobsen, McLean, Miller, Fraser, Bowman, Cooper, Beck, Zellinsky, Ferguson, Kremen, Scott, Cole, H. Myers, Raiter, Cantwell, P. King, Crane, Winsley, Van Luven and Hankins

AN ACT Relating to honorary degrees; and reenacting and amending RCW 28B.50.140.

Referred to Committee on Higher Education.

HB 2592 by Representatives Betzozoff, Walker, Brumsickle, P. King, Pruitt, May, Ferguson, Wood, McLean and Schoon

AN ACT Relating to outcomes-based education; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2593 by Representatives Belcher, Rust, Dellwo, Jacobsen, Pruitt, Prentice, Fraser, Leonard, Nutley, Locke, R. Fisher, Cole, Vekich, Phillips and Brekke

AN ACT Relating to pesticides; amending RCW 15.58.020, 15.58.030, 15.58.110, 15.58.040, 15.58.060, 15.58.100, 15.58.335, 15.58.405, 43.21C.110, 17.21.010, and 17.21.020; adding new sections to chapter 15.58 RCW; adding new sections to chapter 17.21 RCW; adding a new section to Title 51 RCW; adding a new section to chapter 69.04 RCW; adding new sections to chapter 43.21A RCW; creating a new section; repealing RCW 15.58.120; and making appropriations.

Referred to Committees on Environmental Affairs/Appropriations.

HB 2594 by Representatives Belcher, Dellwo, Jacobsen, Miller, Hankins, Pruitt, Fraser, Locke, Ferguson, G. Fisher, Cole, Vekich, Anderson, Basich, Winsley, Rector, Wood and Brekke

AN ACT Relating to education; amending RCW 28A.05.060 and 28B.80.350; and reenacting and amending RCW 28A.70.005.

Referred to Committee on Education.

HB 2595 by Representatives Belcher, Cole, Phillips, Haugen, Ferguson, R. Meyers, S. Wilson, Jacobsen, Leonard and Appelwick

AN ACT Relating to the rental of state-owned tidelands and bedlands; and amending RCW 79.90.495.

Referred to Committee on Natural Resources & Parks.

HB 2596 by Representative Cooper

AN ACT Relating to solid waste facilities and services procurement by Clark county; and creating a new section.

Referred to Committee on Local Government.

HB 2597 by Representatives Jacobsen, Sayan, Winsley, Padden, D. Sommers, Tate, Anderson, Nelson, Brekke, Heavey, Appelwick, Leonard, Raiter, Holland, Dellwo, Wineberry, Pruitt, Rector, Kremen, Wood, Moyer and Todd

AN ACT Relating to the office of hearing impaired services; adding new sections to chapter 43.20A RCW; and creating new sections.

Referred to Committees on Human Services/Appropriations.

HB 2598 by Representative K. Wilson

AN ACT Relating to the sale or transfer of motor vehicles; and amending RCW 46.12.101 and 46.12.102.

Referred to Committee on Transportation.

HB 2599 by Representatives K. Wilson, Ferguson, Holland, Heavey, Cole and P. King

AN ACT Relating to class size of resource room for handicapped education programs; and adding a new section to Title 28A RCW.

Referred to Committees on Education/Appropriations.

HB 2600 by Representatives Inslee, Dellwo, Baugher, Dorn, Nutley, Anderson, Zellinsky, Crane, Jones, Scott and Rector

AN ACT Relating to automobile insurance; amending RCW 48.18.292 and 48.18.297; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2601 by Representatives Belcher, Brooks, Hine, Dellwo, Brough, Sprenkle, Winsley, Scott, McLean, Morris, Jacobsen, Miller, Prentice, Wang, Leonard, Spanel, Nutley, R. Fisher, Todd, Haugen, Nelson, Grant, Brekke, H. Sommers, Beck, S. Wilson, Schmidt, Hankins, Pruitt, Bowman, Ferguson, May, Fraser, G. Fisher, Cole, Vekich, Dorn, Locke, Anderson, P. King, Basich, Valle, Crane, Wineberry, Jesernig, Rector, Holland, Forner, Wood, R. Meyers, R. King, Jones, Ebersole and Cooper

AN ACT Relating to comprehensive community-based programs for pregnancy prevention and support for young pregnant women and their partners; adding a new chapter to Title 70 RCW; making an appropriation; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 2602 by Representatives Hine, Moyer, Rayburn, Belcher, Scott, Brooks, Heavey, Nutley, Sayan, Fraser, Miller, Dorn, Rasmussen, Hargrove, G. Fisher, R. Fisher, Rector, Leonard, Wineberry, Brough, Sprenkle, Cole, Jones, Dellwo, Haugen, Day, Ebersole, Anderson, Peery, P. King, Basich, Valle, Wang, Phillips, Winsley, Kremen, Padden, Smith, Forner, Tate, Vekich, Wood, Wolfe, D. Sommers, R. King, Van Luven, Brekke, Bowman, Morris, Cooper, H. Myers, Walker, Todd and Spanel

AN ACT Relating to adoption; amending RCW 74.04.005 and 26.33.020; adding a new section to chapter 26.33 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 2603 by Representatives Vekich, Prentice, Brooks, Dellwo, O'Brien, Heavey, Basich, G. Fisher, Valle, Jacobsen, Wineberry, Leonard, Pruitt, Wang, Phillips, Winsley, Sprenkle, Kremen, Holland, Haugen, Hine, Wood, R. King, Moyer, Jones, Ebersole, Scott, Brekke, Morris, Todd and Spanel; by request of Governor Gardner

AN ACT Relating to children's health; amending RCW 74.09.010; adding a new section to chapter 43.20 RCW; and adding new sections to chapter 74.09 RCW.

Referred to Committees on Health Care/Appropriations.

HB 2604 by Representatives Wang and Fraser; by request of Department of Revenue

AN ACT Relating to the examination of books and records by the department of revenue; and amending RCW 82.32.110.

Referred to Committee on Revenue.

HB 2605 by Representatives Jacobsen, Nelson, Miller, H. Sommers and Todd

AN ACT Relating to emergency communications systems; creating new sections; making appropriations; and declaring an emergency.

Referred to Committees on Energy & Utilities/Appropriations.

HB 2606 by Representatives Ferguson, Beck, Haugen, Ballard, Jones, Chandler, Nutley, Winsley, Anderson, Miller, Van Luven, Holland, Nealey, Fuhrman, Forner, Raiter, Wolfe, Doty, Wood, Cooper, Tate, Youngsman, Zeflinsky, D. Sommers, Nelson, Sayan, Wineberry, K. Wilson, Phillips, Belcher, Dorn, Day, Crane, Baugher, Wang, Dellwo, Jacobsen, Rector, Kremen, Padden, Smith, Horn, Betrozoff, Moyer, Scott, Bowman, Hankins and Schoon

AN ACT Relating to mortgage insurance; and adding a new section to chapter 19.--RCW (chapter 98, Laws of 1989).

Referred to Committee on Financial Institutions & Insurance.

HB 2607 by Representative Vekich

AN ACT Relating to medical examinations in industrial insurance; amending RCW 51.32.112 and 51.32.114; and amending section 1, chapter 114, Laws of 1988 (uncodified).

Referred to Committee on Commerce & Labor.

HB 2608 by Representatives Valle, Vekich and Heavey

AN ACT Relating to posting of liquor license applications; and amending RCW 66.24.010.

Referred to Committee on Commerce & Labor.

HB 2609 by Representatives Ferguson, Rust, Dellwo, Wang, P. King and McLean; by request of Pollution Liability Reinsurance Agency

AN ACT Relating to the Washington pollution liability insurance program; and amending RCW 70.148.010, 70.148.020, 70.148.030, 70.148.040, 70.148.050, 70.148.060, 70.148.070, 70.148.080, 70.148.090, 70.148.100, and 82.23A.020.

Referred to Committee on Financial Institutions & Insurance.

HB 2610 by Representatives Sayan, Moyer, Scott, Winsley, Leonard, Wineberry, Anderson, Cooper, Raiter, Brekke and Belcher

AN ACT Relating to public assistance; amending RCW 74.04.005 and 74.04.770; and declaring an emergency.

Referred to Committees on Human Services/Appropriations.

HB 2611 by Representatives Crane, R. Meyers and Appelwick

AN ACT Relating to uniform misdemeanor criminal code penalties; adding a new section to chapter 35.21 RCW; adding a new section to chapter 9.92 RCW; adding a new section to chapter 9A.04 RCW; and adding a new section to chapter 66.44 RCW.

Referred to Committee on Judiciary.

HB 2612 by Representatives Locke, Prince, Dellwo, Zellinsky, Jacobsen and Scott

AN ACT Relating to mortgage loan disclosures; and amending RCW 19.148.020 and 19.148.030.

Referred to Committee on Financial Institutions & Insurance.

HB 2613 by Representatives Hargrove, Van Luven, Doty, D. Sommers, Gallagher, R. Meyers, Walker, Basich, Pruitt, Brumsickle, May, Wood, Horn, McLean and Smith

AN ACT Relating to child support; amending RCW 26.09.090, 26.09.100, 26.09.170, 26.16.205, 26.18.020, 26.19.040, and 74.20.040; and adding a new section to chapter 26.19 RCW.

Referred to Committee on Judiciary.

HB 2614 by Representatives Dellwo, Chandler, Nutley, Zellinsky, Inslee, Anderson, Crane and Scott

AN ACT Relating to check cashers and sellers; amending RCW 19.60.066; adding a new chapter to Title 31 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 2615 by Representatives Dellwo, Chandler, Nutley, Zellinsky, Inslee and Anderson

AN ACT Relating to definitions in the law regulating pawnbrokers and second-hand dealers; amending RCW 19.60.010; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 2616 by Representatives Phillips, Leonard, Prentice, Cole, Dellwo and Brekke

AN ACT Relating to relocation assistance for residential tenants; amending RCW 82.02.020; adding a new chapter to Title 59 RCW; and declaring an emergency.

Referred to Committee on Housing.

HB 2617 by Representatives G. Fisher, Hine, Rust, Prentice, Todd, Heavey, Valle and Jacobsen

AN ACT Relating to jet aircraft emissions; and creating new sections.

Referred to Committees on Environmental Affairs/Appropriations.

HB 2618 by Representatives G. Fisher, Walker, Peery, Betrozoff, Kremen, Cole, Belcher, Phillips, Brumsickle, Hine, H. Myers, Leonard, Nelson, Jones, Anderson, Jacobsen, Wineberry, Winsley, May, Ferguson, Moyer, Todd and Panel

AN ACT Relating to a parent-teacher partnership task force; creating new sections; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2619 by Representatives Basich and Locke

AN ACT Relating to county emergency services communication systems; and amending RCW 82.14B.030.

Referred to Committees on Energy & Utilities/Revenue.

HB 2620 by Representatives Basich, Jacobsen, Fraser, Vekich, Hargrove, Jones, Leonard, Dorn, Crane, Wineberry, Rector, Kremen, Ferguson and Ebersole

AN ACT Relating to gender equity in school athletics; and amending RCW 28A.85.020.

Referred to Committee on Education.

HB 2621 by Representatives Haugen and S. Wilson

AN ACT Relating to county payment rates for nursing home care of retired plan I members of the law enforcement officers' and fire fighters' retirement system; amending RCW 41.26.030 and 41.26.150; and providing an effective date.

Referred to Committee on Appropriations.

HB 2622 by Representatives Belcher, Appelwick, Miller, Prince, Vekich, Wang, Brough, Rayburn, Nutley, Locke, Dellwo, R. Fisher, P. King, R. Meyers, Wineberry, Brooks, Crane, Cole, G. Fisher, Scott, Fraser, Grant, Inslee, Braddock, Rust, Haugen, Heavey, Raiter, Prentice, Valle, Jacobsen, Leonard, Phillips, Holland, R. King, Brekke, Nelson and Anderson

AN ACT Relating to prohibiting interference with access to health care and health care service delivery; amending RCW 10.31.100; adding a new chapter to Title 9A RCW; creating a new section; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2623 by Representatives Valle, Peery, Fuhrman, Ferguson, Rector, P. King, Crane, Jacobsen, Winsley and Appelwick

AN ACT Relating to earthquake safety in public schools; adding new sections to Title 28A RCW; creating new sections; making appropriations; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 2624 by Representatives Fraser, Jacobsen, Doty, Belcher, G. Fisher, Brumsickle, Peery, Rasmussen, Haugen, P. King, Moyer, Bowman and Walker

AN ACT Relating to exchange student placement services; adding a new chapter to Title 19 RCW; and prescribing penalties.

Referred to Committee on Higher Education.

HB 2625 by Representatives Fraser, Belcher, Nelson, R. Fisher, Betrozoff, Pruitt, Ferguson, Rasmussen and P. King

AN ACT Relating to the highway heritage program; amending RCW 46.09.170; and adding new sections to chapter 46.68 RCW.

Referred to Committee on Transportation.

HB 2626 by Representatives Wang, Betrozoff, Peery, Walker, Holland, G. Fisher, Ebersole, Rasmussen, Phillips, Horn, Pruitt, Dorn, Valle, Jones, K. Wilson, Cole, P. King, Brumsickle, Winsley, Rector, Ferguson, Nealey, Fraser, D. Sommers, Moyer and Spanel

AN ACT Relating to high school credit; and amending RCW 28A.05.060.

Referred to Committee on Education.

HB 2627 by Representatives Jacobsen, Wang, Betzoff, H. Sommers, Ebersole, Schoon, Rasmussen, Day, Fraser, Jesernig, Heavey, Padden, Rector, Locke, Cantwell, Dellwo, P. King, Van Luven and Spanel

AN ACT Relating to distribution of existing tuition fees between building fees and operating fees; and amending RCW 28B.15.202, 28B.15.402, and 28B.15.502.

Referred to Committees on Higher Education/Capital Facilities & Financing.

HB 2628 by Representatives Wang, Holland, P. King, Crane, Wineberry, Brumsickle, Kremen, Ferguson, Wood, Wolfe, Horn, Van Luven, Jones, Scott, Brekke, Bowman and Walker

AN ACT Relating to child care; adding a new section to chapter 82.04 RCW; and providing an effective date.

Referred to Committees on Trade & Economic Development/Revenue.

HB 2629 by Representatives Appelwick and P. King

AN ACT Relating to jurisdiction in civil harassment actions; and amending RCW 10.14.150.

Referred to Committee on Judiciary.

HB 2630 by Representatives Jesernig, R. Meyers, Ballard, Hargrove, Padden, H. Myers, Moyer, Rayburn, D. Sommers, Wineberry, Hankins, Inslee, Dorn, G. Fisher, R. Fisher, R. King, Appelwick, Vekich, Sprengle, Wang, Crane, Grant, Rasmussen, Zellinsky, McLean, Baugher, Kremen, Walker, Wood, Rector, Cooper, Dellwo, Sayan, Gallagher, Schmidt, Peery, Fraser, Basich, Prentice, Leonard, Pruitt, Scott, Phillips, Winsley, Betzoff, Jones, Ebersole, Brekke, Morris, Braddock, Todd, Spanel and Anderson

AN ACT Relating to the professional rescuer doctrine; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 2631 by Representatives Cooper, Nutley, Raiter, Hargrove, Leonard, Ferguson and Brekke

AN ACT Relating to community services for persons with developmental disabilities; amending RCW 71A.12.010; and creating new sections.

Referred to Committee on Human Services.

HB 2632 by Representatives Horn, Zellinsky, Holland, Heavey, May, Haugen, D. Sommers, Silver, Wood, S. Wilson, Forner, Tate, Youngsman, Nealey, Wolfe, Moyer and Bowman

AN ACT Relating to excise taxation of manufacturer's rebates; and amending RCW 82.08.010.

Referred to Committee on Revenue.

HB 2633 by Representatives Appelwick, P. King and Valle

AN ACT Relating to the uniform commercial code; and amending RCW 62A.1-201.

Referred to Committee on Judiciary.

HB 2634 by Representatives Appelwick, P. King, Jacobsen and Brekke

AN ACT Relating to anatomical gifts; amending RCW 46.20.113, 68.50.106, 68.50.280, and 68.50.500; adding new sections to chapter 68.50 RCW; repealing RCW 68.50.340, 68.50.350, 68.50.360, 68.50.370, 68.50.380, 68.50.390, 68.50.400, 68.50.410, and 68.50.420; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2635 by Representatives Zellinsky, D. Sommers, Day, Van Luven, Kremen, Heavey, R. Meyers, Betzoff, R. Fisher, Prince, Dellwo, Jacobsen and Cooper

AN ACT Relating to registration of all tow trucks, notifying owners of impounded vehicles, inspecting impounded vehicles, requiring the registered owner to pay the costs

of impoundment, and establishing a tow truck license plate; amending RCW 46.55.010, 46.55.040, 46.55.100, 46.55.110, and 46.20.435; and adding a new section to chapter 46.55 RCW.

Referred to Committee on Transportation.

HB 2636 by Representatives Zellinsky, D. Sommers, Day, Baugher, Van Luven, Kremen, Beck, R. Meyers, Betrozoff, R. Fisher, Prince, Jacobsen, Nealey and Cooper

AN ACT Relating to weight, height, and length exemptions for tow trucks operated by registered tow truck operators; and adding a new section to chapter 46.44 RCW.

Referred to Committee on Transportation.

HB 2637 by Representatives H. Sommers, Schoon, Peery, Holland, Valle, Brough, Wang, Heavey, Winsley, Betrozoff, Cole, Miller, Jacobsen, Braddock, Fraser, Nelson, Prentice, P. King, Crane, Vekich, Phillips, Rector, Sprenkle, Kremen, Hine, May, Ferguson, Wood, Appelwick, Brekke, Rasmussen, Todd and Spanel

AN ACT Relating to taxes for modernization and replacement of school buildings; amending RCW 84.04.140, 84.52.050, 84.36.381, and 84.52.067; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Capital Facilities & Financing.

HB 2638 by Representatives Inslee, Dellwo, Chandler, Crane, R. King, Brekke and Rector

AN ACT Relating to automobile insurance; amending RCW 48.18.292 and 48.18.297; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2639 by Representatives Todd, McLean and Anderson

AN ACT Relating to compensation of members of state boards, commissions, councils, and committees in accordance with RCW 43.03.220 through 43.03.250; amending RCW 15.49.111, 15.62.110, 15.88.050, 17.10.030, 18.06.170, 18.16.050, 18.19.070, 18.36A.070, 18.85.500, 18.89.070, 18.138.080, 18.145.060, 19.27.070, 22.09.436, 28A.04.110, 28B.25.030, 36.78.080, 36.93.070, 43.03.310, 43.24.060, 43.31.504, 43.46.040, 43.63A.310, 43.103.080, 43.155.030, 43.163.020, 43.168.030, 47.26.130, 48.41.040, 71.34.100, 72.23.025, 74.21.050, 76.09.305, 77.12.680, 78.52.020, and 90.58.170; and reenacting and amending RCW 41.04.260.

Referred to Committees on State Government/Appropriations.

HB 2640 by Representatives Todd, Ballard, Crane, Sprenkle, Youngsman and Nealey

AN ACT Relating to issuance and suspension of drivers' licenses; amending RCW 28A.27.010, 46.20.100, and 46.20.291; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2641 by Representatives S. Wilson, Haugen, Schmidt, Zellinsky, R. Fisher and Vekich

AN ACT Relating to private ferries; adding a new section to chapter 81.84 RCW; and declaring an emergency.

Referred to Committee on Transportation.

HB 2642 by Representatives Sayan, McLean, Hine, D. Sommers, H. Sommers, Silver and Spanel; by request of Joint Committee on Pension Policy

AN ACT Relating to administration of the department of retirement systems; amending RCW 41.50.110 and 41.40.330; adding a new section to chapter 41.50 RCW; adding a new section to Title 28A RCW; creating a new section; repealing RCW 41.26.085; and making an appropriation.

Referred to Committee on Appropriations.

HB 2643 by Representatives Hine, D. Sommers, Sayan, McLean, H. Sommers, Silver, R. King, Anderson, Winsley and Spanel; by request of Joint Committee on Pension Policy

AN ACT Relating to survivor benefit options offered by the department of retirement systems; amending RCW 2.10.146, 41.26.460, 41.32.498, 41.32.530, 41.32.785, 41.40.185, 41.40.190, 41.40.660, 41.40.270, 41.32.497, 2.10.144, 41.26.510, 41.32.520, 41.32.805, and 41.40.700; reenacting and amending RCW 41.40.150; adding a new section to chapter 41.40 RCW; creating new sections; and repealing RCW 41.32.493, 41.32.4932, and 41.40.508.

Referred to Committee on Appropriations.

HB 2644 by Representatives Silver, Hine, Sayan, McLean, D. Sommers, H. Sommers, Peery and Spanel; by request of Joint Committee on Pension Policy

AN ACT Relating to determination of benefits under state retirement systems; amending RCW 41.32.010, 41.40.450, 41.04.445, 41.32.350, 41.32.403, 41.32.775, 41.40.120, 41.40.690, 41.26.500, 41.32.800, 2.10.155, and 41.32.780; reenacting and amending RCW 41.40.010 and 41.32.005; adding a new section to chapter 41.32 RCW; creating new sections; repealing section 3, chapter 289, Laws of 1989 (uncodified); making an appropriation; and providing an effective date.

Referred to Committee on Appropriations.

HB 2645 by Representatives Fraser, Belcher, Brumsickle, Jacobsen and Bowman

AN ACT Relating to disposition of certain normal school fund revenues; and amending RCW 28B.35.751.

Referred to Committees on Higher Education/Capital Facilities & Financing.

HB 2646 by Representatives Doty, Jacobsen, Wood, Van Luven, Fraser, Prince, Bowman, Basich, Youngsman, Ferguson, Betzoff and Schoon

AN ACT Relating to international education; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committees on Higher Education/Appropriations.

HB 2647 by Representatives Doty, Inslee, Brumsickle, Forner, May, Ferguson, Wood, Wolfe, D. Sommers, Horn, Moyer, Scott, Bowman, Walker and Schoon

AN ACT Relating to safer neighborhoods; adding new sections to chapter 43.63A RCW; and making an appropriation.

Referred to Committee on Appropriations.

HB 2648 by Representatives Dellwo, Locke, Zellinsky, Prince and Wineberry

AN ACT Relating to mutual savings banks; and amending RCW 32.08.142 and 32.16.070.

Referred to Committee on Financial Institutions & Insurance.

HB 2649 by Representatives Jones, R. Fisher, Prince, Wood, Zellinsky, D. Sommers and Basich

AN ACT Relating to railroad abandonment; and adding a new section to chapter 47.76 RCW.

Referred to Committee on Transportation.

HB 2650 by Representatives Anderson and Crane

AN ACT Relating to insurance; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2651 by Representatives R. Meyers, Dellwo, Chandler, Crane, P. King and Anderson

AN ACT Relating to personal injury protection insurance; adding new sections to chapter 48.22 RCW; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 2652 by Representatives Locke, Beck, Belcher, O'Brien, G. Fisher, Prentice, Valle, Wineberry, Pruitt, Phillips, Sprenkle, R. King, Morris and Todd; by request of Governor Gardner

AN ACT Relating to state general obligation bonds and related accounts; amending RCW 43.99H.010, 43.99H.020, and 43.99H.080; reenacting and amending RCW 39.42.060; reenacting RCW 43.83A.020, 43.99E.015, 43.99F.020, and 75.48.020; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2653 by Representatives G. Fisher, Jacobsen, Peery, Betrozoff, Fraser, Belcher, Rector, Spanel, Walker, H. Myers, Valle, Hine, R. Meyers, Anderson, Wineberry, Phillips, Winsley, Wood, Appelwick, Nelson and Schoon

AN ACT Relating to international education; adding a new section to Title 28A RCW; creating a new section; and making an appropriation.

Referred to Committees on Higher Education/Appropriations.

HB 2654 by Representatives Cole, Valle, R. King, Anderson, Scott, Pruitt, Wood, Rust, Basich, Nelson, Belcher, R. Fisher, Dellwo, G. Fisher, Jacobsen, Spanel, Nutley, Wineberry, Fraser, Prentice, Leonard, Wang, Phillips, Holland, Horn, Van Luven, Jones and Brekke

AN ACT Relating to corporal punishment; and adding a new section to Title 28A RCW.

Referred to Committee on Education.

HB 2655 by Representatives R. Fisher and Pruitt

AN ACT Relating to the public disclosure law; amending RCW 42.17.170, 42.17.180, and 42.17.200; reenacting and amending RCW 42.17.020; and creating a new section.

Referred to Committee on State Government.

HB 2656 by Representatives R. Fisher, Phillips, May, Horn and Nelson

AN ACT Relating to transportation planning; amending RCW 35A.63.060, 35A.63.061, 35A.63.062, 36.70.330, 36.70.350, 35.63.090, 36.81.121, 35.77.010, and 35.58.2795; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35.63 RCW; and adding a new section to chapter 36.32 RCW.

Referred to Committee on Transportation.

HB 2657 by Representatives Todd, McLean and Anderson

AN ACT Relating to including absentee ballots in voter abstracts; and amending RCW 29.62.090.

Referred to Committee on State Government.

HB 2658 by Representatives Spanel, Doty, Van Luven, Jacobsen, Miller, Fraser, Wood, Jesernig, Rector, Prince, Basich, Wineberry and Ebersole

AN ACT Relating to the summer motivation and academic residential training program; amending RCW 28B.80.360; adding a new chapter to Title 28B RCW; and providing an expiration date.

Referred to Committee on Higher Education.

HB 2659 by Representatives Nutley, Doty, Anderson, Locke, Ebersole, Leonard, Rector and Wineberry

AN ACT Relating to the Washington state housing finance commission; and amending RCW 43.180.020.

Referred to Committee on Housing.

HB 2660 by Representatives H. Sommers, Locke, Padden, P. King, Wineberry, Phillips, Holland, Forner, May, Ferguson, Wood, Wolfe, D. Sommers, R. Meyers, Dorn, Van Luven, Moyer, Scott, Rasmussen, Walker and Schoon; by request of Department of Labor and Industries

AN ACT Relating to eligibility for crime victims' compensation; and amending RCW 7.68.020.

Referred to Committee on Judiciary.

HB 2661 by Representatives Wineberry and Silver; by request of Department of Community Development

AN ACT Relating to private activity bond allocation ceilings; and amending RCW 39.86.120.

Referred to Committee on Capital Facilities & Financing.

HB 2662 by Representatives D. Sommers, Rust, Fuhrman, Valle, Padden, Walker, Phillips, Pruitt, Van Luven, G. Fisher, Brøkke, Schoon and Rector

AN ACT Relating to state-wide radon monitoring and radon mitigation in public schools; amending RCW 70.98.050; adding a new section to chapter 19.27 RCW; and adding new sections to chapter 70.98 RCW.

Referred to Committee on Environmental Affairs.

HB 2663 by Representatives Sprenkle, Schoon, Rust, Valle, Phillips and Pruitt

AN ACT Relating to the Washington state committee for recycling markets; and amending RCW 43.31.556.

Referred to Committee on Environmental Affairs.

HB 2664 by Representatives Sprenkle, Walker, D. Sommers, Schoon, Valle, Pruitt, G. Fisher, Phillips, Winsley and Wood

AN ACT Relating to increasing performance standards for solid fuel burning devices; and amending RCW 70.94.473.

Referred to Committee on Environmental Affairs.

HB 2665 by Representatives Zellinsky, Schmidt, Sayan, Ballard, Todd, S. Wilson, Crane, Betrozoff, Grant, Brough, May, Beck, Smith, Walker, Doty, Miller, Horn, Hankins, Pruitt, Winsley, Kremen, Wood and Van Luven

AN ACT Relating to service credit for retirement; amending RCW 41.32.010 and 41.40.450; and reenacting and amending RCW 41.40.010.

Referred to Committee on Appropriations.

HB 2666 by Representatives Phillips, Locke, Wang, Leonard, Prentice and Anderson

AN ACT Relating to right of first refusal to purchase federally assisted housing developments; adding a new chapter to Title 59 RCW; and prescribing penalties.

Referred to Committee on Housing.

HB 2667 by Representatives Phillips, Nutley, Nelson, Holland, Wang, Hankins, Wineberry and Anderson

AN ACT Relating to home heating assistance for low-income persons; amending RCW 35.21.300, 35.21.301, 54.16.285, 54.16.286, 80.28.010, and 80.28.011; creating new sections; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 2668 by Representatives Beck, Heavey and Dellwo

AN ACT Relating to exemptions from motor vehicle emission testing; and amending RCW 46.16.015.

Referred to Committee on Environmental Affairs.

HB 2669 by Representative Beck

AN ACT Relating to drivers' license examinations; and amending RCW 46.20.120.

Referred to Committee on Transportation.

HB 2670 by Representatives Beck and Heavey

AN ACT Relating to boating safety; and amending RCW 88.02.050.

Referred to Committee on Transportation.

HB 2671 by Representatives Vekich, Smith and O'Brien

AN ACT Relating to boilers and unfired pressure vessels; and amending RCW 70.79.080.

Referred to Committee on Commerce & Labor.

HB 2672 by Representatives Jones, D. Sommers, Wolfe, Morris, Cole, Chandler, Nutley, Sprenkle, Moyer and Brekke

AN ACT Relating to medical care services limited to medication for former recipients of general assistance benefits; and amending RCW 74.09.035.

Referred to Committee on Human Services.

HB 2673 by Representatives H. Sommers, McLean, Hine, Crane, Youngsman, Appelwick and Bowman; by request of Joint Committee on Pension Policy

AN ACT Relating to the law enforcement officers' and fire fighters' retirement system; amending RCW 41.26.030 and 41.54.010; adding a new section to chapter 41.40 RCW; and providing an effective date.

Referred to Committee on Appropriations.

HJR 4225 by Representatives H. Sommers, Schoon, Peery, Holland, Valle, Brough, Wang, Heavey, Winsley, Betzoff, Cole, Miller, Jacobsen, Braddock, Fraser, Nelson, Prentice, Anderson, Basich, Phillips, Rector, Kremen, May, Ferguson, Appelwick, Rasmussen, Todd and Spanel

Amending the Constitution to allow levies for modernization and replacement of common school buildings.

Referred to Committee on Capital Facilities & Financing.

HJR 4226 by Representatives Rust, D. Sommers, Valle, Walker, Phillips, Sprenkle, Pruitt, G. Fisher, Brekke, Anderson, Ferguson and Nelson

Amending the Constitution to establish environmental rights.

Referred to Committee on Environmental Affairs.

MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

January 16, 1990

HB 1498 Prime Sponsor, Representative Belcher: Changing provisions relating to the comprehensive guide to public parks and recreation sites prepared by the interagency committee for outdoor recreation. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Passed to Committee on Rules for second reading.

January 15, 1990

HB 1752 Prime Sponsor, Representative Anderson: Facilitating blind student access to higher education materials. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luvan, Ranking Republican Member; Basich, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representatives Heavey and Jesernig.

Referred to Committee on Appropriations.

January 12, 1990

HB 2277 Prime Sponsor, Representative Pruitt: Creating a joint select committee on air quality. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

January 16, 1990

HB 2291 Prime Sponsor, Representative Spanel: Regarding sea cucumber commercial fishing. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 16, after "except" strike all material through "dissolution" on line 18 and insert "from parent to child, from spouse to spouse during marriage or as a result of marriage dissolution, or upon death of the owner"

Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Haugen, Smith, Spanel and Vekich.

Voting nay: Representative Cole.

Referred to Committee on Appropriations.

January 12, 1990

HB 2297 Prime Sponsor, Representative Pruitt: Changing provisions relating to air pollution control authorities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Absent: Representative Schoon.

Passed to Committee on Rules for second reading.

January 12, 1990

HB 2339 Prime Sponsor, Representative Brough: Allowing mobile home tenants to hold forums for candidates and public officials. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Padden, Rector and Todd.

MINORITY recommendation: Do not pass. Signed by Representative Inslee.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.

January 15, 1990

HB 2372 Prime Sponsor, Representative Jacobsen: Creating the Washington community college exceptional faculty awards program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representatives Doty, Heavey, Jesernig and Rector.

Referred to Committee on Appropriations.

January 15, 1990

HB 2441 Prime Sponsor, Representative Jacobsen: Convening a task force on disabled students in higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 20, insert:

"(d) Provide a list of publishers who are willing to provide their textbooks on computer disks or on tape for use by students with disabilities, and provide the list to institutions of higher education;

(e) Recommend ways that the legislature and institutions of higher education can encourage publishers to provide textbooks in a format accessible by students with disabilities;"

Remember the remaining subsections consecutively and correct internal references accordingly.

On page 2, line 13, after "services," insert "the state library."

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Basich, Doty, Fraser, Heavey, Jesernig, Prince, Rector and Wood.

Referred to Committee on Appropriations.

January 12, 1990

HB 2445 Prime Sponsor, Representative Winsley: Requiring notice of any conditional use permits applicable to a mobile home park in mobile home park rental agreements. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Insee, Padden, Rector and Todd.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

STANDING AND SELECT COMMITTEE ASSIGNMENTS

The Speaker (Mr. O'Brien presiding) announced the following changes in standing and select committee assignments:

Representative Bennett to serve on Committee on Transportation, Committee on Energy & Utilities, and Committee on Higher Education;

Representative R. Meyers to serve as Vice Chair for Western Washington on Committee on Transportation and to replace Representative Walk on the Legislative Transportation Committee;

Representative H. Myers to serve as Vice Chair of Committee on Energy & Utilities;

Representative K. Wilson to serve as Vice Chair of the Joint Select Committee on Water Policy.

**PERFORMANCE
OF THE
MOTHER JOSEPH HISTORICAL STORY**

Presiding: Speaker Pro Tempore John L. O'Brien

SPEAKER'S PRIVILEGE

Speaker O'Brien: We are today commemorating the tenth anniversary of the formal acceptance of the placement of the Mother Joseph statue in Statuary Hall of the United States House of Representatives, Nation's Capitol, Washington, D.C.

Mother Joseph, accompanied by other sisters, arrived at Fort Vancouver on a cold December day in 1856 and, during the period until her death in 1902, established twenty-nine hospitals, academies, schools and orphanages. In early north-west history Mother Joseph was among the first to care for orphans, the first to care for the aged, the first to care for the mentally ill and the first to establish a hospital. The American Institute of Architects in 1953 declared Mother Joseph "the first architect of the Pacific Northwest."

It is also fitting to recognize and honor the Sisters of Providence for their devotion to their fellow humans and for their caring love for all of us. Truly, Mother Joseph set the example and, with the tireless dedication of the Sisters who served the Order, she was able to contribute a worthy and lasting legacy.

We are privileged today to have as a means of honoring this commemoration, Joan Pinkerton Tucker, who will present a special monologue performance of the Mother Joseph historical story. She is wearing a habit identical to that worn by Mother Joseph. This event is especially significant because it is Joan Pinkerton Tucker's one-hundredth performance on the good works of Mother Joseph. It is my pleasure to present Joan Pinkerton Tucker in her role as Mother Joseph.

MOTHER JOSEPH HISTORICAL STORY

by
Joan Pinkerton Tucker

Providence Hymn
by
Sisters of Providence

ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced a reception in the State Reception Room for Joan Pinkerton Tucker and the Sisters of Providence commemorating the one-hundredth performance of the Mother Joseph Historical Story and the tenth anniversary of the dedication of the Mother Joseph statue in Statuary Hall in Washington, D.C.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, January 19, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWELFTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, January 19, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Brekke, Day and Locke.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Adin Dunning and Kimberly Gerst. Prayer was offered by The Reverend Sandra Lee, Minister of the Unitarian Universalist Fellowship of Olympia.

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

MESSAGE FROM THE SENATE

January 17, 1990

Mr. Speaker:

The Senate has passed:

SENATE BILL NO. 5059,
SENATE BILL NO. 5064,
SUBSTITUTE SENATE BILL NO. 5087,
SUBSTITUTE SENATE BILL NO. 5131,
SENATE BILL NO. 5133,
SENATE BILL NO. 5136,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5227,
SUBSTITUTE SENATE BILL NO. 5285,
SUBSTITUTE SENATE BILL NO. 5299,
SENATE BILL NO. 5354,
ENGROSSED SENATE BILL NO. 5478.

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 2674 by Representatives G. Fisher, Hine, Brough, R. Fisher, Heavey, Brumsickle, R. Meyers, Rector, Belcher, Prentice, Todd, Valle, Crane, Inslee, Locke, Cooper, Walker, Nelson, P. King, Ferguson, Jacobsen, Dellwo, Forner, Wineberry, Betrozoff and McLean

AN ACT Relating to the air transportation commission; adding a new chapter to Title 47 RCW; providing an expiration date; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2675 by Representatives Vekich, Brooks, Braddock, Morris, Prentice, P. King, Van Luven, Ferguson, Jones, Ballard, Kremen, Wolfe, Pruitt, Rector, Crane, D. Sommers, Wood, Rasmussen and Sprengle

AN ACT Relating to the Washington state trauma care system; amending RCW 70.168.010, 70.168.020, 18.73.040, 18.73.050, 70.170.100, 18.73.060, 18.73.073, 18.73.085, 70.168.040, 18.71.205, 18.71.212, 18.71.215, 18.76.050, 18.73.010, 18.73.030, 18.73.081, 18.73.130, 70.168.040, and 46.20.181; adding new sections to chapter 70.168 RCW; recodifying RCW 18.73.060, 18.73.073, and 18.73.085; repealing RCW 18.73.070; and declaring an emergency.

Referred to Committees on Health Care/Appropriations.

HB 2676 by Representatives Brumsickle, Sayan, Doty, Raiter, Padden, Walker, Winsley, Silver and D. Sommers

AN ACT Relating to juvenile rehabilitation; creating a new section; and declaring an emergency.

Referred to Committee on Human Services.

HB 2677 by Representatives Brumsickle, Raiter, Doty, Sayan, Walker, Winsley, Basich, Silver, Brough, Wineberry, Brekke and Day

AN ACT Relating to youth employment preparation and supportive services; adding a new section to chapter 19, Laws of 1989 1st ex. sess. (uncodified); creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2678 by Representatives Brumsickle, Betrozoff, McLean, Walker, Raiter, Doty, Padden, Fuhrman, Beck, Youngsman, Smith, Bowman, Ballard, Wolfe, Crane, Heavey, Silver, Tate, Brough, Miller, D. Sommers, Wood and Schoon

AN ACT Relating to sexual misconduct with a minor; and amending RCW 9A.44.093 and 9A.44.096.

Referred to Committee on Judiciary.

HB 2679 by Representatives D. Sommers, Wolfe, Fuhrman, G. Fisher, Brekke, Jesernig, Dellwo, Kremen, Dorn, Rayburn, H. Myers, Schoon, Rasmussen, Day and Cooper

AN ACT Relating to limitations on the use of solid fuel burning devices; extending the impaired air quality exemption for certified solid fuel burning devices; and authorizing local air quality authorities to impose fees on the sale of new solid fuel burning devices; amending RCW 70.94.473; and adding a new section to chapter 70.94 RCW.

Referred to Committee on Environmental Affairs.

HB 2680 by Representatives D. Sommers, Day, Wolfe, Jones, Prentice and Padden

AN ACT Relating to health planning and resource development; and amending RCW 70.38.025 and 70.38.111.

Referred to Committee on Health Care.

HB 2681 by Representatives May, Jacobsen, Miller, Leonard, Brooks, Prentice, S. Wilson, Anderson, R. Meyers, Pruitt and Brough

AN ACT Relating to the natural death act; amending RCW 70.122.010, 70.122.020, 70.122.030, 70.122.050, 70.122.060, 70.122.070, 70.122.080, and 70.122.090; and adding new sections to chapter 70.122 RCW.

Referred to Committee on Health Care.

HB 2682 by Representatives S. Wilson, R. King, Haugen, May and Schoon

AN ACT Relating to the nonconsumptive use of wildlife; amending RCW 77.04.055, 77.08.010, 77.32.010, and 77.12.170; adding a new section to chapter 77.32 RCW; adding new sections to chapter 77.12 RCW; creating new sections; and prescribing penalties.

Referred to Committee on Fisheries & Wildlife.

HB 2683 by Representatives Locke, Phillips, O'Brien, Wineberry, Anderson and Leonard

AN ACT Relating to the use of development fees for assisting low-income individuals to obtain housing; and amending RCW 82.02.020.

Referred to Committee on Housing.

HB 2684 by Representatives Phillips, Locke, Leonard, O'Brien and Wineberry

AN ACT Relating to relocation assistance for tenants; amending RCW 82.02.020; and adding a new section to chapter 59.18 RCW.

Referred to Committee on Housing.

HB 2685 by Representatives Cooper, Ferguson, R. Meyers, Padden, Nutley, Zellinsky, Rector, Anderson and Todd

AN ACT Relating to manufactured housing standards; adding new sections to chapter 43.22 RCW; and creating a new section.

Referred to Committee on Housing.

HB 2686 by Representatives Day, Wolfe, Valle, Prentice, D. Sommers, Sprenkle, Brooks and Moyer

AN ACT Relating to regulation of occupational therapy; amending RCW 18.59.090; and repealing RCW 43.131.335 and 43.131.336.

Referred to Committee on Health Care.

HB 2687 by Representatives Rayburn, Ferguson and Haugen

AN ACT Relating to administration costs for municipal utilities; adding a new section to chapter 35.33 RCW; adding a new section to chapter 35.34 RCW; adding a new section to chapter 35A.33 RCW; and adding a new section to chapter 35A.34 RCW.

Referred to Committee on Local Government.

HB 2688 by Representatives Doty, Spanel, Chandler, Youngsman, Smith and Silver

AN ACT Relating to group fishing permits for federal job corps enrollees; amending RCW 75.08.011 and 77.32.235; adding a new section to chapter 75.25 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 2689 by Representatives Vekich, Cole and Prentice

AN ACT Relating to labor relations consultants; adding a new chapter to Title 18 RCW; prescribing penalties; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2690 by Representatives Prentice and Vekich

AN ACT Relating to farm labor contractors; and amending RCW 19.30.010.

Referred to Committee on Commerce & Labor.

HB 2691 by Representative Vekich

AN ACT Relating to franchises; and amending RCW 19.100.180.

Referred to Committee on Commerce & Labor.

HB 2692 by Representatives Cooper, Moyer, Sayan, Brooks, K. Wilson, Ferguson, Youngsman, Jacobsen, Rector, Doty, H. Myers, Todd, Scott and Sprenkle

AN ACT Relating to supported employment; adding a new section to chapter 43.20A RCW; creating a new section; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 2693 by Representatives Wolfe, Tate, Padden, Moyer, Day, D. Sommers, Jones, Chandler, Fuhrman, Sprenkle, Walker, Beck, Brumsickle, Youngsman, Smith, Bowman, Zellinsky, Pruitt, Crane, Silver, May, Miller, Betrozoff, Schoon, McLean and Cooper

AN ACT Relating to a health care insurance pool; adding a new chapter to Title 48 RCW; and creating a new section.

Referred to Committees on Financial Institutions & Insurance/ Revenue.

HB 2694 by Representatives Cole, Holland, Leonard, Jacobsen and Betrozoff

AN ACT Relating to the interim task force on student transportation safety; amending section 1, chapter 330, Laws of 1989 (uncodified); and declaring an emergency.

Referred to Committee on Education.

HB 2695 by Representatives Vekich, R. King, Leonard, Cole, Prentice, Jones, Rector and Basich

AN ACT Relating to industrial insurance vocational rehabilitation services; and amending RCW 51.32.095.

Referred to Committee on Commerce & Labor.

HB 2696 by Representatives Prentice, Leonard, Jones, Cole and Vekich

AN ACT Relating to industrial insurance with respect to disability compensation and penalties; amending RCW 51.32.090, 51.52.060, 51.32.050, 51.32.060, and 51.48.080; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2697 by Representatives Jones, Cole and Prentice

AN ACT Relating to the reopening of industrial insurance claims; and amending RCW 51.32.160.

Referred to Committee on Commerce & Labor.

HB 2698 by Representatives Jones, Wolfe, Walker, Prentice, Rector and Cole

AN ACT Relating to the reopening of industrial insurance claims; and amending RCW 51.32.160.

Referred to Committee on Commerce & Labor.

HB 2699 by Representatives Cole, Wolfe, Prentice, Walker, Rector, R. King, Leonard, Jones, Vekich, Winsley, O'Brien, Crane and Wineberry

AN ACT Relating to payments for time lost from work while attending a medical examination for industrial insurance; and amending RCW 51.32.110.

Referred to Committee on Commerce & Labor.

HB 2700 by Representatives Cole, Vekich, Prentice, Jones and Leonard

AN ACT Relating to industrial insurance claims; amending RCW 51.52.130; and adding new sections to chapter 51.14 RCW.

Referred to Committee on Commerce & Labor.

HB 2701 by Representatives Leonard, R. King, Prentice, Cole, Jones, Rector and Dellwo

AN ACT Relating to prohibited practices in industrial insurance; amending RCW 51.28.050; adding a new section to chapter 51.48 RCW; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2702 by Representatives Prentice, R. King and Leonard

AN ACT Relating to workplace safety bonus programs; adding a new section to chapter 51.28 RCW; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2703 by Representatives Vekich, R. King, Leonard, Jones, Cole, Prentice, Rector, Heavey and Day

AN ACT Relating to establishing a benefit year for unemployment insurance; and reenacting and amending RCW 50.04.030.

Referred to Committee on Commerce & Labor.

HB 2704 by Representatives Prentice, R. King, Leonard, Ebersole and Cole

AN ACT Relating to employer obligations to reduce the impact on employees and communities from reductions in business operations; adding a new chapter to Title 49 RCW; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2705 by Representatives Ballard, Dellwo, Beck, Silver and McLean; by request of Parks and Recreation Commission

AN ACT Relating to winter recreation functions of the state parks and recreation commission; amending RCW 43.51.340, 43.51.290, 43.51.300, and 46.61.585; and declaring an emergency.

Referred to Committee on Natural Resources & Parks.

HB 2706 by Representatives Locke, Cantwell, Prince, Spanel, Wineberry, Betrozoff, Cooper, Basich, Raiter, Miller, Rector, Rasmussen, Moyer, Youngsman, G. Fisher, Prentice, Kremen, Nelson, Anderson, Valle, P. King, R. King, Ferguson, O'Brien, Jacobsen, Phillips, Pruitt, Wang, Silver, Brekke, Belcher and Sprengle

AN ACT Relating to promoting economic diversification for defense-dependent industries and communities; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committees on Trade & Economic Development/ Appropriations.

HB 2707 by Representatives H. Sommers and Schoon

AN ACT Relating to school district indebtedness; amending RCW 28A.58.428; and adding a new section to Title 28A RCW.

Referred to Committee on Capital Facilities & Financing.

HB 2708 by Representatives Haugen, Rayburn, Cooper, Ferguson, Jones, McLean, Braddock and R. Meyers

AN ACT Relating to on-site sewage and septic system inspection and maintenance by public utility districts; and adding a new section to chapter 54.16 RCW.

Referred to Committee on Local Government.

HB 2709 by Representatives Crane and Appelwick

AN ACT Relating to district court electoral districts; amending RCW 3.38.070 and 3.34.020; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2710 by Representatives Appelwick, Silver and Horn

AN ACT Relating to radio communications service companies; amending RCW 82.04.065; adding a new section to chapter 35.21 RCW; and adding a new section to chapter 35A.82 RCW.

Referred to Committee on Revenue.

HB 2711 by Representative Hargrove

AN ACT Relating to regional planning; amending RCW 82.36.440, 82.38.280, 82.46.010, and 82.02.020; adding a new chapter to Title 64 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Natural Resources & Parks.

HB 2712 by Representatives Cole, Wolfe, Vekich, Walker and Smith

AN ACT Relating to advertising signs; and adding a new chapter to Title 19 RCW.

Referred to Committee on Commerce & Labor.

HB 2713 by Representatives Locke, Brough, Hine, Horn, Ferguson, Van Luven, Chandler, G. Fisher, Anderson, Valle, O'Brien, Jacobsen, Smith, Heavey, Leonard, May, Wineberry and Brekke

AN ACT Relating to airport noise abatement and planning; adding a new section to chapter 70.107 RCW; adding a new chapter to Title 82 RCW; creating new sections; and providing an effective date.

Referred to Committee on Transportation.

HB 2714 by Representatives Padden, Appelwick, Fuhrman, Bowman, Kremen, Wolfe, Moyer, Horn, Tate and Miller

AN ACT Relating to execution dates; and amending RCW 10.95.160 and 10.95.200.

Referred to Committee on Judiciary.

HB 2715 by Representatives Vekich, Smith and R. King; by request of Department of Licensing

AN ACT Relating to registration of engineers; and amending RCW 18.43.020, 18.43.040, 18.43.050, 18.43.060, 18.43.070, and 18.43.130.

Referred to Committee on Commerce & Labor.

HB 2716 by Representatives Crane and S. Wilson

AN ACT Relating to codefendants in cases of vehicle weight restrictions; and amending RCW 46.44.105.

Referred to Committee on Transportation.

HB 2717 by Representative Todd

AN ACT Relating to retirement credit for military service; and amending RCW 41.40.170.

Referred to Committee on Appropriations.

HB 2718 by Representatives Van Luven, Jacobsen, Fraser, Prentice, Miller, Beck, H. Sommers, Todd, Ferguson, P. King, Wang, Crane, May, Doty, Wood, Wineberry, Betrozoff and Hankins

AN ACT Relating to financial aid; adding a new chapter to Title 28B RCW; and providing an expiration date.

Referred to Committees on Higher Education/Appropriations.

HB 2719 by Representatives Beck, Belcher and Silver; by request of Parks and Recreation Commission

AN ACT Relating to reimbursement for costs of plan review and construction approval of winter recreational facilities; and amending RCW 70.88.070.

Referred to Committee on Natural Resources & Parks.

HB 2720 by Representatives Locke, Holland, Valle, Van Luven, Dorn, Ferguson, Crane, Todd, Appelwick, Phillips, Anderson, May and Wineberry

AN ACT Relating to education fiscal matters; amending RCW 28A.58.0951, 28A.41.130, 28A.41.140, and 28A.41.155; adding a new section to Title 28A RCW; creating new sections; repealing RCW 28A.41.112, 41.59.935, and 84.52.0531; and providing an effective date.

Referred to Committee on Appropriations.

HB 2721 by Representatives Rasmussen, Dorn, Brumsickle, Betrozoff, Phillips, Valle, H. Myers, P. King, Wang and Rayburn

AN ACT Relating to in-service training for teachers and principals; adding a new section to Title 28A RCW; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2722 by Representatives Zellinsky, Vekich, Sayan, Schmidt, Haugen, P. King and Cooper

AN ACT Relating to rules of the road; and amending RCW 46.61.560.

Referred to Committee on Transportation.

HB 2723 by Representatives Vekich, Zellinsky, Sayan, Schmidt, Kremen and Day

AN ACT Relating to notice given to the Washington utilities and transportation commission and other private and public agencies; and adding a new section to chapter 70.95 RCW.

Referred to Committee on Environmental Affairs.

HB 2724 by Representatives Haugen, S. Wilson and Fraser

AN ACT Relating to aquifer protection areas; and amending RCW 36.36.010, 36.36-.020, 36.36.030, and 36.36.040.

Referred to Committee on Local Government.

HB 2725 by Representatives Jacobsen, Hine, Leonard, Belcher, Anderson, P. King, Wineberry and Todd

AN ACT Relating to interschool athletic and extracurricular activities; and amending RCW 28A.58.125.

Referred to Committee on Education.

HB 2726 by Representatives Schoon, Cantwell, Brumsickle, Moyer, Raiter, H. Myers, Hargrove, Smith, Nealey, Peery and Cooper

AN ACT Relating to debt funding flexibility for port districts; amending RCW 53.36-.030; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 2727 by Representatives P. King, Phillips, Cole, R. King and Scott

AN ACT Relating to collective bargaining for local government employees; and amending RCW 41.56.030.

Referred to Committee on Commerce & Labor.

HB 2728 by Representatives Brough, Haugen, Ferguson, Hine and G. Fisher

AN ACT Relating to changing the name of a city or town; adding new sections to chapter 35.62 RCW; and repealing RCW 35.62.020, 35.62.030, 35.62.040, and 35.62.050.

Referred to Committee on Local Government.

HB 2729 by Representatives Rust, Brough, Belcher, Brooks, Holland, R. King, O'Brien, Jacobsen, Dellwo, Phillips, Leonard, Pruitt, Rector, Nelson, Brekke, Day, Scott and Sprenkle; by request of Governor Gardner

AN ACT Relating to wetlands protection and management; adding a new chapter to Title 90 RCW; adding a new section to chapter 76.09 RCW; and prescribing penalties.

Referred to Committee on Natural Resources & Parks.

HB 2730 by Representatives Braddock, Dorn, Peery, R. Meyers, Baugher, Basich, Heavey, Kremen, Rayburn, Kirby and Rasmussen

AN ACT Relating to castration of sex offenders; adding new sections to chapter 9.94A RCW; creating a new section; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 2731 by Representatives Wolfe, Braddock, Prentice, Brooks, Sprenkle, D. Sommers, Chandler, Kremen, Wineberry, Bowman, Nealey, Ballard, Padden, Walker, Beck, Brumsickle, Winsley, Youngsman, Basich, Smith, Moyer, Wang, Silver, Tate, Miller, Doty, Schoon, Hankins and Day

AN ACT Relating to medical services provided to low-income persons by retired physicians; adding new sections to chapter 18.71 RCW; adding new sections to chapter 48.22 RCW; and creating a new section.

Referred to Committee on Health Care.

HB 2732 by Representatives Winsley, Sayan, Padden, Wood, Leonard, Wolfe, Pruitt, Betrozoff, Ferguson, Holland, Chandler, Van Luven, Nealey, Horn, Youngsman, Silver, Schmidt, P. King, Walker, Fuhrman, Brumsickle, Baugher, Forner, Smith, Bowman, Ballard, Moyer, Rector, Crane, Rayburn, Tate, Miller, Kirby, Schoon, Todd, Rasmussen and Cooper

AN ACT Relating to child abuse; and amending RCW 26.44.020.

Referred to Committee on Judiciary.

HB 2733 by Representatives Van Luven, Miller, Spanel and Fraser

AN ACT Relating to selection of graduate teaching assistants; adding a new section to chapter 28B.10 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Higher Education.

HB 2734 by Representatives Haugen, Ferguson, Nutley, Brough, Phillips, Wood, Spanel, Horn, Scott, Cole, Sprenkle, Dellwo, Bennett, G. Fisher, Fraser, Ebersole, Todd, Leonard, Jacobsen, Hine, Holland, Forner, Pruitt, Wang and Nelson

AN ACT Relating to growth; amending RCW 36.81.121, 35.77.010, 35.58.2795, 82.02.020, 43.21C.060, 43.21C.110, 36.93.180, 58.17.020, 58.17.030, 58.17.040, 58.17.090, 58.17.110, 58.17.140, 58.17.165, 58.17.170, 58.17.195, 58.17.215, 58.17.255, and 58.17.310; adding a new

chapter to Title 36 RCW; adding new sections to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding new sections to chapter 36.70 RCW; adding new sections to chapter 43.21C RCW; adding a new section to chapter 36.32 RCW; adding a new section to chapter 43.62 RCW; adding a new section to chapter 58.17 RCW; creating new sections; repealing RCW 35A.63.061, 35A.63.062, 36.70.330, 36.70.350, 58.17.033, 58.17.060, 58.17.065, 58.17.095, 58.17.155, and 19.27.095; making an appropriation; providing effective dates; and declaring an emergency.

Referred to Committees on Local Government/Appropriations.

HB 2735 by Representatives Chandler, Dellwo, Heavey, Padden, Kirby, Bowman, Smith, Holland, Tate, Youngsman, Wolfe, Moyer, D. Sommers, Silver, Van Luven, Ferguson, Ballard, Hankins, R. Meyers, Jones, Baugher, Rector, Crane, Rayburn, Inslee and Day

AN ACT Relating to salaries of district court judges; and amending RCW 3.58.030.

Referred to Committees on Judiciary/Appropriations.

HB 2736 by Representatives Chandler, Jesernig, Dellwo, Crane, Heavey, Padden, Kirby, Bowman, Smith, Holland, Tate, Youngsman, Wolfe, Moyer, D. Sommers, Silver, Van Luven, Ferguson, Ballard, Hankins and Rayburn

AN ACT Relating to disposition of revenue; and amending RCW 3.46.120, 3.50.100, 3.62.020, 3.62.040, 3.62.090, 10.82.070, and 35.20.220.

Referred to Committees on Judiciary/Appropriations.

HB 2737 by Representatives Padden, Bowman, Wood, Chandler, Nealey, Fuhrman, Van Luven, Betzoff, Ferguson, Winsley, Doty, Holland, Smith, Tate, Wolfe, Horn, Youngsman, Silver, Moyer, R. Meyers, Beck, Brumsickle, Ballard, May, Miller, D. Sommers and Schoon

AN ACT Relating to prompt pay by state agencies; adding a new chapter to Title 43 RCW; and declaring an emergency.

Referred to Committee on State Government.

HB 2738 by Representatives Padden, Bowman, Chandler, Fuhrman, R. Meyers, P. King, Dellwo, Wolfe, Miller, D. Sommers and Schoon

AN ACT Relating to woodburning stoves; and amending RCW 70.94.473.

Referred to Committee on Environmental Affairs.

HB 2739 by Representatives Dellwo, Moyer, Rector, Silver, Day, D. Sommers, Jesernig, Wolfe and Padden

AN ACT Relating to licenses to sell liquor in motels; and adding a new section to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 2740 by Representatives G. Fisher, Schoon, Belcher, Pruitt, Heavey, Hine and Phillips

AN ACT Relating to the permitting process for certain utility extensions; amending RCW 90.58.140; and adding a new section to chapter 90.58 RCW.

Referred to Committee on Environmental Affairs.

HB 2741 by Representatives Belcher, Phillips, Beck, Ferguson, Cole, Sprengle, Bennett, Pruitt, Jacobsen, Fraser and G. Fisher

AN ACT Relating to growth; amending RCW 90.44.050, 90.03.345, and 19.27.095; adding a new section to chapter 35.63 RCW; adding a new section to chapter 36.70 RCW; adding a new section to chapter 84.33 RCW; adding a new section to chapter 84.34 RCW; adding a new section to chapter 84.28 RCW; adding a new section to chapter 43.63A RCW; creating new sections; making an appropriation; and providing an effective date.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 2742 by Representatives Dorn, Ebersole, Ferguson, Jones, Jacobsen, Crane, Wineberry and Rasmussen

AN ACT Relating to vocational technical institutes; adding a new chapter to Title 28C RCW; creating new sections; and providing an effective date.

Referred to Committee on Trade & Economic Development.

HB 2743 by Representatives Doty, Vekich, Holland, R. Meyers, Fuhrman, Tate, Padden, P. King, Kremen and Todd

AN ACT Relating to funding of firearm range facilities; amending RCW 77.12.195 and 77.32.101; adding a new section to chapter 77.12 RCW; creating a new section; and making an appropriation.

Referred to Committees on Fisheries & Wildlife/Appropriations.

HB 2744 by Representatives Doty and Crane

AN ACT Relating to search of probationers; and adding a new section to chapter 9.94A RCW.

Referred to Committee on Judiciary.

HB 2745 by Representatives McLean, Morris, Ballard, H. Myers, Hankins, Silver and Pruitt

AN ACT Relating to volunteerism; amending RCW 43.150.050; adding a new section to chapter 43.150 RCW; and creating a new section.

Referred to Committee on State Government.

HB 2746 by Representatives McLean, Belcher, Brumsickle, Ballard, Appelwick, Silver, Hankins, Miller, Bowman and Todd

AN ACT Relating to enticement; adding a new section to chapter 9A.44 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2747 by Representatives Wang, Ebersole, Schoon and Pruitt

AN ACT Relating to metropolitan park districts; amending RCW 82.14.050 and 82.14.060; adding new sections to chapter 35.61 RCW; and adding a new section to chapter 82.14 RCW.

Referred to Committee on Revenue.

HB 2748 by Representatives Sayan, Belcher and Brough

AN ACT Relating to publicly owned tidelands; and adding new sections to chapter 79.94 RCW.

Referred to Committee on Natural Resources & Parks.

HB 2749 by Representative Sayan

AN ACT Relating to board of industrial insurance appeals; and amending RCW 51.52.010.

Referred to Committee on Commerce & Labor.

HB 2750 by Representatives Tate, Crane, Padden, Smith, Walker, Moyer, Youngsman, Chandler, Winsley, Bowman, D. Sommers and McLean

AN ACT Relating to juvenile curfews; adding a new section to chapter 35.21 RCW; adding a new section to chapter 36.01 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2751 by Representatives Scott, Winsley, Sayan, Moyer, Leonard, Anderson, Raiter, Brekke, Padden, Wineberry, Cole, Haugen, Sprenkle, P. King, Belcher, Prentice, Nutley, Morris, Peery, Nelson, Hine, Tate, H. Myers, Kirby, Brooks, Vekich, Rector, Heavey, Dellwo, Hargrove, Locke, Crane, R. King, Basich, Kremen, Jones, Appelwick, Cooper, Braddock, R. Meyers, Wood, Inslee, Spanel, Ferguson, Brough, Walker, Fuhrman, Brumsickle, Youngsman, Baugher, Forner, Smith, Phillips, Wolfe, Wang, Rayburn, Silver, May, Miller, Betzoff, Schoon, Todd, Rasmussen and Day

AN ACT Relating to infants and children with special needs due to the effects of alcohol, drugs, or the human immunodeficiency virus; adding new sections to chapter 74.14B RCW; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

HB 2752 by Representatives Moyer, Jones, Padden, Wolfe, Hargrove, Wineberry, Rector, D. Sommers, Crane, Dellwo, Schmidt, Brumsickle, Winsley, Bowman, Kremen, Heavey, Tate, May, Brough, Kirby, Wood, Schoon, Todd and Day

AN ACT Relating to depictions of minors engaged in sexually explicit conduct; amending RCW 9.68A.070; reenacting and amending RCW 9.94A.320; prescribing penalties; and providing an effective date.

Referred to Committee on Judiciary.

HB 2753 by Representatives Prince, Nealey, Dellwo and Hankins

AN ACT Relating to state highway routes; and amending RCW 47.17.255 and 47.17.375.

Referred to Committee on Transportation.

HB 2754 by Representatives Prince, Nealey, Smith, Chandler and Fuhrman

AN ACT Relating to the distribution of receipts from the privilege tax imposed on public utility districts operating facilities for the generation, distribution, and sale of electric energy; and amending RCW 54.28.010.

Referred to Committee on Revenue.

HB 2755 by Representatives McLean, Miller, Anderson, Brumsickle, Ballard, Beck, Tate, Holland, Forner, Betzoff, Silver, Wood, Youngsman, Moyer, Wolfe, Brough, May, Hankins, Van Luven, Walker, Winsley, R. Meyers, R. King, P. King, O'Brien, Basich, Crane, Wineberry and Todd; by request of Secretary of State

AN ACT Relating to voter registration by mail; amending RCW 29.10.180; adding a new chapter to Title 29 RCW; repealing RCW 29.07.040; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

HB 2756 by Representatives Bowman, McLean, Brumsickle, Walker, Betzoff, Hargrove, Doty, Moyer, Wolfe, Ferguson and Silver

AN ACT Relating to disqualification from industrial insurance compensation; and amending RCW 51.32.020.

Referred to Committee on Commerce & Labor.

HB 2757 by Representatives Bowman, Tate, McLean, Walker, Brumsickle, Betzoff, Doty, Wolfe, Moyer and D. Sommers

AN ACT Relating to disqualification from unemployment compensation benefits; and amending RCW 50.20.060.

Referred to Committee on Commerce & Labor.

HB 2758 by Representatives Bowman, Brumsickle, Wolfe, Tate, Padden, Silver, Moyer and Youngsman

AN ACT Relating to drug testing in the work place; adding a new chapter to Title 49 RCW; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2759 by Representatives Nealey, Haugen, Prince and Silver

AN ACT Relating to fourth class municipalities; and amending RCW 35.27.130.

Referred to Committee on Local Government.

HB 2760 by Representatives Day, D. Sommers, Rector, Braddock, Dellwo, Peery, Kremen, Jones, Crane, Doty, Kirby, Wineberry, Schoon and Todd

AN ACT Relating to long-term care ombudsman; and adding new sections to chapter 43.190 RCW.

Referred to Committees on Health Care/Appropriations.

HB 2761 by Representatives Peery and Pruitt

AN ACT Relating to the Washington state school directors' association; and amending RCW 28A.61.030

Referred to Committee on Education.

HB 2762 by Representative Zellinsky

AN ACT Relating to mutual savings banks; and amending RCW 30.04.070, 32.04.020, 32.04.080, 32.04.085, 32.04.110, 32.04.211, 32.04.220, 32.08.210, 32.08.230, 32.16.140, 32.24.020, 32.24.100, 32.32.025, 32.32.255, 32.32.265, 32.32.415, 32.32.425, 32.32.500, 32.34.020, 32.40.010, 32.40.020, 32.40.030, 43.19.020, 43.19.040, and 43.19.110.

Referred to Committee on Financial Institutions & Insurance.

HB 2763 by Representatives Locke and May

AN ACT Relating to refunding contributions to the judicial retirement system; and adding a new section to chapter 2.10 RCW.

Referred to Committee on Appropriations.

HB 2764 by Representatives P. King, Dellwo, Heavey, Crane, Hargrove, Brough, Brumsickle, Van Luven, Beck, Doty, Moyer, Horn, D. Sommers, Forner, Inslee, Miller, Valle, Padden, Rayburn, Zellinsky, Wood, Leonard, Tate, Walker, Winsley, K. Wilson, Cantwell, Rasmussen, R. Meyers, Phillips, Kremen and Day

AN ACT Relating to permanent parenting plans; and amending RCW 26.09.187.

Referred to Committee on Judiciary.

HB 2765 by Representatives Kirby, McLean, Ballard, Grant, Youngsman, Rayburn, Baugher, Smith and Bowman

AN ACT Relating to private applicators of pesticides; and amending RCW 17.21.126 and 17.21.128.

Referred to Committee on Agriculture & Rural Development.

HB 2766 by Representatives Kirby, Fuhrman, Haugen, Youngsman, Schoon, Dellwo, Zellinsky, Baugher and Todd

AN ACT Relating to local parks and recreation facilities capital improvements; and adding a new section to chapter 67.28 RCW.

Referred to Committee on Revenue.

HB 2767 by Representatives Kirby, Ballard, Haugen, McLean, Dellwo, Zellinsky, Baugher, H. Myers and Rayburn

AN ACT Relating to recordkeeping; creating a new section; and making an appropriation.

Referred to Committee on Agriculture & Rural Development.

HB 2768 by Representatives Baugher, S. Wilson, R. Meyers, Padden, Inslee and Betrozoff

AN ACT Relating to representation of truck drivers charged with nonmoving violations; and amending RCW 46.63.080.

Referred to Committee on Transportation.

HB 2769 by Representatives R. Meyers, Jones and Vekich; by request of Employment Security Department

AN ACT Relating to deductions from unemployment compensation weekly benefits amounts for earnings from temporary employment; amending RCW 50.20.130; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

- HB 2770 by Representatives Jones and Vekich; by request of Employment Security Department
- AN ACT Relating to base year wages for unemployment compensation; reenacting and amending RCW 50.04.030; creating a new section; and declaring an emergency.
- Referred to Committee on Commerce & Labor.
- HB 2771 by Representatives Vekich and Walker; by request of Employment Security Department
- AN ACT Relating to unemployment compensation overpayments; amending RCW 50.20.160 and 50.20.190; and creating a new section.
- Referred to Committee on Commerce & Labor.
- HB 2772 by Representatives Vekich and Walker; by request of Employment Security Department
- AN ACT Relating to disqualification from unemployment compensation benefits; amending RCW 50.20.010 and 50.20.060; adding a new section to chapter 50.20 RCW; creating a new section; and declaring an emergency.
- Referred to Committee on Commerce & Labor.
- HB 2773 by Representatives R. King, Smith, Vekich, S. Wilson and Day
- AN ACT Relating to unfair practices in employment; and adding a new section to chapter 49.44 RCW.
- Referred to Committee on Commerce & Labor.
- HB 2774 by Representatives Rasmussen, Cantwell, Doty, Schoon, Rector, Jesernig, Moyer, Kirby, Wineberry, Raiter, G. Fisher, Tate, Youngsman, P. King, Ferguson, Winsley, Dorn, Betrozoff and Sayan
- AN ACT Relating to economic impact studies of sports events; adding new sections to chapter 43.63A RCW; and creating a new section.
- Referred to Committee on Trade & Economic Development.
- HB 2775 by Representatives McLean, R. Fisher, Miller, Ebersole, Holland, Bennett, Wolfe, Wang, Betrozoff, Todd, Anderson, Pruitt, R. Meyers, D. Sommers, Wood, Wineberry and Hankins
- AN ACT Relating to voting equipment; and adding a new section to chapter 29.04 RCW.
- Referred to Committee on State Government.
- HB 2776 by Representatives Kremen, Youngsman, Rayburn, Doty, Baugher, Chandler, Grant, Rasmussen, Spanel, Braddock, Bowman, Dorn and Crane
- AN ACT Relating to a special fuel tax exemption for milk pumping; and amending RCW 82.38.080.
- Referred to Committee on Transportation.
- HB 2777 by Representatives Haugen, Wang, Zellinsky, Horn, Raiter, Nealey, Cooper, Ferguson, Nelson, Nutley, Wood, Rayburn, Phillips, Baugher, Kremen, May and Todd
- AN ACT Relating to property taxes; amending RCW 84.52.054, 17.28.100, 17.28.252, 35.58.090, 35.58.116, 35.61.210, 36.58.150, 36.60.040, 36.68.480, 36.69.140, 36.83.030, 56.04.050, 57.04.050, 67.38.130, 70.44.060, 70.94.091, 84.52.010, 84.52.043, 84.52.052, 84.52.053, 84.52.056, 84.52.100, and 84.69.020; reenacting and amending RCW 36.68.520; repealing RCW 29.30.111, 36.68.525, 36.69.145, and 84.52.069; and providing a contingent effective date.
- Referred to Committee on Local Government.
- HB 2778 by Representatives Zellinsky, Schmidt, R. Meyers, Miller, Belcher, Ferguson, Pruitt, Van Luven, Haugen, Holland, Phillips, S. Wilson, Locke, R. King, Peery, Todd, Brough, Anderson, Rasmussen, Nutley, Tate, Silver, Nelson, Cantwell, G. Fisher, Heavey, Sprengle, Sayan, R. Fisher, Prentice, Jones, Jesernig, Gallagher, Walker, Dorn, K. Wilson, Brekke, May, Bennett, Spanel, Jacobsen, Cooper,

Crane, Betrozoff, Valle, Leonard, Morris, H. Myers, P. King, Winsley, Ebersole, O'Brien, Cole, D. Sommers, Hine, Dellwo, Horn, Rector, Rust, Fraser, Fuhrman, Basich, Ballard, Kremen, Rayburn, Wood, Day and Scott

AN ACT Relating to transfer and management of certain common school trust lands; adding a new section to chapter 79.68 RCW; creating a new section; and making an appropriation.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 2779 by Representatives Fraser, Belcher, Sayan, Bowman, Rasmussen and Brumsickle

AN ACT Relating to county purchasing departments; and amending RCW 36.32.240.

Referred to Committee on Local Government.

HB 2780 by Representatives Fraser, Belcher, Haugen, Brumsickle, Sayan, Wang, Bowman and Holland

AN ACT Relating to levies; amending RCW 84.55.070; and adding a new section to chapter 84.52 RCW.

Referred to Committee on Local Government.

HB 2781 by Representatives Fraser, Belcher, Anderson, Brumsickle, Phillips and Van Luven

AN ACT Relating to harassment; and amending RCW 9A.46.020.

Referred to Committee on Judiciary.

HB 2782 by Representatives Fraser, Winsley, Appelwick, Schoon and Sayan

AN ACT Relating to commitment for mental illness; amending RCW 10.77.010, 10.77-.040, 10.77.060, 10.77.090, 10.77.110, 10.77.150, 10.77.200, 71.05.050, 71.05.150, 71.05.280, 71.05.320, 71.05.330, 71.05.340, and 71.34.020; and reenacting and amending RCW 71.05.020.

Referred to Committee on Judiciary.

HB 2783 by Representatives Kremen, Schmidt, Hine, R. Fisher, Anderson, Braddock, Holland, Winsley, Jones, P. King, O'Brien, Dellwo, Zellinsky, Heavey, Rayburn, Silver, Betrozoff, Todd and G. Fisher; by request of Department of Licensing

AN ACT Relating to vehicle license plates and license plate emblems; amending RCW 46.16.270 and 46.16.350; adding new sections to chapter 46.16 RCW; repealing RCW 46.16.310, 46.16.311, 46.16.315, 46.16.320, 46.16.330, 46.16.620, 46.16.625, 46.16.650, and 46.16.660; making an appropriation; and providing effective dates.

Referred to Committee on Transportation.

HB 2784 by Representatives Spanel, S. Wilson, R. King, Bowman, Basich, Smith, Vekich and Cole

AN ACT Relating to salmon labeling for human consumption; adding new sections to chapter 69.04 RCW; and prescribing penalties.

Referred to Committee on Fisheries & Wildlife.

HB 2785 by Representatives Cole, Smith and Leonard; by request of Department of Labor and Industries

AN ACT Relating to plumbing; and amending RCW 18.106.010.

Referred to Committee on Commerce & Labor.

HB 2786 by Representatives R. King, Smith and Leonard; by request of Department of Labor and Industries

AN ACT Relating to fire and life safety equipment in chapter 19.28 RCW; amending RCW 19.28.005, 19.28.060, 19.28.070, 19.28.120, 19.28.123, 19.28.125, 19.28.210, 19.28.300, 19.28.350, 19.28.370, 19.28.510, 19.28.530, 19.28.540, 19.28.550, 19.28.570, 19.28.580, 19.28.610,

and 19.28.620; adding new sections to chapter 19.28 RCW; making an appropriation; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2787 by Representatives R. King, Walker, Smith and Leonard; by request of Department of Labor and Industries

AN ACT Relating to federal employees' compensation act coverage; and amending RCW 51.12.100.

Referred to Committee on Commerce & Labor.

HB 2788 by Representatives Jones, Smith, Vekich, Wolfe, Cole, Walker, R. King, Prentice and O'Brien; by request of Department of Labor and Industries

AN ACT Relating to penalties for violations of wage payment laws; amending RCW 49.46.100 and 49.48.020; creating a new section; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HJR 4227 by Representatives Haugen, Ferguson, Zellinsky, Wood, Nutley, Nealey, Rayburn, Horn, Cooper, Kirby, Raiter, Scott, Cole, Kremen, Jones, Fraser, Todd, Leonard, Basich, Holland, Phillips, Wang, May and Brough

Amending the Constitution to allow property taxing districts to impose six-year tax levies.

Referred to Committee on Local Government.

HJR 4228 by Representatives Peery, Betrozoff and Pruitt

Changing voting validation requirements for general obligation bonds for capital purposes.

Referred to Committee on Capital Facilities & Financing.

HCR 4431 by Representatives D. Sommers, Dellwo, Moyer, Silver, Rector, Prince, Nealey, Fuhrman, Rayburn, Schmidt, Hankins, Betrozoff, R. Fisher, S. Wilson, Tate, Ferguson, Forner, Holland, H. Myers, Wolfe, Beck, Horn, Chandler, Doty, Padden, Smith and Brough

Naming the new Division Street Bridge in Spokane the Sam C. Guess Memorial Bridge.

Referred to Committee on Transportation.

SB 5059 by Senators Smith, Rasmussen, Metcalf, Benitz, Amondson, Anderson, Thorsness and Sutherland

Providing for a steelhead punchcard for persons under age fifteen.

Referred to Committee on Fisheries & Wildlife.

SB 5064 by Senators Smith, Rasmussen, Metcalf and Benitz

Requiring licensing of salmon guides.

Referred to Committee on Fisheries & Wildlife.

SSB 5087 by Committee on Environment & Natural Resources (originally sponsored by Senators Bender, Warnke, Rasmussen, Vognild, Owen and Conner)

Dealing with game and game fish.

Referred to Committee on Fisheries & Wildlife.

SSB 5131 by Committee on Governmental Operations (originally sponsored by Senator McCaslin)

Providing a limitation on the raising of local improvement district assessments.

Referred to Committee on Local Government.

SB 5133 by Senator McCaslin

Changing provisions regarding utility local improvement districts.

Referred to Committee on Local Government.

SB 5136 by Senators Owen, Metcalf, Amondson, Moore and Smith

Creating a fish identification card to allow greater accuracy in punchcard use.

Referred to Committee on Fisheries & Wildlife.

ESSB 5227 by Committee on Higher Education (originally sponsored by Senators Saling, Bauer, Patterson, Stratton, Smitherman, Williams, Lee and Hansen)

Establishing a state writing project to train educators.

Referred to Committee on Higher Education.

SSB 5285 by Committee on Financial Institutions & Insurance (originally sponsored by Senators Owen, McCaslin and Kreidler)

Providing that certain covenants survive a tax foreclosure sale.

Referred to Committee on Judiciary.

SSB 5299 by Committee on Governmental Operations (originally sponsored by Senators Thorsness, DeJarnatt, Rasmussen and Smith; by request of Secretary of State)

Permitting voters to receive assistance in voting.

Referred to Committee on State Government.

SB 5354 by Senators McDonald, Bluechel, Rasmussen, McMullen and Anderson

Providing for caseload forecasting in the office of financial management.

Referred to Committee on Appropriations.

ESB 5478 by Senators Amondson, Owen, Metcalf, Kreidler, DeJarnatt, McMullen and Smith

Creating a two-day steelhead punchcard.

Referred to Committee on Fisheries & Wildlife.

MOTION

On motion of Mr. Ebersole, the bills and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

January 16, 1990

SHB 1280 Prime Sponsor, Committee on Natural Resources & Parks: Modifying requirements of marine geologic explorations. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Passed to Committee on Rules for second reading.

January 16, 1990

ESHB 1291 Prime Sponsor, Committee on Natural Resources & Parks: Designating additional components of the scenic river system. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Dellwo, Ferguson, H. Myers, Raiter and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Beck, Ranking Republican Member; Brumsickle, Fuhrman and Hargrove.

Passed to Committee on Rules for second reading.

January 16, 1990

SHB 1405 Prime Sponsor, Committee on Capital Facilities & Financing: Regarding building fees for higher education. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betzoff, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Wang.

Passed to Committee on Rules for second reading.

January 16, 1990

ESHB 1663 Prime Sponsor, Committee on Housing: Enacting the farmworker housing act. Reported by Committee on Housing

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Insee, Padden, Rector and Todd.

Absent: Representatives Ballard and Padden.

Referred to Committee on Appropriations.

January 16, 1990

ESHB 1910 Prime Sponsor, Committee on State Government: Providing limitations on campaign contributions, voluntary limitations on campaign spending, and partial public financing of campaigns. Reported by Committee on Rules

Rereferred to Committee on State Government.

January 16, 1990

SHB 1911 Prime Sponsor, Committee on Local Government: Revising and adding provisions on special districts. Reported by Committee on Local Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2267 Prime Sponsor, Representative R. King: Providing a funding mechanism for regional fisheries enhancement groups. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Smith, Spanel and Vekich.

Absent: Representative Haugen.

Referred to Committee on Appropriations.

January 16, 1990

HB 2288 Prime Sponsor, Representative H. Sommers: Regarding appropriations for public works projects. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Wang.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2303 Prime Sponsor, Representative Crane: Removing the 40% validation requirement for emergency medical service levies. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Kirby, Nelson, Nutley, Phillips, Raiter, Rayburn, Wood and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Horn, Nealey and Wolfe.

Voting nay: Representatives Nealey and Wolfe.

Absent: Representatives Horn and Nelson.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2331 Prime Sponsor, Representative H. Myers: Requiring teachers to complete a course on issues of abuse. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Jones, Rasmussen and Rayburn.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2376 Prime Sponsor, Representative Betrozoff: Establishing provisions for fraudulent reports of continuing education credits. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, Phillips, Rasmussen, Schoon, Walker and K. Wilson.

Voting nay: Representative Valle.

Absent: Representative Rayburn.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2402 Prime Sponsor, Representative Rector: Revising the leave sharing program to include sick leave. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2443 Prime Sponsor, Representative O'Brien: Establishing the Warren G. Magnuson institute for biomedical research and health professions training. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Doty, Fraser, Heavey, Miller, Prince, Rector and Wood.

Absent: Representative Jesernig.

Referred to Committee on Appropriations.

January 17, 1990

HB 2444 Prime Sponsor, Representative Kirby: Authorizing irrigation districts to establish consolidated local improvement districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Passed to Committee on Rules for second reading.

January 16, 1990

HB 2472 Prime Sponsor, Representative Cole: Making changes in liquor administration. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 6, beginning on line 13, strike "~~((individual-glass)) drink~~" and insert "individual ~~((glass)) container~~"

On page 6, line 16, after "That" insert "an individual container shall contain no more individual drinks than the number of persons to be served; PROVIDED FURTHER, That"

On page 6, line 36, beginning with "A" strike all the matter through "served." on page 7, line 2

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 16, 1990

HB 2475 Prime Sponsor, Representative Ferguson: Limiting license fees and taxes that impact certain convention and trade facilities. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Referred to Committee on Revenue.

January 16, 1990

HB 2476 Prime Sponsor, Representative Horn: Establishing a formula for allocating the indebtedness incurred by certain lessees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Referred to Committee on Capital Facilities & Financing.

January 16, 1990

HB 2485 Prime Sponsor, Representative Rector: Qualifying as a self-insurer of industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 16, 1990

HB 2503 Prime Sponsor, Representative Vekich: Allowing supplemental pension funds to be invested. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

January 16, 1990

HB 2509 Prime Sponsor, Representative Vekich: Revising provisions for industrial insurance death benefits. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Referred to Committee on Appropriations.

January 16, 1990

HB 2518 Prime Sponsor, Representative Rayburn: Promoting Washington's agricultural products. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 22, insert:

"The department shall also examine the potential for enhancing the production and sale of processed foods. The department shall report to the legislature by January 1, 1991, regarding any obstacles imposed by state laws or rules to expanding food processing and sales opportunities and means by which the state can encourage such opportunities."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representative Baugher.

Referred to Committee on Appropriations.

January 17, 1990

HB 2525 Prime Sponsor, Representative Miller: Limiting regulation of radio communications services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers and S. Wilson.

Absent: Representatives Gallagher and Miller.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2526 Prime Sponsor, Representative Jacobsen: Revising provisions for registration of telecommunication companies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers and S. Wilson.

Absent: Representatives Gallagher and Miller.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2527 Prime Sponsor, Representative Jacobsen: Revising due dates for payment of regulatory fees. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers and S. Wilson.

Absent: Representatives Gallagher and Miller.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2537 Prime Sponsor, Representative Cooper: Changing the term "salary" to "compensation" for public utility district employees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Passed to Committee on Rules for second reading.

January 16, 1990

HB 2546 Prime Sponsor, Representative Phillips: Renewing the Washington telephone assistance program. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; Hankins, Ranking Republican Member; Brooks, Cooper, Gallagher, Jacobsen, Jesernig, May, Miller, H. Myers and S. Wilson.

Absent: Representative R. Meyers.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2548 Prime Sponsor, Representative R. Fisher: Changing provisions relating to the election of precinct committee officers. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 29, after "declarations, a" insert "write-in"

On page 2, line 2, after "must" insert "receive the highest number of votes cast for that office at the general election; and must"

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2550 Prime Sponsor, Representative R. Fisher: Changing provisions relating to the appointment of precinct election officers. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Absent: Representatives R. King and Silver.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2555 Prime Sponsor, Representative Rayburn: Repealing the Washington Animal Remedy Act. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representatives Kremen, Vice Chair; Jesernig and McLean.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2576 Prime Sponsor, Representative R. King: Updating and revising certain statutes regarding the department of wildlife. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Smith, Spanel and Vekich.

Absent: Representatives Cole, Haugen and Smith.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2577 Prime Sponsor, Representative Morris: Allowing the issuance of special hunting permits. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Cole, Smith, Spanel and Vekich.

Voting nay: Representative Brooks.

Absent: Representative Haugen.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2578 Prime Sponsor, Representative Jones: Changing provisions relating to prevailing wage law. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Voting nay: Representative Smith, Ranking Republican Member.

Absent: Representative O'Brien.

Referred to Committee on Appropriations.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1450, by Committee on Transportation (originally sponsored by Representatives R. Meyers, Heavey, Schmidt, Walk, D. Sommers, Todd, Kremen, Jones, Zellinsky, Haugen, Wood, Prentice, Cooper, Chandler and Winsley)

Regulating motor fuel quality.

The bill was read the third time and placed on final passage.

Mr. R. Meyers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1450, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raier, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Brekke, Day, Locke - 3.

Engrossed Substitute House Bill No. 1450, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1475, by Committee on Judiciary (originally sponsored by Representatives Winsley, Dellwo, K. Wilson, Chandler, Zellinsky, Beck, Day, Schmidt, Todd, Ferguson, D. Sommers and Wang)

Establishing the measure of damages for a motor vehicle.

The bill was read the third time and placed on final passage.

Representatives Crane and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1475, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Locke - 1.

Substitute House Bill No. 1475, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that consideration of Substitute House Bill No. 1565 be deferred and that the bill hold its place on the third reading calendar. The motion was carried.

HOUSE BILL NO. 1570, by Representatives R. Fisher and McLean; by request of Secretary of State

Changing election procedures in optional code cities.

The bill was read the third time and placed on final passage.

Mr. Todd spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1570, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1570, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1571, by Representatives R. Fisher, McLean and Sayan; by request of Secretary of State

Changing the procedure for filling port district vacancies.

The bill was read the third time and placed on final passage.

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1571, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 1571, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1577, by Committee on State Government (originally sponsored by Representatives R. Fisher, McLean, Holland, Silver, H. Sommers, Anderson and Winsley; by request of Office of Financial Management)

Establishing liability for state trust funds.

The bill was read the third time and placed on final passage.

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1577, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 1577, having received the constitutional majority, was declared passed.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4723, by Representatives Baugher, R. Meyers, Insee, Dorn, Brooks, Rayburn, R. Fisher, Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, G. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, Washington State Trooper Ray Hawn graduated from high school in Grandview, Washington, and college from Yakima Valley College; and

WHEREAS, Trooper Hawn spent most of his twenty-three year State Patrol career working out of North Bend before returning to the Yakima Valley three years ago, where he planned to retire with his wife, daughter and son; and

WHEREAS, Trooper Hawn was conscientious in the performance of his duties; and

WHEREAS, On Wednesday evening, January 17, 1990, while Trooper Hawn was assisting a motorist whose car ran out of gasoline, he was struck and killed by a passing car; and

WHEREAS, Ray Hawn was the fourth State Patrol trooper to be killed in the line of duty in the past five years;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the twenty-three years of dedicated service and the contributions of Washington State Patrol Trooper Ray Hawn to the people of this state and to those who travel its roadways; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mrs. Ray Hawn and to the Chief of the Washington State Patrol.

Mr. Baugher moved adoption of the resolution and spoke in favor of it.

On motion of Mr. Baugher, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Ms. Rayburn spoke in favor of adoption of the resolution.

House Floor Resolution No. 90-4723 was adopted.

SENATE AMENDMENT TO HOUSE CONCURRENT RESOLUTION

January 8, 1990

Mr. Speaker:

The Senate has adopted HOUSE CONCURRENT RESOLUTION NO. 4428 with the following amendment:

On page 1, beginning on line 7, after "budgets" strike all material through and including "budgets" on line 8 and insert ", matters necessary to implement budgets, and matters relating to the reduction of taxes, growth strategies and access to medical care" and the same is herewith transmitted.

Gordon A. Golob, Secretary.

MOTION

Mr. Ebersole moved that the House do concur in the Senate amendment to House Concurrent Resolution No. 4428.

Representatives Ebersole and Brough spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF HOUSE CONCURRENT RESOLUTION AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of House Concurrent Resolution No. 4428 as amended by the Senate.

House Concurrent Resolution No. 4428 as amended by the Senate was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

With consent of the House, Representative Raiter was excused.

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

SECOND READING

HOUSE BILL NO. 2276, by Representatives Peery, Betzoff, G. Fisher, Brumsickle, Jones, Holland, Phillips, Horn, McLean, Spanel, P. King and Crane

Reorganizing Title 28A RCW.

The bill was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2276, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Raiter - 1.

House Bill No. 2276, having received the constitutional majority, was declared passed.

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

THIRD READING

ENGROSSED HOUSE BILL NO. 1596, by Representatives R. Meyers, Patrick, Wood, Jones, Heavey, Winsley, R. Fisher, P. King, Ferguson and Day

Funding motorcycle safety education.

The bill was read the third time and placed on final passage.

Mr. R. Meyers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1596, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Raiter - 1.

Engrossed House Bill No. 1596, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1669, by Committee on State Government (originally sponsored by Representatives Anderson, R. Fisher, Winsley, Jacobsen, Haugen, Schoon, Bristow, Wineberry, Beck, Horn and D. Sommers; by request of Secretary of State)

Protecting the confidentiality of initiative, referendum, or recall petitioners.

The bill was read the third time and placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1669, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt,

Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Raiter - 1.

Substitute House Bill No. 1669, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1703, by Representatives R. Fisher, McLean and Anderson; by request of Office of Financial Management

Revising computation of subsistence and travel expenses.

The bill was read the third time and placed on final passage.

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1703, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Raiter - 1.

Engrossed House Bill No. 1703, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1715, by Representatives Anderson, Winsley, Leonard, Wineberry, Nutley, O'Brien, Rector, Nelson and Brekke

Creating a register of public property available for development of low-income housing.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Ms. Nutley moved adoption of the following amendments:

On page 2, line 12, strike "November 1, 1989" and insert "November 1, 1990"

On page 2, line 21, strike "November 1, 1989" and insert "November 1, 1990"

On page 2, line 30, strike "November 1, 1989" and insert "November 1, 1990"

On page 3, line 3, strike "November 1, 1989" and insert "November 1, 1990"

On page 3, line 12, strike "November 1, 1989" and insert "November 1, 1990"

On page 3, beginning on line 20, strike "November 1, 1989" and insert "November 1, 1990"

On page 3, line 30, strike "November 30, 1989" and insert "November 1, 1990"

On page 4, beginning on line 4, strike "November 1, 1989" and insert "November 1, 1990"

On page 4, beginning on line 13, strike "November 1, 1989" and insert "November 1, 1990"

Ms. Nutley spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered reengrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1715, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R,

Fornier, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Raiter - 1.

Reengrossed House Bill No. 1715, having received the constitutional majority, was declared passed.

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

MOTIONS

On motion of Mr. Ebersole, Engrossed House Bill No. 1579 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1771 was referred from the Third Reading Calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 1791 was referred from the Third Reading Calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2506 was referred from Committees on Judiciary/Appropriations to Committee on Appropriations.

On motion of Mr. Ebersole, House Bill No. 2552 was referred from Committees on Local Government/Revenue to Committee on Revenue.

On motion of Mr. Ebersole, House Bill No. 2609 was referred from Committee on Financial Institutions & Insurance to Committee on Revenue.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, January 22, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Monday, January 22, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Betzoff, Cantwell, Cole, Dellwo, P. King, Locke, Moyer and Vekich. On motion of Ms. Miller, Representatives Betzoff and Moyer were excused. On motion of Mr. Dorn, Representatives Cantwell, Cole, Dellwo, Locke and Vekich were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Steve Lacy and Bridget Lyons. Prayer was offered by The Reverend Phillip Norris, Lacey Community Church.

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

MESSAGE FROM THE SENATE

January 19, 1990

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5479,
ENGROSSED SENATE BILL NO. 5597,
SENATE JOINT MEMORIAL NO. 8019,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4725, by Representative Ebersole

WHEREAS, It is the policy of the Legislature to recognize the hard work and the dedication to human potential of the various organizations in this state; and

WHEREAS, The Benevolent and Protective Order of Elks has developed and continues to nurture a humanitarian and compassionate concern for all human beings; and

WHEREAS, The Benevolent and Protective Order of Elks demonstrates this concern by committing its members and resources to many worthwhile and charitable projects including, but not limited to, serving veterans, youth, disabled citizens and college-bound students; and

WHEREAS, We, in the State of Washington, can expect to see many more projects and programs of The Benevolent and Protective Order of Elks demonstrating its commitment to humanity; and

WHEREAS, The Benevolent and Protective Order of Elks has fifty-one lodges in the State of Washington with over 64,000 members;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives does hereby recognize and honor The Benevolent and Protective Order of Elks for its many youth, scholarship, disabled children, veterans, drug awareness, charitable and community service programs; and

BE IT FURTHER RESOLVED, That copies of this Resolution be transmitted by the Chief Clerk of the House of Representatives to the State President, Ken Valentine; the State Chair, Jack Taylor; the six District Chairs; and to the Working Committee of the Washington State Elks Association.

Mr. Ebersole moved adoption of the resolution. Representatives Ebersole, Crane and Beck spoke in favor of the resolution.

House Floor Resolution No. 90-4725 was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 2789 by Representatives Cooper, Hankins, Nelson, Dorn, R. Meyers, Crane and H. Myers

AN ACT Relating to fraud in obtaining telecommunications services; amending RCW 9.45.240 and 9.26A.090; adding a new section to chapter 9.26A RCW; adding a new section to Title 7 RCW; recodifying RCW 9.45.180, 9.45.190, and 9.45.240; and prescribing penalties.

Referred to Committee on Energy & Utilities.

HB 2790 by Representatives Appelwick, Basich, R. King, Sprengle, Wineberry, P. King, Valle, Rector and Jacobsen

AN ACT Relating to funds transfers; and adding a new Article to Title 62A RCW.

Referred to Committee on Judiciary.

HB 2791 by Representative Appelwick

AN ACT Relating to superior court fees; and amending RCW 36.18.020.

Referred to Committee on Judiciary.

HB 2792 by Representatives Day, D. Sommers, R. King, Vekich, Dellwo, Wolfe and Rector

AN ACT Relating to podiatric physicians and surgeons; amending RCW 18.22.005, 18.22.010, 18.22.013, 18.22.014, 18.22.015, 18.22.040, 18.22.060, 18.22.081, 18.22.083, 18.22.110, 18.22.120, 18.22.191, 18.22.210, and 18.22.230; adding new sections to chapter 18.22 RCW; and repealing RCW 18.22.030, 18.22.050, 18.22.130, 18.22.185, and 18.22.930.

Referred to Committee on Health Care.

HB 2793 by Representatives Kremen, S. Wilson, Day, Schmidt, Jones, P. King, May, Crane, Brough, Forner, Valle and Wood

AN ACT Relating to the use of designated highway lanes; and amending RCW 46.61.165.

Referred to Committee on Transportation.

HB 2794 by Representatives Horn, Haugen, Ferguson, Nelson, Holland, Van Luven, Betzoff, Fuhrman, Phillips, Kirby, Cooper, Nealey, Wood, Wolfe, Zellinsky, Rayburn, Nutley, Raiter, May, Winsley, Smith and Silver

AN ACT Relating to abandoned property held by local governments; amending RCW 63.29.190; adding new sections to chapter 63.29 RCW; and declaring an emergency.

Referred to Committee on Local Government.

HB 2795 by Representatives R. Fisher, Schmidt and Zellinsky

AN ACT Relating to a tax on the rental of fleet vehicles; amending RCW 82.44.010; adding a new section to chapter 82.08 RCW; adding a new section to Title 47 RCW; and creating a new section.

Referred to Committee on Transportation.

HB 2796 by Representatives Brekke, Prentice and Anderson

AN ACT Relating to birth certificates; and amending RCW 70.58.200.

Referred to Committee on Health Care.

HB 2797 by Representatives R. Fisher, McLean, Horn, Anderson and Todd

AN ACT Relating to elections; amending RCW 29.01.006, 29.01.050, 29.27.020, 29.27.050, 29.30.010, 29.30.020, 29.30.060, 29.30.081, 29.30.101, 29.30.130, 29.33.020, 29.33.041, 29.33.051, 29.33.061, 29.33.081, 29.33.130, 29.33.230, 29.34.080, 29.34.085, 29.34.090, 29.34.143, 29.34.153, 29.34.157, 29.34.163, 29.34.167, 29.34.170, 29.48.010, 29.48.030, 29.48.070, 29.48.100,

29.51.010, 29.51.050, 29.51.060, 29.51.070, 29.51.100, 29.51.140, 29.51.150, 29.51.175, 29.51.180, 29.51.190, 29.51.240, 29.51.250, 29.54.010, 29.54.035, 29.54.050, 29.54.060, 29.54.170, 29.62.010, 29.62.040, 29.62.050, 29.64.030, 29.64.040, 29.64.050, 29.64.060, 29.71.020, 29.74.080, 29.82.130, 28A.57.435, 29.21.075, 29.45.060, 29.51.020, 29.36.130, 29.18.010, 29.18.015, 29.18.025, 29.18.040, 29.18.050, 29.18.105, 29.18.120, 29.18.200, 29.21.010, 29.21.015, 29.21.070, 29.21.140, 29.30.040, 28A.57.314, 28A.57.425, 29.04.180, 29.13.025, 29.18.150, 29.24.070, 29.68.080, 35A.29.105, 35A.29.110, 53.12.035, and 54.12.010; reenacting and amending RCW 29.42.040; adding new sections to chapter 29.01 RCW; adding a new section to chapter 29.04 RCW; adding new sections to chapter 29.30 RCW; adding new sections to chapter 29.33 RCW; adding a new section to chapter 29.51 RCW; adding new sections to chapter 29.54 RCW; adding a new section to chapter 29.85 RCW; adding a new chapter to Title 29 RCW; creating new sections; recodifying RCW 29.34.080, 29.34.085, 29.34.090, 29.34.143, 29.34.163, 29.34.170, 29.33.230, 29.34.153, 29.34.157, 29.34.167, 29.54.035, 29.13.075, 29.18.015, 29.18.025, 29.18.032, 29.18.040, 29.18.045, 29.18.050, 29.18.053, 29.18.055, 29.18.057, 29.18.070, 29.18.080, 29.18.105, 29.21.140, 29.21.350, 29.21.360, 29.21.370, 29.21.380, 29.21.385, 29.21.390, and 29.21.400; repealing RCW 29.18.020, 29.18.022, 29.18.030, 29.18.031, 29.18.035, 29.18.060, 29.18.090, 29.18.100, 29.18.110, 29.21.017, 29.21.020, 29.21.040, 29.21.060, 29.21.075, 29.21.080, 29.21.085, 29.21.090, 29.21.110, 29.21.120, 29.21.130, 29.21.150, 29.21.160, 29.21.180, 29.21.190, 29.21.200, 29.21.210, 29.21.220, 29.21.330, 29.27.010, 29.27.040, 29.27.045, 29.30.030, 29.30.061, 29.30.091, 29.30.310, 29.30.320, 29.30.330, 29.30.340, 29.30.350, 29.30.370, 29.30.380, 29.30.390, 29.30.410, 29.30.420, 29.30.430, 29.30.440, 29.30.450, 29.30.460, 29.30.480, 29.30.490, 29.33.010, 29.33.015, 29.33.090, 29.33.110, 29.33.120, 29.33.140, 29.33.150, 29.33.160, 29.33.170, 29.33.180, 29.33.190, 29.33.200, 29.33.210, 29.33.220, 29.34.010, 29.34.125, 29.34.130, 29.34.140, 29.34.145, 29.34.180, 29.51.080, 29.51.110, 29.51.120, 29.51.130, 29.51.160, 29.51.220, 29.51.260, 29.54.020, 29.54.030, 29.54.040, 29.54.043, 29.54.045, 29.54.070, 29.54.080, 29.54.090, 29.54.100, 29.54.110, 29.54.120, 29.54.130, and 29.54.140; prescribing penalties; and providing an effective date.

Referred to Committee on State Government.

HB 2798 by Representatives Day, Wolfe, Heavey, Fuhrman, Padden, Smith, Silver, Rector and Dellwo

AN ACT Relating to the fluoridation of water supplies; amending RCW 57.08.012; adding a new section to chapter 35.58 RCW; adding a new section to chapter 35.91 RCW; adding a new section to chapter 36.94 RCW; adding a new section to chapter 54.16 RCW; and adding a new section to chapter 87.03 RCW.

Referred to Committee on Local Government.

HB 2799 by Representatives P. King and Prentice

AN ACT Relating to special parking privileges; and amending RCW 46.16.381.

Referred to Committee on Transportation.

HB 2800 by Representatives Vekich, R. King, Sayan, Wolfe, Chandler and Forner

AN ACT Relating to self-insured employers; and amending RCW 51.32.055.

Referred to Committee on Commerce & Labor.

HB 2801 by Representatives Forner, Vekich, Smith, Cole, Walker, Bowman, Leonard, Prentice, Fuhrman, May, Brough, Ferguson, Betrozoff, Winsley, Chandler, Wolfe, Horn, Moyer, Brumsickle, Silver, Nealey, Youngsman, Miller and Wood

AN ACT Relating to collection agencies; and amending RCW 19.16.100.

Referred to Committee on Commerce & Labor.

HB 2802 by Representatives Todd, Fraser, McLean, Beicher, Locke, Brumsickle and Silver; by request of Department of General Administration

AN ACT Relating to transportation to and from and parking at state facilities; adding new sections to chapter 43.19 RCW; and repealing RCW 46.08.172.

Referred to Committee on State Government.

HB 2803 by Representatives G. Fisher, McLean, R. Fisher and Rector; by request of Department of General Administration

AN ACT Relating to qualifications for operating state-owned vehicles; and amending RCW 43.19.554.

Referred to Committee on State Government.

HB 2804 by Representatives Belcher, Beck, Spanel, Sprenkle, Ferguson, K. Wilson, Ebersole, Brumsickle, Miller, Hine, Phillips, Winsley, Pruitt, Todd, R. King, Heavey, P. King, Valle, Brekke and Jacobsen; by request of Commissioner of Public Lands

AN ACT Relating to purchase of state forest lands; amending RCW 76.12.030 and 76.12.080; reenacting and amending RCW 76.12.120; adding new sections to chapter 76.12 RCW; and repealing RCW 76.12.100.

Referred to Committees on Natural Resources & Parks/Capital Facilities & Financing.

HB 2805 by Representatives Schmidt, Zellinsky, Sayan, Schoon, Pruitt, Heavey, Brough, Nelson, R. Meyers and Valle

AN ACT Relating to the Washington state ferry system passenger-only service; amending section 31, chapter 6, Laws of 1989 1st ex. sess. (uncodified); creating a new section; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2806 by Representatives Smith, Prentice, Cole, Vekich, Leonard, R. King, Forner, Walker, Wolfe, O'Brien, Winsley, Silver, Brough, Kremen, Youngsman, Tate, Miller and Van Luven

AN ACT Relating to industrial insurance payments made on behalf of an injured worker's child; amending RCW 74.20A.260; adding a new section to chapter 51.32 RCW; adding a new section to chapter 26.18 RCW; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Commerce & Labor.

HB 2807 by Representatives Cooper, R. Fisher, Baugher, Hankins, Hine, R. Meyers, Zellinsky, S. Wilson, Bowman, Schmidt and Winsley

AN ACT Relating to release of vehicle registration records; amending RCW 46.12.380; adding new sections to chapter 46.12 RCW; creating a new section; and prescribing penalties.

Referred to Committee on State Government.

HB 2808 by Representatives H. Myers and Appelwick

AN ACT Relating to the eligibility requirements of court commissioners; and amending RCW 2.24.010.

Referred to Committee on Judiciary.

HB 2809 by Representatives H. Myers, Brough, Jones, Tate, Rasmussen, Rector, Forner, Padden, D. Sommers, Cooper, Beck, Dorn, Holland, Morris, Wineberry, R. King, Day, Spanel, P. King, Raiter, Scott, Schoon, Pruitt, Fraser, G. Fisher, Basich, Bowman, Moyer, Dellwo, Peery, Ebersole, Zellinsky, Kremen, Vekich, Belcher, Kirby, Rayburn, May, Winsley, Brumsickle, Doty, Ferguson, Smith, Wolfe, Silver, Bennett, McLean, Todd, Leonard, Sprenkle, Youngsman, Miller, Brekke, Jacobsen, Wood and Van Luven

AN ACT Relating to closed-circuit transmission of testimony of child witnesses in sexual and physical abuse cases; adding a new section to chapter 9A.44 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

HB 2810 by Representatives Inslee, Betrozoff, Dorn, Hankins, Jesernig, Walker, Fraser, Grant, Ballard, S. Wilson, Rayburn, Day, Padden, Crane, Winsley, Smith, Wolfe, R. Meyers, Miller, Rector, Dellwo and Cooper

AN ACT Relating to the exemptions and penalties for tinting or coloring of motor vehicle windows; amending RCW 46.37.430; reenacting and amending RCW 46.63.020; adding a new section to chapter 46.37 RCW; and prescribing penalties.

Referred to Committee on Transportation.

HB 2811 by Representatives Kirby, Fuhrman, Basich, Moyer, Dellwo, Baugher, Rayburn, Winsley, Rector, Beck, Haugen, Bowman, Inslee,

Brumsickle, Jesernig, Heavey, Zellinsky, Hargrove, Day, Dorn, Doty and Kremen

AN ACT Relating to counties; adding a new section to chapter 36.32 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Local Government.

HB 2812 by Representative Baugher

AN ACT Relating to unemployment compensation benefit charges for employers of part-time employees; and amending RCW 50.29.020.

Referred to Committee on Commerce & Labor.

HB 2813 by Representatives Locke, Braddock, Silver and P. King; by request of Department of Licensing

AN ACT Relating to the business license center act; amending RCW 19.02.030 and 19.02.070; adding a new section to chapter 19.02 RCW; repealing RCW 19.02.038 and 19.02.110; and providing an effective date.

Referred to Committee on Trade & Economic Development.

HB 2814 by Representatives Baugher, Dorn, Rasmussen, Sayan, Todd, Anderson and Vekich

AN ACT Relating to agricultural product labeling; amending RCW 15.53.9016, 66.28.100, 66.28.110, and 66.28.120; adding new sections to chapter 69.04 RCW; and creating a new section.

Referred to Committee on Agriculture & Rural Development.

HB 2815 by Representatives Spanel, Jacobsen, R. King, Miller, Wood, Van Luven, Sayan, Fraser, P. King, Winsley, Nelson, Morris, Valle, Brekke and Rector

AN ACT Relating to community college faculty; adding new sections to chapter 28B.50 RCW; and providing a contingent effective date.

Referred to Committee on Higher Education.

HB 2816 by Representatives Kirby, Ferguson, Basich, Hargrove, Vekich, H. Myers, Inslee, Jones, Winsley, Doty and Kremen

AN ACT Relating to preparing a timber supply assessment; and creating new sections.

Referred to Committee on Natural Resources & Parks.

HB 2817 by Representatives Kirby, Appelwick, Jacobsen and Bennett

AN ACT Relating to the office of support enforcement; and amending RCW 26.23.020.

Referred to Committee on Judiciary.

HB 2818 by Representatives H. Myers, Hargrove, Belcher, Inslee, Kirby, Basich, K. Wilson, Jones, Morris, Cooper, Peery, Brumsickle, R. King, Ferguson, Baugher, S. Wilson, Kremen, Rayburn, Ballard, Bowman, Vekich, Dorn, Fuhrman, Schoon, Doty, Bennett, Spanel and Rasmussen

AN ACT Relating to reserve timber; amending RCW 76.12.190; making an appropriation; and declaring an emergency.

Referred to Committees on Natural Resources & Parks/ Appropriations.

HB 2819 by Representatives Brekke, Hargrove, Padden, Sayan, Jones, Tate, Valle, Prentice, Rayburn, Day, P. King, May, Winsley, Leonard, Walker, Scott, H. Myers, Rector, Cooper, Rasmussen and Van Luven

AN ACT Relating to establishing an office of children's services ombuds; adding new sections to chapter 43.09 RCW; creating a new section; repealing RCW 26.44.070; and making an appropriation.

Referred to Committees on Human Services/Appropriations.

- HB 2820** by Representatives Prentice, R. King, Vekich, Cole, May and Nutley
 AN ACT Relating to industrial insurance coverage for jockeys and apprentice jockeys; amending RCW 51.08.070, 51.16.210, 67.16.300, and 51.12.020; adding a new section to chapter 51.16 RCW; and declaring an emergency.
 Referred to Committee on Commerce & Labor.
- HB 2821** by Representatives Rayburn, McLean, Phillips, Nealey, Heavey, Kremen, Todd, Jesernig, Youngsman, Chandler, Sayan, Doty, Rector, Kirby, Rasmussen, Grant, Cooper, Rust, Day, P. King, May, Crane, Winsley, Brumsickle, Bowman, Insee, Ferguson, Wolfe, Brough, Bennett, Basich, Forner, Leonard, Sprenkle, R. Meyers, Miller, H. Myers, Brekke, Spanel and Jacobsen
 AN ACT Relating to the transportation of food; amending 69.04.810; adding new sections to chapter 69.04 RCW; and prescribing penalties.
 Referred to Committee on Agriculture & Rural Development.
- HB 2822** by Representatives Rayburn, Peery, Valle, Holland, Cole, Brumsickle and Rust
 AN ACT Relating to the portable assisted study sequence program; creating a new section; and making appropriations.
 Referred to Committees on Education/Appropriations.
- HB 2823** by Representatives Fraser, May, Nelson, Crane, Belcher, Phillips, Winsley and Scott
 AN ACT Relating to state-wide implementation of enhanced 911 telephone systems; amending RCW 82.14B.010 and 82.14B.020; creating a new section; and making an appropriation.
 Referred to Committees on Energy & Utilities/Appropriations.
- HB 2824** by Representatives Fraser, Belcher, Silver, Wang and Winsley
 AN ACT Relating to property omitted from assessor rolls; and amending RCW 84.40.080.
 Referred to Committee on Local Government.
- HB 2825** by Representatives Rasmussen, Schoon, H. Sommers, Heavey, R. Meyers, R. Fisher, Wang, Ebersole, Moyer, Rector, Pruitt, Braddock, Day, Winsley and Kremen
 AN ACT Relating to the disabilities land trust; amending RCW 43.185.110 and 43.185.070; adding new sections to chapter 43.30 RCW; creating a new section; and declaring an emergency.
 Referred to Committee on Capital Facilities & Financing.
- HB 2826** by Representatives Sayan, Belcher, R. King, Spanel, R. Meyers, Kremen, Basich and Braddock
 AN ACT Relating to paralytic shellfish poisoning; and making appropriations.
 Referred to Committee on Appropriations.
- HB 2827** by Representatives Spanel, Brough, Appelwick, Locke, Belcher, Schmidt, Scott, Hine, Wineberry and Wood
 AN ACT Relating to domestic relations; amending RCW 26.09.004, 26.09.080, 26.09.090, 26.09.170, 4.12.050, and 9.41.040; adding new sections to chapter 26.09 RCW; and prescribing penalties.
 Referred to Committee on Judiciary.
- HB 2828** by Representatives Sayan, Todd, O'Brien, Brooks, Hine, Anderson, P. King, K. Wilson and Jacobsen
 AN ACT Relating to levy elections; and amending RCW 84.52.052.
 Referred to Committee on Local Government.

HB 2829 by Representatives Pruitt, Phillips, Appelwick, Morris, Jones, Wineberry, Kremen, Todd, Zellinsky, Sprenkle, P. King, Haugen, Scott, H. Myers, K. Wilson, Spanel, Rector, Cooper and Rasmussen

AN ACT Relating to drugs; adding a new section to chapter 69.43 RCW; adding a new section to chapter 69.50 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2830 by Representatives Sayan, Anderson, Winsley, Leonard, Raiter, Jones, Basich, Crane, Wineberry, Pruitt, Ferguson, Kremen, Todd, Zellinsky, P. King, Walker, Scott and Jacobsen

AN ACT Relating to Vietnam veterans; adding a new section to chapter 73.04 RCW; creating a new section; prescribing penalties; and making an appropriation.

Referred to Committees on State Government/Appropriations.

HB 2831 by Representatives Jacobsen, Van Luven, Ebersole, Kirby, Sayan, Rector, Anderson, Dellwo, Inslee, Prentice, Wang, Belcher, Sprenkle, Miller, Rayburn, Basich, P. King, Crane, Wineberry, Winsley, Ferguson, Leonard and Wood

AN ACT Relating to matching grants for higher education scholarships; adding a new chapter to Title 28B RCW; and making an appropriation.

Referred to Committees on Higher Education/Appropriations.

HB 2832 by Representatives Youngsman, Rayburn, McLean, Doty and Nealey

AN ACT Relating to horticultural plants and facilities; amending RCW 15.13.250, 15.13.260, 15.13.270, 15.13.310, 15.13.320, 15.13.335, 15.13.350, 15.13.370, 15.13.380, 15.13.410, 15.13.420, 15.13.440, 15.13.470, and 15.13.490; and prescribing penalties.

Referred to Committee on Agriculture & Rural Development.

HJM 4027 by Representatives Hargrove, Ferguson, Basich, Vekich, H. Myers, Jones, Fuhrman, Kremen, Raiter and Spanel

Petitioning Congress to assist local communities affected by the reduction in allowable timber costs.

Referred to Committee on Natural Resources & Parks.

HJM 4028 by Representatives Kirby, Ferguson, Basich, Vekich, Hargrove, H. Myers, Inslee, Jones, Kremen, Raiter and Spanel

Petitioning Congress to create an open and free market for United States wood products.

Referred to Committee on Trade & Economic Development.

HCR 4432 by Representatives Prince, Hine, Day, Ferguson, McLean, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, G. Fisher, R. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

Establishing the "Legislative Old Timers" Reunion.

Referred to Committee on State Government.

HCR 4433 by Representatives Grant, Brooks, Jones, Baugher, Nelson, D. Sommers, Hankins, Rayburn, Bowman, Jesernig, Bennett,

Todd, Zellinsky, Sprengle, Wineberry, Valle, K. Wilson, Spanel, Rector and Rasmussen

Creating a Joint Select Committee on the Economic Impact of Consumer Petroleum Pricing.

Referred to Committee on Energy & Utilities.

SSB 5479 by Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Amondson, Kreidler, West and Sellar)

Establishing two recreational geoduck harvesting areas.

Referred to Committee on Natural Resources & Parks.

ESB 5597 by Senators Nelson, West, Newhouse, Smith, Conner, Wojahn and Niemi

Limiting pharmacists' liability.

Referred to Committee on Judiciary.

SJM 8019 by Senators Benitz, Hansen, Newhouse, Stratton, Hayner, Bluechel, Metcalf and Vognild

Requesting Congress to locate the plutonium-238 mission at Hanford.

Referred to Committee on Energy & Utilities.

MOTION

On motion of Mr. Ebersole, the bills, memorials and resolutions listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

POINT OF PARLIAMENTARY INQUIRY

Ms. Brough: On January 12, House Bill No. 2463, an act relating to vehicle registration records, was introduced and sent to Committee on State Government. On today's introduction calendar a bill identical to House Bill No. 2463 appears as House Bill No. 2807 and is referred to Committee on State Government. My Question of Parliamentary Inquiry is this, Mr. Speaker: Is House Bill No. 2807 properly before this body, given that it is identical to the previously introduced House Bill No. 2463?

SPEAKER'S REPLY

The Speaker (Mr. O'Brien presiding): There is no rule relative to the duplication of bills--perhaps something happened here inadvertently. I am sure that the final decision on which bill to handle will rest with the chair of the committee.

REPORTS OF STANDING COMMITTEES

January 18, 1990

HB 2295 Prime Sponsor, Representative Sayan: Revising provisions for reimbursement to department of social and health services employees for costs related to assaults. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Anderson, Brekke, Hargrove, Leonard, Raiter, Padden and Winsley.

Absent: Representatives Hargrove and Raiter.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2359 Prime Sponsor, Representative Valle: Creating the homeless education grant program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representatives Phillips and K. Wilson.

Referred to Committee on Appropriations.

January 17, 1990

HB 2384 Prime Sponsor, Representative Appelwick: Changing provisions relating to criminal offenders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Referred to Committee on Appropriations.

January 18, 1990

HB 2412 Prime Sponsor, Representative Valle: Creating the teachers training teachers program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle and Walker.

Absent: Representatives Phillips and K. Wilson.

Referred to Committee on Appropriations.

January 19, 1990

HB 2430 Prime Sponsor, Representative P. King: Revising provisions for motor vehicle warranties. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative Leonard.

Passed to Committee on Rules for second reading.

January 18, 1990

HB 2495 Prime Sponsor, Representative H. Myers: Creating a uniform entry to practice assessment for teacher certification candidates. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle and Walker.

Absent: Representatives Phillips and K. Wilson.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2499 Prime Sponsor, Representative Prentice: Changing notice and withhold requirements when industrial insurance taxes are in arrears. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 27, after "hundred" strike "eighty" and insert "twenty"

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2502 Prime Sponsor, Representative Cole: Regarding construction lien laws. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2508 Prime Sponsor, Representative Vekich: Revising provisions for pasteurization in relation to licenses for the sale of beer. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 17, 1990

HB 2510 Prime Sponsor, Representative Cole: Revising procedures relating to violation of industrial welfare laws. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 3, after line 6, insert the following:

"(4) The department shall seek the penalties authorized in this section only for serious or repeated violations by an employer."

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2556 Prime Sponsor, Representative Jacobsen: Providing telecommunications devices for persons unable to use customary telephones. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Cooper, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representatives Brooks and Gallagher.

Referred to Committee on Appropriations.

January 18, 1990

HB 2602 Prime Sponsor, Representative Hine: Changing provisions relating to support services for adoptions. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Raiter, Padden and Winsley.

Absent: Representatives Hargrove and Raiter.

Referred to Committee on Appropriations.

January 17, 1990

HB 2608 Prime Sponsor, Representative Valle: Requiring posting of liquor applications. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 7, strike "~~(and reapplications)~~"

On page 4, line 8, after "licenses" insert "and reconsiderations where public opposition was the grounds for the Board's original denial"

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2667

Prime Sponsor, Representative Phillips: Changing provisions relating to low-income home energy assistance and creating a joint select committee on low-income home energy assistance. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Cooper, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representatives Brooks, Gallagher and R. Meyers.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1565, by Committee on Judiciary (originally sponsored by Representatives Locke, Wang, Brough, Padden, Belcher, Wineberry, Winsley and R. Fisher)

Relating to family relationships presumed to be valid for immigrants.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Mr. Wang moved adoption of the following amendment by Representative Locke:

On page 1, beginning on line 21, strike all of section 2 and insert the following:

"Sec. 2. Section 5, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 4, chapter 55, Laws of 1989 and RCW 26.26.040 are each amended to read as follows:

(1) A man is presumed to be the natural father of a child for all intents and purposes if:

(a) He and the child's natural mother are or have been married to each other and the child is born during the marriage, or within three hundred days after the marriage is terminated by death, annulment, declaration of invalidity, divorce, or dissolution, or after a decree of separation is entered by a court; or

(b) Before the child's birth, he and the child's natural mother have attempted to marry each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared invalid, and the child is born within three hundred days after the termination of cohabitation;

(c) After the child's birth, he and the child's natural mother have married, or attempted to marry, each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared invalid, and

(i) He has acknowledged his paternity of the child in writing filed with the registrar of vital statistics,

(ii) With his consent, he is named as the child's father on the child's birth certificate, or

(iii) He is obligated to support the child under a written voluntary promise or by court order;

(d) While the child is under the age of majority, he receives the child into his home and openly holds out the child as his child; ~~((or))~~

(e) He acknowledges his paternity of the child pursuant to RCW 70.58.080 or in a writing filed with the state office of vital statistics, which shall promptly inform the mother of the filing of

the acknowledgment, if she does not dispute the acknowledgment within a reasonable time after being informed thereof, in a writing filed with the registrar of vital statistics. In order to enforce rights of residential time, custody, and visitation, a man presumed to be the father as a result of filing a written acknowledgement must seek appropriate judicial orders under this title; or

(1) The United States immigration and naturalization service made or accepted a determination that he was the father of the child at the time of the child's entry into the United States and he had the opportunity at the time of the child's entry into the United States to admit or deny the paternal relationship.

(2) A presumption under this section may be rebutted in an appropriate action only by clear, cogent, and convincing evidence. If two or more presumptions arise which conflict with each other, the presumption which on the facts is founded on the weightier considerations of policy and logic controls. The presumption is rebutted by a court decree establishing paternity of the child by another man."

Representatives Wang and Padden spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1565, and the bill passed the House by the following vote: Yeas, 89; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Appelwick, King P - 2.

Excused: Representatives Berozoff, Cantwell, Cole, Dellwo, Locke, Moyer, Vekich - 7.

Engrossed Substitute House Bill No. 1565, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1746, by Committee on Housing (originally sponsored by Representatives Locke, Todd, Anderson and Wineberry; by request of Human Rights Commission)

Prohibiting discrimination in real estate transactions because of parental status.

The bill was read the third time and placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1746, and the bill passed the House by the following vote: Yeas, 89; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Appelwick, King P - 2.

Excused: Representatives Berozoff, Cantwell, Cole, Dellwo, Locke, Moyer, Vekich - 7.

Substitute House Bill No. 1746, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1747, by Representatives R. Fisher, Belcher, McLean, Winsley, H. Sommers, P. King and Anderson; by request of Secretary of State

Eliminating charges for space in the candidates' pamphlet.

The bill was read the third time and placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1747, and the bill passed the House by the following vote: Yeas, 64; nays, 25; absent, 2; excused, 7.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cooper, Crane, Day, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hankins, Haugen, Heavey, Hine, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, McLean, Miller, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Beck, Brooks, Chandler, Dorn, Doty, Ferguson, Forner, Fuhrman, Hargrove, Holland, Horn, Inslee, Kirby, May, Meyers R, Nealey, Padden, Prince, Pruitt, Schmidt, Smith, Tate, Wolfe, Wood, Youngsman - 25.

Absent: Representatives Appelwick, King P - 2.

Excused: Representatives Betzoff, Cantwell, Cole, Dellwo, Locke, Moyer, Vekich - 7.

House Bill No. 1747, having received the constitutional majority, was declared passed.

Representative P. King appeared at the bar of the House.

STATEMENT FOR THE JOURNAL

I, Paul King, appeared at the bar of the House and would have voted "Yes" on final passage of House Bill No. 1747.

PAUL H. KING, 44th District.

MOTION

On motion of Mr. Heavey, Representative Rayburn was excused.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1941, by Committee on Environmental Affairs (originally sponsored by Representatives Sprenkle, Prentice, Leonard, Rust, Morris, Wolfe and Ferguson)

Prohibiting use of tobacco products in health care facilities.

The bill was read the third time and placed on final passage.

Mr. Sprenkle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1941, and the bill passed the House by the following vote: Yeas, 87; nays, 2; absent, 1; excused, 8.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cooper, Crane, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Day, Meyers R - 2.

Absent: Representative Appelwick - 1.

Excused: Representatives Betzoff, Cantwell, Cole, Dellwo, Locke, Moyer, Rayburn, Vekich - 8.

Engrossed Substitute House Bill No. 1941, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1950, by Representatives Valle, Ferguson, Phillips and Sprenkle

Investigating diesel-powered vehicle emission issues.

MOTION

On motion of Mr. Heavey, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Ms. Valle moved adoption of the following amendment:

On page 1, line 6, after "legislature" strike "by January 1, 1990:" and insert "by January 1, 1991:"

Ms. Valle spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Valle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1950, and the bill passed the House by the following vote: Yeas, 75; nays, 14; absent, 1; excused, 8.

Voting yea: Representatives Anderson, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brumsickle, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, May, Meyers R, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, and Mr. Speaker - 75.

Voting nay: Representatives Ballard, Basich, Baugher, Brough, Fuhrman, Hargrove, Haugen, Kirby, McLean, Miller, Schmidt, Smith, Wood, Zellinsky - 14.

Absent: Representative Appelwick - 1.

Excused: Representatives Betrozoff, Cantwell, Cole, Dellwo, Locke, Moyer, Rayburn, Vekich - 8.

Engrossed House Bill No. 1950, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1957, by Representatives Zellinsky, S. Wilson, Haugen, Schmidt, Walk, Vekich, R. Meyers, Sayan, Spanel and Youngsman

Repealing excess funds transfer provisions for the Puget Sound ferry operations account.

The bill was read the third time and placed on final passage.

Mr. Zellinsky spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1957, and the bill passed the House by the following vote: Yeas, 86; nays, 3; absent, 1; excused, 8.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 86.

Voting nay: Representatives Beck, Cooper, Holland - 3.

Absent: Representative Appelwick - 1.

Excused: Representatives Betrozoff, Cantwell, Cole, Dellwo, Locke, Moyer, Rayburn, Vekich - 8.

House Bill No. 1957, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Heavey, Representative Baugher was excused.

SUBSTITUTE HOUSE BILL NO. 1979, by Committee on Local Government (originally sponsored by Representatives Haugen, Wood and Cooper)

Authorizing cities and towns to compel sewer hookups with regard to property outside of city or town boundaries.

The bill was read the third time and placed on final passage.

Mr. Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1979, and the bill passed the House by the following vote: Yeas, 88; absent, 1; excused, 9.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representative Appelwick - 1.

Excused: Representatives Baugher, Betzoff, Cantwell, Cole, Dellwo, Locke, Moyer, Rayburn, Vekich - 9.

Substitute House Bill No. 1979, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that consideration of Engrossed Substitute House Bill No. 2030 be deferred and that the bill hold its place on the third reading calendar. The motion was carried.

HOUSE JOINT MEMORIAL NO. 4006, by Representatives Anderson, R. Fisher, Hankins, Jacobsen, Winsley, Brekke, R. King, Nelson, Jesernig, Rector, Haugen, Wineberry, Spanel, O'Brien, Kremen, Morris, Bristow, Sayan, McLean, Brumsickle, Jones, Brough, Beck, Wang, Basich, Ballard, Horn, Ferguson, Bowman, Walker, D. Sommers, Wolfe, Fuhrman, Nealey, Youngsman, Leonard, Tate, G. Fisher, Todd and Doty

Asking the federal government to adopt a uniform poll closing law.

The memorial was read the third time and placed on final passage.

Representatives Anderson and McLean spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4006, and the memorial passed the House by the following vote: Yeas, 88; absent, 1; excused, 9.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representative Appelwick - 1.

Excused: Representatives Baugher, Betzoff, Cantwell, Cole, Dellwo, Locke, Moyer, Rayburn, Vekich - 9.

House Joint Memorial No. 4006, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4012, by Representatives Brumsickle, Bowman, Schmidt, Youngsman, Patrick, Ballard, Betzoff, Walker, Silver, McLean, Smith, Grant, Fuhrman, Brough, Phillips, Horn, Holland, Morris, Beck, Padden, Tate, Schoon, D. Sommers, Moyer, Kremen, P. King, Wineberry, Pruitt, Sayan, Winsley, Miller, Rayburn, K. Wilson, May, Inslee, Raiter, Hine, Spanel, G. Fisher, Rasmussen and Wood

Petitioning Congress to restore the deductibility of the retail sales tax.

The memorial was read the third time and placed on final passage.

Mr. Brumsickle spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4012, and the memorial passed the House by the following vote: Yeas, 88; absent, 1; excused, 9.

Voting yea: Representatives Anderson, Ballard, Basich, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representative Appelwick - 1.

Excused: Representatives Baugher, Betzoff, Cantwell, Cole, Dellwo, Locke, Moyer, Rayburn, Vekich - 9.

House Joint Memorial No. 4012, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representative Appelwick appeared at the bar of the House.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 24, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

SEVENTEENTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, January 24, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Prentice. On motion of Ms. Fraser, Representative Prentice was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jeremy Morasch and Kristen LeMieux. Prayer was offered by The Reverend Phillip Norris, Lacey Community Church.

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

MESSAGE FROM THE SENATE

January 22, 1990

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5169,
SENATE JOINT MEMORIAL NO. 8003,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4721. by Representatives Brumsickle, Belcher, Fraser and Basich

WHEREAS, Team play teaches our youth the value of cooperation, independence, planning and plan execution; and

WHEREAS, The Tumwater High School football team demonstrated all of these during its 1989 winning season when it became the Black Hills League Champion; and

WHEREAS, The team, although not fielding the traditional big line, made its seventh playoff appearance and fourth consecutive playoff appearance, winning the State AA Championship; and

WHEREAS, The team's record for the season was an amazing 13-0; every game was won by at least twenty points and four games were shut-outs; and

WHEREAS, Coach Sid Otton, with the help of his assistants, has compiled a record of one hundred thirty-five wins and sixty-five losses in his Tumwater High School coaching career and, in doing so, has taught many young men the importance of contributing all one can to any endeavor; and

WHEREAS, Team members Scott Gurnsey, Lance Martin, Brad Otton, Aaron Abrahamson, Tony Doughty, Bryan Lowe, Karl Pfaff, Curtis Sumrok, Jason Tackett, Dan Olson, Casey Taylor, Kelly Luhr, Aaron Palmen, Allen Miller, Chad Stussy, Keith Clark, John Elliott, Jason Hicks, Chris Martin, Rich Munro, Barrett Burbridge, Allen Grover and Dan Cazalet all earned the recognition of their peers in the Black Hills League, and Scott Gurnsey and Lance Martin received The Morning News Tribune awards; and

WHEREAS, The twenty-seven team members who are seniors have, in the last three seasons, won ten of eleven playoff games, all league games but one, and have never lost in the Green Jersey; and

WHEREAS, The Tumwater T-Birds have inspired strong and loyal community and school team support;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor the Tumwater T-Birds football team, the coaches and the students of Tumwater High School; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Coach Sid Otton, to Principal Terry Pullen, and to the members of the Tumwater High School football team

Mr. Brumsickle moved adoption of the resolution. Representatives Brumsickle, Basich, Bowman and Fraser spoke in favor of the resolution.

House Floor Resolution No. 90-4721 was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 2833 by Representatives Haugen, Ferguson, Basich, Nealey, Dellwo, Wood, Todd, Horn, Jones, Prince, Wang, Holland, K. Wilson, McLean, Dorn, Winsley, Rayburn, Ballard, Schoon, Sprengle, Prentice, Hine, Phillips, Brough, Morris, Rector, Spanel, Vaile, Smith, Cooper, May, R. Fisher, Scott, Forner, Leonard, Walker, Locke, Fraser, Belcher, Nutley and Raiter

AN ACT Relating to local government fiscal matters: amending RCW 82.46.010, 84.52-.043, 84.52.010, 41.16.060, 41.16.050, 84.52.054, 17.28.100, 17.28.252, 35.58.090, 35.58.116, 35.61.210, 36.58.150, 36.60.040, 36.68.480, 36.69.140, 36.83.030, 56.04.050, 57.04.050, 67.38.130, 70.94.091, 84.52.052, 84.52.053, 84.52.056, 84.69.020, 2.50.040, 2.50.050, 2.50.060, 2.50.080, 82.14.200, 82.44.150, 82.14.210, 36.18.020, 36.18.025, 3.62.060, 3.62.020, 12.40.020, and 43.135-.060; reenacting and amending RCW 36.68.520; adding a new section to chapter 41.26 RCW; adding a new section to chapter 41.16 RCW; adding a new section to chapter 41.18 RCW; adding a new section to chapter 44.44 RCW; adding a new section to chapter 84.52 RCW; adding a new section to chapter 2.50 RCW; adding a new section to Title 36 RCW; creating a new section; and providing a contingent effective date.

Referred to Committee on Revenue.

HB 2834 by Representatives McLean, Ballard, Morris, Hankins, Miller and Ferguson

AN ACT Relating to dissolutions; amending RCW 26.09.175; and adding a new section to chapter 26.09 RCW.

Referred to Committee on Judiciary.

HB 2835 by Representatives McLean, Brumsickle, Basich, Winsley, Kremen and Scott

AN ACT Relating to eligibility requirements for park passes; and amending RCW 43.51.055.

Referred to Committee on Natural Resources & Parks.

HB 2836 by Representatives Schoon, Rasmussen, Cole, Leonard, Chandler, Beck, Winsley, Hankins, Pruitt, Smith, Tate, Padden, Moyer, Youngsman, H. Myers, Holland, Rayburn, Rector, Kremen, Wolfe, Brough, Walker, Bennett and Wineberry

AN ACT Relating to education; amending RCW 28A.41.140; and creating a new section.

Referred to Committees on Education/Appropriations.

HB 2837 by Representatives Betzoff, H. Sommers, Holland, Peery, Walker, Pruitt, Winsley, Doty and Miller

AN ACT Relating to a dedicated revenue source for financing common school education construction; adding a new section to chapter 82.32 RCW; and creating new sections.

Referred to Committee on Capital Facilities & Financing.

HB 2838 by Representatives Appelwick, Wineberry, Locke, Anderson, Wang and Jones

AN ACT Relating to increasing the award limit for discrimination; and amending RCW 49.60.250.

Referred to Committee on State Government.

HB 2839 by Representatives Silver, Ballard, Beck, Hankins, Chandler, Smith, Tate, Ferguson, Bowman, Wood, Forner, Moyer, Youngsman, Brumsickle, Fuhrman, Horn, Padden, McLean, May and Wolfe

AN ACT Relating to greater fiscal responsibility in the budgeting process; adding a new section to chapter 43.88 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2840 by Representatives R. Fisher, Schmidt and R. Meyers

AN ACT Relating to the county road administration board; and amending RCW 36.78.060, 36.78.070, 36.78.110, 47.26.121, and 47.01.250.

Referred to Committee on Transportation.

HB 2841 by Representatives R. Fisher, Schmidt, Wood, Zellinsky, Braddock, R. Meyers, Bennett, Phillips, K. Wilson, P. King, Heavey, Horn, Ferguson, Todd, Cooper, May, Scott, Basich and Wineberry

AN ACT Relating to growth; amending RCW 36.81.121, 35.77.010, and 35.58.2795; adding a new chapter to Title 47 RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; creating new sections; repealing RCW 35A.63.061, 35A.63.062, 36.70.330, and 36.70.350; and making an appropriation.

Referred to Committee on Transportation.

HB 2842 by Representatives Hine, G. Fisher, Brooks, Sprenkle, Zellinsky, Prentice, R. Fisher, Sayan, Ballard, Moyer, Todd, Anderson, Winsley, Heavey, Ferguson, Rasmussen and Wineberry

AN ACT Relating to special parking privileges for disabled persons; and amending RCW 46.16.381.

Referred to Committee on Transportation.

HB 2843 by Representatives Todd, Crane, R. King, Vekich, Rayburn, Van Luven, P. King, Dellwo, Ferguson, McLean, Leonard, Nealey, Doty and Schoon

AN ACT Relating to equine research and education at Washington State University; adding a new section to chapter 28B.30 RCW; creating a new section; and making an appropriation.

Referred to Committees on Agriculture & Rural Development/ Appropriations.

HB 2844 by Representatives Vekich, Todd, Silver, Brooks, Basich, Dorn, H. Myers, Grant, R. King, R. Meyers, Day, Moyer, Schoon, Fraser, Rasmussen, Phillips, Inslee, Sayan, Cantwell, Rayburn, Peery, Jones, P. King, Winsley, Wang, Rector, Dellwo, O'Brien, Brough, Miller, Wineberry and Belcher

AN ACT Relating to improving the administration of historical activities and programs; amending RCW 27.34.030, 27.34.040, and 27.34.280; repealing RCW 27.34.090; and making an appropriation.

Referred to Committees on State Government/Appropriations.

HB 2845 by Representatives Vekich, Hargrove, Basich, P. King, Jones, Kirby and Kremen

AN ACT Relating to the promotion of wood products; adding new sections to chapter 70.95 RCW; adding a new section to chapter 39.24 RCW; adding a new section to chapter 43.10 RCW; creating a new section; and providing an effective date.

Referred to Committee on Commerce & Labor.

HB 2846 by Representatives Vekich, Hargrove, Basich and Jones

AN ACT Relating to restrictive trade practices in the wood products industry; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 2847 by Representatives Vekich, Van Luven and Silver

AN ACT Relating to contracting by the state auditor; amending RCW 43.09.250 and 43.09.300; and creating a new section.

Referred to Committee on State Government.

HB 2848 by Representatives Tate, Beck, Hargrove, D. Sommers, Padden, Smith, Brumsickle, Betrozoff, Walker, Horn, Bowman, Moyer, May, Wolfe, Silver, Forner, Youngsman, Wood and Miller

AN ACT Relating to state appropriations for local government assistance; amending RCW 82.44.150 and 82.44.160; adding a new section to chapter 82.14 RCW; and providing an effective date.

Referred to Committee on Revenue.

HB 2849 by Representatives Schoon, Schmidt and Silver

AN ACT Relating to amber revolving lights on emergency tow trucks; and amending RCW 46.37.196.

Referred to Committee on Transportation.

HB 2850 by Representatives Raiter, Doty, Cantwell, Rayburn and Wineberry

AN ACT Relating to the Washington economic development finance authority; and amending RCW 43.163.005, 43.163.020, 43.163.050, 43.163.070, 43.163.080, 43.163.100, and 43.163.120.

Referred to Committee on Trade & Economic Development.

HB 2851 by Representatives Pruitt, Cole, Betrozoff, Holland, Dorn, P. King, Rayburn, Brumsickle, McLean, Forner, Nealey, Miller and Wineberry; by request of Superintendent of Public Instruction

AN ACT Relating to cooperative vocational education programs and services between and among school districts; adding new sections to Title 28A RCW; making an appropriation; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 2852 by Representatives Anderson, Jacobsen, Scott, Leonard, Brekke, Wineberry, Basich, Nelson, Valle, Wang, H. Sommers, Ferguson, Rust, May, Locke and O'Brien

AN ACT Relating to municipal disposition of forfeited firearms; and amending RCW 9.41.010 and 9.41.098.

Referred to Committee on Judiciary.

HB 2853 by Representatives Cole, Belcher, Jacobsen, Rust, Valle, Nelson, Ferguson, Todd, Scott and Wineberry

AN ACT Relating to a model curriculum for dispute resolution and creative problem solving; adding new sections to Title 28A RCW; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2854 by Representative Cooper

AN ACT Relating to solid waste facilities and services procurement by counties with a population over one hundred thousand; and creating a new section.

Referred to Committee on Local Government.

HB 2855 by Representatives Ferguson, Phillips, Cooper, Wood and Haugen

AN ACT Relating to tenant improvements to leased facilities of municipal airports; and amending RCW 14.08.120.

Referred to Committee on Local Government.

HB 2856 by Representative Kirby

AN ACT Relating to private applicators of pesticides; and amending RCW 17.21.126.

Referred to Committee on Agriculture & Rural Development.

HB 2857 by Representatives Phillips, Vekich, Prentice, Smith, Walker, Leonard, Locke and Wineberry

AN ACT Relating to the licensing and sale of table and fortified wine; amending RCW 66.24.370; and adding new sections to chapter 66.24 RCW.

Referred to Committee on Commerce & Labor.

HB 2858 by Representatives Cole, Smith, R. King, Wolfe, Leonard, Jones, Vekich, Prentice, Walker and Van Luven

AN ACT Relating to authorized business entertainment practices by liquor manufacturers, importers, or wholesalers; amending RCW 66.04.010, 66.28.010, and 66.28.040; adding a new section to chapter 66.28 RCW; and providing an expiration date.

Referred to Committee on Commerce & Labor.

HB 2859 by Representatives Todd, Ebersole, Padden and Wolfe

AN ACT Relating to counties; amending RCW 36.32.010, 36.32.070, and 36.16.030; and adding new sections to chapter 36.32 RCW.

Referred to Committee on State Government.

HB 2860 by Representative Cantwell

AN ACT Relating to school impact fees; amending RCW 82.02.020; and adding a new chapter to Title 28A RCW.

Referred to Committee on Local Government.

HB 2861 by Representatives Leonard, Winsley, Ferguson, Padden, Nutley, Cooper, Rector, Horn, Anderson, R. Meyers, Insee, Ballard and Todd

AN ACT Relating to state agency responsibilities for the regulation of manufactured housing; adding a new section to chapter 43.22 RCW; adding a new section to chapter 43.63A RCW; adding a new section to chapter 46.12 RCW; and creating a new section.

Referred to Committee on Housing.

HB 2862 by Representatives R. Meyers, Dorn and Rasmussen

AN ACT Relating to planning, design, and operation of public water systems; amending RCW 43.70.130, 58.17.130, 70.119A.060, and 80.28.110; adding new sections to chapter 43.20 RCW; adding a new section to Title 80 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 2863 by Representatives R. Meyers and Basich

AN ACT Relating to prohibiting firearms near judicial proceedings and capitol structures; and amending RCW 9.41.300.

Referred to Committee on Judiciary.

HB 2864 by Representatives R. Meyers, Dorn and Rasmussen

AN ACT Relating to failing public water systems; amending RCW 36.94.140, 43.70.190, 43.70.200, 43.155.020, 43.155.070, 43.155.065, 70.119A.040, and 70.05.070; adding a new section to chapter 8.25 RCW; adding a new section to chapter 82.08 RCW; creating new sections; prescribing penalties; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 2865 by Representative Appelwick

AN ACT Relating to limiting liability for health care or educational decisions when parental consent is required; and adding a new section to chapter 4.24 RCW.

Referred to Committee on Judiciary.

HB 2866 by Representatives Cooper, Ballard, Nutley, Prince, Leonard, Zellinsky, Rector, Haugen and Scott

AN ACT Relating to smoke detection and heat detection alarm systems; adding a new section to chapter 19.27 RCW; repealing RCW 48.48.140; and prescribing penalties.

Referred to Committee on Housing.

HB 2867 by Representatives Wang, Silver, H. Sommers, Padden and Locke

AN ACT Relating to health care and group insurance benefits for superior court judges; amending RCW 36.32.400, 41.04.180, and 41.05.065; creating a new section; and providing an effective date.

Referred to Committee on Appropriations.

HB 2868 by Representatives Spanel, Haugen, S. Wilson and R. King

AN ACT Relating to commercial sea urchin fishing; amending RCW 75.30.210; amending section 1, chapter 37, Laws of 1989 (uncodified); and declaring an emergency.

Referred to Committee on Fisheries & Wildlife.

HB 2869 by Representatives Jacobsen, Fraser, Van Luven, Doty, Rector, Wang, Padden, Moyer, Miller and Wineberry

AN ACT Relating to waiver of the nonresident tuition and fee differential for students from the People's Republic of China; reenacting and amending RCW 28B.15.014; and adding new sections to chapter 28B.15 RCW.

Referred to Committees on Higher Education/Appropriations.

HB 2870 by Representatives McLean, Crane, Brough, Hargrove, Ballard, Ferguson, Tate, Moyer, Wolfe, Forner, Youngsman, Wood, Miller, Hankins and Schoon

AN ACT Relating to children in need of treatment; adding new sections to chapter 13.34 RCW; and creating new sections.

Referred to Committee on Human Services.

HB 2871 by Representatives Bowman, Winsley, Ferguson, Tate, Brumsickle, Moyer, Wolfe, Silver, Youngsman, Wood, Miller and Hankins

AN ACT Relating to child witnesses; amending RCW 9A.44.120; adding a new section to chapter 9A.44 RCW; and creating a new section.

Referred to Committee on Judiciary.

HB 2872 by Representatives Winsley, Schmidt, R. Meyers, R. Fisher, Dorn, Ferguson and Miller

AN ACT Relating to driver training schools; and amending RCW 46.82.290, 46.82.300, 46.82.310, 46.82.320, and 46.82.330.

Referred to Committee on Transportation.

HB 2873 by Representatives Sprengle, Winsley, Cantwell, Nutley, K. Wilson, Cooper, P. King, Scott, G. Fisher, Gallagher, Pruitt and Doty

AN ACT Relating to the sale of mobile homes and mobile home parks; and adding a new chapter to Title 64 RCW.

Referred to Committee on Housing.

HB 2874 by Representatives Sprengle and Cantwell

AN ACT Relating to mobile home landlords and tenants; amending RCW 59.20.200 and 59.20.210; and adding a new section to chapter 59.20 RCW.

Referred to Committee on Housing.

HB 2875 by Representatives Rector, Rust, Nelson, Spanel, Phillips, Dellwo, Locke, Valle, Fraser, Jacobsen, G. Fisher, Cooper, Brekke, Sprengle, Anderson, R. Meyers, Dorn, H. Myers, Peery, Todd, Belcher, Day and Wineberry

AN ACT Relating to permits for the treatment, storage, or disposal of hazardous wastes, including substances composed of both radioactive and hazardous components; amending RCW 70.105.109; and declaring an emergency.

Referred to Committees on Environmental Affairs/Energy & Utilities.

HB 2876 by Representatives Wolfe, Hargrove, Moyer, Padden, Fuhrman, D. Sommers, Chandler, Bowman, Kremen, Silver and Youngsman

AN ACT Relating to the prevention of infection with AIDS through sexual contact; adding new sections to chapter 70.24 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Health Care.

HB 2877 by Representatives Smith, Chandler, Ballard, Baugher, Hankins, Kirby and Silver

AN ACT Relating to the authority of third class cities to operate cable television systems; and adding a new section to chapter 35.92 RCW.

Referred to Committee on Local Government.

HB 2878 by Representatives Fuhrman, Padden, Bowman, Wolfe, D. Sommers, Tate, Chandler, Forner, Horn and Youngsman

AN ACT Relating to the reduction of the sales and use tax rate; amending RCW 82.08.020; and providing an effective date.

Referred to Committee on Revenue.

HB 2879 by Representatives Jesernig, Jacobsen, Hankins, Rector, Wood, R. Meyers, Basich, Grant, Prince, Brooks, Dorn, Nelson, Rust, Hargrove, Heavey, Fraser, Bennett, Nealey, Rayburn, Gallagher, H. Myers, Baugher, Miller, Todd, Belcher, G. Fisher, Day, Cooper, Van Loven, Ebersole, Raiter, Wang, Ferguson, D. Sommers, P. King, Dellwo, Wolfe and Wineberry

AN ACT Relating to the Washington state center for environmental and molecular sciences; adding new sections to chapter 28B.30 RCW; creating a new section; and making appropriations.

Referred to Committee on Higher Education.

HB 2880 by Representatives Brough, Haugen, Ferguson, Rust and Winsley

AN ACT Relating to planning for public facilities; amending RCW 82.02.020; adding new sections to chapter 43.21C RCW; adding a new section to chapter 19.27 RCW; adding a new section to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding a new section to chapter 36.70 RCW; and adding a new section to chapter 58.17 RCW.

Referred to Committee on Local Government.

HB 2881 by Representatives Kirby, Doty, Cantwell, Rayburn, Ferguson, Scott, Basich and Wineberry

AN ACT Relating to encouraging economic growth throughout the state; amending RCW 43.31.524, 43.31.526, 43.210.010, 43.210.020, 43.31.005, 43.31.035, 43.63A.065, 43.155.070, 43.160.060, and 43.168.050; amending section 1, chapter 417, Laws of 1989 (uncodified); adding new sections to chapter 43.31 RCW; adding a new section to chapter 43.63A RCW; creating new sections; and making an appropriation.

Referred to Committees on Trade & Economic Development/ Appropriations.

HB 2882 by Representatives R. Fisher and Schmidt

AN ACT Relating to transportation; and amending RCW 47.28.170.

Referred to Committee on Transportation.

HB 2883 by Representatives Belcher, K. Wilson, Spanel, Sprenkle, Sayan, Ferguson, Phillips and Scott

AN ACT Relating to forest practice regulations; amending RCW 76.09.010; and adding new sections to chapter 76.09 RCW.

Referred to Committee on Natural Resources & Parks.

HB 2884 by Representatives Prentice, Holland, Leonard, Ebersole, Miller, Kremen, Spanel, Dorn, P. King, Winsley and Wineberry

AN ACT Relating to vocational-technical instructors' salaries; and amending RCW 28A.58.0951.

Referred to Committee on Commerce & Labor.

HB 2885 by Representatives Hankins, McLean, Chandler, Smith, Grant, Bowman, Jesernig, Brumsickle, Silver, R. Fisher and R. Meyers

AN ACT Relating to the election of superior court judges; and amending RCW 29.21.150.

Referred to Committee on State Government.

HB 2886 by Representatives Zellinsky and Haugen

AN ACT Relating to the local gambling tax; and amending RCW 9.46.113.

Referred to Committee on Revenue.

HB 2887 by Representatives Appelwick, P. King, May and Wood

AN ACT Relating to modifying parenting plans; and reenacting and amending RCW 26.09.260.

Referred to Committee on Judiciary.

HB 2888 by Representatives Appelwick, R. Meyers, Dorn, McLean, May and Wood

AN ACT Relating to child support; amending RCW 26.19.050; adding new sections to chapter 26.19 RCW; repealing RCW 26.19.001, 26.19.010, 26.19.020, 26.19.030, 26.19.040, 26.19.050, and 26.19.060; providing an effective date; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2889 by Representatives Silver, Beck, Wood, Tate, Wolfe, Winsley, Youngsman, Doty, Ferguson, Forner, Horn, D. Sommers, Padden, Bowman, Brumsickle, McLean, Moyer, May and Schoon

AN ACT Relating to greater fiscal responsibility; adding a new chapter to Title 44 RCW; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2890 by Representative Belcher

AN ACT Relating to payment of deferred compensation; and adding a new section to chapter 41.04 RCW.

Referred to Committee on Judiciary.

HB 2891 by Representatives Haugen, Schmidt, Day, Prince, Holland and Nealey

AN ACT Relating to disposal of abandoned junk vehicles; and amending RCW 46.55.230.

Referred to Committee on Transportation.

HB 2892 by Representatives R. King, Bowman, Sayan and Basich

AN ACT Relating to the siting of floating finfish aquaculture facilities in state marine waters; amending RCW 90.58.140 and 79.24.580; adding a new section to chapter 90.48 RCW; adding new sections to chapter 90.58 RCW; and creating a new section.

Referred to Committee on Fisheries & Wildlife.

HB 2893 by Representatives Prince, Day, Moyer, May, Miller, D. Sommers, Holland, Dellwo, McLean and Nealey

AN ACT Relating to crime and safety at institutions of higher education; amending RCW 28B.10.550, 28B.10.555, 43.101.200, 28B.10.560, and 28B.10.567; and adding new sections to chapter 28B.10 RCW.

Referred to Committee on Higher Education.

HB 2894 by Representatives Day, D. Sommers, Valle, Ferguson and Heavey

AN ACT Relating to pollutant emissions resulting from commercial development; amending RCW 70.94.030 and 19.27.095; and adding new sections to chapter 70.94 RCW.

Referred to Committee on Environmental Affairs.

HB 2895 by Representatives Wineberry, Dellwo, Crane and Brekke

AN ACT Relating to court consolidation; amending RCW 3.46.020, 3.46.040, 3.46.070, 3.46.100, 3.46.150, 3.74.010, 35A.11.200, 3.58.020, 3.58.030, and 3.46.090; adding a new section to chapter 35.20 RCW; and adding a new section to chapter 3.46 RCW.

Referred to Committee on Judiciary.

HB 2896 by Representatives Jacobsen, Jones, Wineberry, P. King and Todd

AN ACT Relating to spills of oil and other hazardous substances; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committees on Environmental Affairs/Appropriations.

HB 2897 by Representatives Sayan, Leonard, P. King, Scott and Brekke

AN ACT Relating to services for children; creating a new section; making appropriations; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2898 by Representatives Vekich, Sayan, R. Meyers, P. King and Valle

AN ACT Relating to purchasing Hope Island; and making an appropriation.

Referred to Committee on Capital Facilities & Financing.

HB 2899 by Representatives Vekich, R. Meyers, Zellinsky, Pruitt, Sayan, Wineberry and Nelson

AN ACT Relating to the operation of passenger-only ferries; creating a new section; and declaring an emergency.

Referred to Committee on Transportation.

HB 2900 by Representatives R. King, Silver, Vekich, Basich, Jones, Haugen, Bowman and Youngsman

AN ACT Relating to the imposition of business and occupation tax on Washington state licensed commercial fishermen; adding a new section to chapter 82.04 RCW; creating a new section; and declaring an emergency.

Referred to Committees on Fisheries & Wildlife/Revenue.

HB 2901 by Representatives Dellwo, Chandler, P. King, Baugher, Nutley and Winsley; by request of Insurance Commissioner

AN ACT Relating to life and disability insurance; and amending RCW 48.32A.010, 48.32A.020, 48.32A.030, 48.32A.060, 48.32A.080, and 48.32A.090.

Referred to Committee on Financial Institutions & Insurance.

HB 2902 by Representatives Cantwell and Vekich

AN ACT Relating to motor vehicles transporting lightweight packages; and adding a new section to chapter 81.80 RCW.

Referred to Committee on Transportation.

HB 2903 by Representatives Sayan, Wineberry, Brumsickle, Todd, Fraser, Winsley, Rayburn and Pruitt

AN ACT Relating to teachers' retirement system plan II retirement age; and amending RCW 41.32.765 and 41.32.790.

Referred to Committee on Appropriations.

HB 2904 by Representatives H. Myers, Moyer, Belcher, Winsley, Leonard, Raiter, Sayan, Cooper, Rayburn, Rector, Scott and Brekke

AN ACT Relating to abuse of children by children under twelve years of age; amending RCW 26.44.020; and adding new sections to chapter 26.44 RCW.

Referred to Committee on Human Services.

HB 2905 by Representative H. Myers

AN ACT Relating to insurance policy transactions; and adding new sections to chapter 48.18 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2906 by Representatives Leonard, Winsley, Nutley, Phillips, Prentice, Cole, Locke, Wineberry, Anderson, Todd, Vekich and Rector

AN ACT Relating to contaminated properties; amending RCW 69.50.511; adding a new chapter to Title 64 RCW; prescribing penalties; making an appropriation; and declaring an emergency.

Referred to Committee on Housing.

HB 2907 by Representatives Nutley, Winsley and Leonard

AN ACT Relating to mobile home relocation; amending RCW 59.21.010, 59.21.020, 59.21.050, 59.21.060, 82.45.090, 82.08.065, 59.21.080, and 59.22.060; repealing RCW 59.21.090; making an appropriation; and providing an effective date.

Referred to Committees on Housing/Appropriations.

HB 2908 by Representative Vekich

AN ACT Relating to conditions of employment; and adding a new section to chapter 49.46 RCW.

Referred to Committee on Commerce & Labor.

HB 2909 by Representative Sayan

AN ACT Relating to college and university fees; and amending RCW 28B.15.380, 28B.15.385, 28B.15.520, 28B.35.361, and 28B.40.361.

Referred to Committees on Higher Education/Appropriations.

HB 2910 by Representatives Sayan, Moyer, Brekke, Leonard, Hine, Belcher, Brooks, Spanel, Wineberry, Valle, Van Luven, Anderson, Winsley, R. King, Jacobsen, Wang, Basich, Wolfe, Brumsickle, O'Brien, Ferguson, R. Meyers, Phillips, Grant, Heavey, Todd, Dellwo, P. King, Cole, Scott, Ebersole, Tate, Betrozoff, Walker, Bowman, Cooper, Raiter, Crane, Gallagher, Miller, Rayburn, Rasmussen, Vekich, Holland, Peery, Rust, Jones, Wood, Appelwick, Locke, Beck, Morris, Day, Padden, R. Fisher, Nutley, Fraser, Pruitt, Hargrove, Rector, Zellinsky, Smith, May, Hankins, D. Sommers, Fuhrman and Nelson

AN ACT Relating to payment standards for public assistance programs; amending RCW 74.04.770; adding new sections to chapter 74.04 RCW; creating a new section; and providing an effective date.

Referred to Committees on Human Services/Appropriations.

HB 2911 by Representatives Nutley and Todd

AN ACT Relating to interests of school district officers in contracts; amending RCW 42.23.030; and declaring an emergency.

Referred to Committee on State Government.

HB 2912 by Representative Braddock

AN ACT Relating to the clarification and correction of statutes regarding the department of health; amending RCW 15.36.425, 16.70.010, 16.70.020, 18.06.010, 18.06.020, 18.06.030, 18.06.050, 18.06.060, 18.06.080, 18.06.110, 18.06.120, 18.06.130, 18.06.140, 18.06.160, 18.06.170, 18.06.180, 18.06.190, 18.19.020, 18.19.030, 18.19.050, 18.19.070, 18.19.080, 18.19.090, 18.19.100, 18.19.110, 18.19.120, 18.19.130, 18.19.140, 18.19.150, 18.19.160, 18.19.170, 18.19.180, 18.20.020, 18.22.010, 18.22.015, 18.22.040, 18.22.060, 18.22.081, 18.22.120, 18.22.130, 18.22.191, 18.25.006, 18.25.017, 18.25.020, 18.25.040, 18.25.070, 18.25.100, 18.26.020, 18.26.050, 18.26.070, 18.29.021, 18.29.045, 18.29.060, 18.29.071, 18.29.100, 18.29.110, 18.29.120, 18.29.130, 18.29.140, 18.29.150, 18.29.160, 18.29.180, 18.32.010, 18.32.030, 18.32.037, 18.32.040, 18.32.100, 18.32.110, 18.32.120, 18.32.160, 18.32.170, 18.32.180, 18.32.190, 18.32.195, 18.32.220, 18.32.520, 18.32.534, 18.32.745, 18.34.020, 18.34.030, 18.34.070, 18.34.080, 18.34.110, 18.34.120, 18.35.010, 18.35.040, 18.35.060, 18.35.080, 18.35.090, 18.35.240, 18.35.250, 18.36A.020, 18.36A.030, 18.36A.040, 18.36A.050, 18.36A.060, 18.36A.070, 18.36A.080, 18.36A.090, 18.36A.100, 18.36A.110, 18.36A.120, 18.36A.130, 18.36A.140, 18.46.010, 18.50.005, 18.50.010, 18.50.020, 18.50.034, 18.50.040, 18.50.045, 18.50.050, 18.50.060, 18.50.102, 18.50.105, 18.50.115, 18.50.135, 18.50.140, 18.50.150, 18.52.020, 18.52.060, 18.52.070, 18.52.100, 18.52.110, 18.52.130, 18.52A.030, 18.52B.050, 18.52B.080, 18.52B.110, 18.52B.120, 18.52B.150, 18.52B.160, 18.52C.020, 18.52C.030, 18.52C.040, 18.53.021, 18.53.050, 18.53.060, 18.53.070, 18.53.100, 18.53.140, 18.54.050, 18.54.070, 18.54.140, 18.55.020, 18.55.030, 18.55.040, 18.55.050, 18.55.060, 18.57.001, 18.57.020, 18.57.050, 18.57.080,

18.57.130, 18.59.020, 18.59.080, 18.59.090, 18.59.110, 18.59.150, 18.71.010, 18.71.015, 18.71.040, 18.71.050, 18.71.051, 18.71.080, 18.71.095, 18.71.200, 18.71.205, 18.71.212, 18.71.215, 18.71A.070, 18.72.100, 18.72.120, 18.72.155, 18.72.306, 18.72.380, 18.72.400, 18.73.010, 18.73.030, 18.74.010, 18.74.020, 18.74.023, 18.74.035, 18.74.040, 18.74.050, 18.74.060, 18.74.070, 18.74.090, 18.74.095, 18.74.120, 18.76.020, 18.78.010, 18.78.050, 18.78.060, 18.78.080, 18.78.100, 18.78.110, 18.78.225, 18.83.010, 18.83.025, 18.83.045, 18.83.050, 18.83.060, 18.83.072, 18.83.080, 18.83.090, 18.83.105, 18.83.170, 18.83.190, 18.84.020, 18.84.040, 18.84.050, 18.84.060, 18.84.070, 18.84.080, 18.84.090, 18.84.100, 18.84.110, 18.88.030, 18.88.080, 18.88.090, 18.88.160, 18.88.175, 18.88.190, 18.88.200, 18.88.220, 18.89.020, 18.89.050, 18.89.060, 18.89.070, 18.89.080, 18.89.090, 18.89.100, 18.89.110, 18.89.120, 18.89.130, 18.89.140, 18.92.015, 18.92.035, 18.92.040, 18.92.047, 18.92.070, 18.92.100, 18.92.115, 18.92.120, 18.92.130, 18.92.140, 18.92.145, 18.104.040, 18.104.080, 18.104.110, 18.108.010, 18.108.020, 18.108.025, 18.108.040, 18.108.060, 18.108.070, 18.108.073, 18.108.085, 18.135.020, 18.135.030, 18.135.050, 18.135.055, 18.135.065, 18.135.080, 18.138.010, 18.138.020, 18.138.030, 18.138.040, 18.138.050, 18.138.060, 18.138.070, 18.138.080, 18.138.090, 19.32.110, 28A.31.040, 28A.31.106, 28A.31.112, 28B.104.060, 43.03.028, 43.20B.110, 43.83B.380, 43.99D.025, 43.99E.025, 51.36.010, 69.30.010, 70.05.053, 70.05.054, 70.05.055, 70.05.060, 70.05.070, 70.05.080, 70.05.090, 70.05.100, 70.05.130, 70.08.050, 70.12.015, 70.12.070, 70.22.020, 70.22.030, 70.22.040, 70.22.050, 70.22.060, 70.24.017, 70.24.100, 70.24.120, 70.24.130, 70.24.150, 70.24.280, 70.24.400, 70.24.410, 70.30.081, 70.33.010, 70.39.144, 70.40.020, 70.40.030, 70.40.150, 70.41.020, 70.41.200, 70.41.230, 70.41.240, 70.47.060, 70.50.010, 70.54.040, 70.54.140, 70.58.005, 70.58.107, 70.58.310, 70.58.320, 70.58.340, 70.62.210, 43.70.130, 70.83.020, 70.83.030, 70.83.040, 70.83B.020, 70.90.110, 70.90.130, 70.98.030, 70.98.050, 70.98.085, 70.104.010, 70.104.030, 70.104.040, 70.104.050, 70.104.055, 70.104.057, 70.104.060, 70.104.080, 70.104.090, 70.116.010, 70.116.030, 70.118.020, 70.118.040, 70.119.020, 70.119.090, 70.119A.020, 70.119A.080, 70.119A.080, 70.121.020, 70.127.010, 70.142.020, 70.142.050, and 80.50.030; and reenacting and amending RCW 18.57A.040, 18.71A.040, 18.78.090, 42.17.2401, 70.39.050, and 70.39.070.

Referred to Committee on Health Care.

HB 2913 by Representatives Betrozoff, Brumsickle and Silver

AN ACT Relating to sports officials; adding a new chapter to Title 9 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Judiciary.

HB 2914 by Representatives Betrozoff and Brumsickle

AN ACT Relating to school levies; and amending RCW 84.52.053 and 28A.51.010.

Referred to Committee on Education.

HB 2915 by Representatives Jacobsen, Spanel, Van Luvan, Peery and Vaile

AN ACT Relating to vocational education; amending RCW 28C.10.050, 28C.10.110, and 28C.10.210; adding a new section to chapter 28C.10 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Higher Education.

HB 2916 by Representatives Prentice, Vekich, R. King, Leonard, Cole, Basich, K. Wilson and Wineberry

AN ACT Relating to conditions of employment; amending RCW 49.46.130; and adding new sections to chapter 49.46 RCW.

Referred to Committee on Commerce & Labor.

HB 2917 by Representatives Braddock, Schoon, Sprengle and Wang

AN ACT Relating to physician assistants; amending RCW 18.71A.010, 18.71A.020, 18.71A.030, 18.71A.050, 18.71A.060, 18.71A.070, and 69.50.101; reenacting and amending RCW 18.71A.040; adding a new section to chapter 18.71A RCW; and repealing RCW 18.71A.080.

Referred to Committee on Health Care.

HB 2918 by Representative Braddock

AN ACT Relating to radiologic technologists; and amending RCW 43.131.349 and 43.131.350.

Referred to Committee on Health Care.

HB 2919 by Representative Bailard

AN ACT Relating to purchasing services by contract; and amending RCW 28B.16.040, 28B.16.240, and 41.06.380.

Referred to Committee on State Government.

HB 2920 by Representatives Sayan, Brumsickle, Todd, Bowman, Wineberry, Winsley, Fraser, Rasmussen and Basich

AN ACT Relating to adjustments in retirement benefits; amending RCW 41.32.485; and amending section 1, chapter 272, Laws of 1989 (uncodified).

Referred to Committee on Appropriations.

HB 2921 by Representatives Inslee, Doty, Baugher, Rayburn, Hargrove and Vekich

AN ACT Relating to economic development; adding new sections to chapter 43.31 RCW; making an appropriation; and declaring an emergency.

Referred to Committees on Trade & Economic Development/ Appropriations.

HJM 4029 by Representatives Walker, Winsley, Schoon, Pruitt and R. Meyers

Requesting that the department of interior rename Mt. Rainier, Mt. Tacoma.

Referred to Committee on Natural Resources & Parks.

HJM 4030 by Representatives D. Sommers, Dellwo, Moyer, Silver, Rector, Schmidt, R. Fisher, R. Meyers, Fuhrman, Baugher, Prince, Nealey, Rayburn, Ferguson, Hankins, Doty, Forner, Beck, S. Wilson, Wolfe, Tate, Van Luven, Padden and Brough

Requesting that the new Division Street Bridge in Spokane be named the Sam Guess Memorial Bridge.

Referred to Committee on Transportation.

HJM 4031 by Representatives Sayan, Prentice, D. Sommers, Fraser, Nealey, Brumsickle, Todd, Wood, Doty, Dellwo, Horn, Baugher, Kirby, Grant, Rasmussen, Wineberry, Padden, Holland, Heavey, Hine, Pruitt, Jones, Smith, Morris, K. Wilson, Basich, Crane, H. Sommers, Brekke, Chandler, Belcher, Anderson, Hargrove, Cantwell, Brough, Ballard, G. Fisher, Silver, P. King, Winsley, Rayburn, Rector, Haugen, Zellinsky, Valle, Sprengle, Bowman, Cooper, Kremen, Scott, Miller and Nelson

Requesting support for veterans who were exposed to toxic chemicals.

Referred to Committee on Human Services.

HJM 4032 by Representatives R. King, Bowman and Basich

Requesting Congress to pass the Chehalis River Basin Fishery Resources Study and Restoration Act of 1989.

Referred to Committee on Fisheries & Wildlife.

ESB 5169 by Senators Smith and Stratton; by request of Department of Social and Health Services

Providing for revenue collection by the department of social and health services.

Referred to Committee on Human Services.

SJM 8003 by Senators Conner, Bender, Madsen, DeJarnatt and Murray

Requesting that the practice of railroad holding tanks dumping on the right of way be discontinued.

Referred to Committee on Transportation.

MOTION

On motion of Mr. Ebersole, the bills and memorials listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

January 18, 1990

HB 1465 Prime Sponsor, Representative R. Meyers: Making technical corrections in driver and vehicle licensing laws. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betrozoff, Cooper, G. Fisher, Forner, Hankins, Haugen, Heavey, Jones, Nelson, Prentice, Prince, D. Sommers, Todd, S. Wilson and Zellinsky.

Absent: Representatives Cantwell, Gallagher, Hankins, Smith, Todd and Walker.

Passed to Committee on Rules for second reading.

January 23, 1990

SHB 1624 Prime Sponsor, Committee on Natural Resources & Parks: Regulating the sale of valuable materials from state-owned tidelands and shorelands. Reported by Committee on Rules

Referred to Committee on Natural Resources & Parks.

January 22, 1990

HB 2265 Prime Sponsor, Representative Holland: Expanding the excellence in education program to include classified staff. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Cole and Rayburn.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2314 Prime Sponsor, Representative R. Meyers: Creating new superior court positions for Kitsap county. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Referred to Committee on Appropriations.

January 23, 1990

HB 2315 Prime Sponsor, Representative R. Meyers: Creating additional superior court positions in Kitsap and Thurston counties. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Referred to Committee on Appropriations.

January 22, 1990

HB 2318 Prime Sponsor, Representative Valle: Creating the dropout tracking program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; Betzoff, Ranking Republican Member; Brumsickle, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Cole and Rayburn.

Referred to Committee on Appropriations.

January 23, 1990

HB 2330 Prime Sponsor, Representative Haugen: Modifying levy rate provisions for senior and junior taxing districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wood and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Wolfe.

Absent: Representative Ferguson, Ranking Republican Member.

Referred to Committee on Revenue.

January 19, 1990

HB 2337 Prime Sponsor, Representative Cole: Permitting private collective bargaining sessions by public bodies. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative Leonard.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2343 Prime Sponsor, Representative Fraser: Expanding the secrecy clause for tax information and administration. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Basich, Fraser, Fuhrman, Grant, Haugen, Phillips, Rust, Silver, H. Sommers and Van Luven.

Absent: Representatives Appelwick, Basich, Brumsickle and Van Luven.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2344 Prime Sponsor, Representative Wang: Requiring electronic transfer of funds for certain large tax payments. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Basich, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust, H. Sommers and Van Luven.

MINORITY recommendation: Without recommendation. Signed by Representative Silver.

Absent: Representatives Appelwick and Brumsickle.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2345 Prime Sponsor, Representative Basich: Changing enhanced food fish tax remittance requirements. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Basich, Fuhrman, Grant, Haugen, Morris, Phillips, Rust, Silver, H. Sommers and Van Luven.

Absent: Representatives Appelwick and Brumsickle.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2361 Prime Sponsor, Representative H. Sommers: Clarifying the 1989 appropriation for dredging Grays Harbor. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Bowman, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representatives Braddock and Wang.

January 19, 1990

HB 2405 Prime Sponsor, Representative Rector: Establishing the homelessness prevention program. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Inslee, Padden, Rector and Todd.

Absent: Representative Ballard.

Referred to Committee on Appropriations.

January 23, 1990

HB 2424 Prime Sponsor, Representative Ballard: Directing a study to define taxpayer rights and responsibilities. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Horn, Assistant Ranking Republican Member; Basich, Brumsickle, Fraser, Fuhrman, Haugen, Morris, Phillips and Rust.

Absent: Representatives Holland, Ranking Republican Member; Appelwick, Grant, Silver, H. Sommers and Van Luven.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2432 Prime Sponsor, Representative Heavey: Revising provisions for unemployment compensation during labor disputes. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner, Walker and Wolfe.

Absent: Representative Leonard.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2446 Prime Sponsor, Representative Winsley: Changing provisions relating to public housing authorities. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Inslee, Padden, Rector and Todd.

Absent: Representative Ballard.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2474 Prime Sponsor, Representative Appelwick: Creating new judicial positions for the King county superior court. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove.

Absent: Representative Locke.

Referred to Committee on Appropriations.

January 22, 1990

HB 2496 Prime Sponsor, Representative H. Myers: Establishing an adult mentor program for at-risk children. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 27 insert:

"**NEW SECTION.** Sec. 3. The adult mentor programs funded by the grants established in section 2 of this act shall be evaluated by the office of the superintendent of public instruction based on the performance indicators developed pursuant to RCW 28A.100.013 and by locally developed assessment measures which are consistent with the educational outcomes targeted by such performance indicators."

Re-number the remaining sections consecutively.

On page 2, after line 15 insert:

"**NEW SECTION.** Sec. 5. The state personnel board and the higher education personnel board shall adopt administrative procedures for the implementation of section 3 of this act for the state employees under their jurisdiction."

Re-number the remaining section.

On page 2, line 16 strike "This" and insert "Section 2 of this"

On page 2, line 17 after "**NEW SECTION.** Sec. 6." strike all language through "act." on line 20 and insert:

"This act shall take effect subject to an appropriation being made for this purpose in the appropriations act by June 31, 1991."

On page 1, line 1 of the title after "sections;" insert "and"

On page 1, line 2 of the title, after "date" strike ";": and making an appropriation"

Signed by Representatives Peery, Chair; Betrozoff, Ranking Republican Member; Brumsickle, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Phillips, Pruitt, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Cole and Rayburn.

Referred to Committee on Appropriations.

January 19, 1990

HB 2516 Prime Sponsor, Representative Todd: Authorizing building code education and training programs. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Inslee, Padden, Rector and Todd.

Absent: Representative Ballard.

Referred to Committee on Appropriations.

January 23, 1990

HB 2563 Prime Sponsor, Representative P. King: Providing travel expenses for the members of the law revision commission. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 27, after "43.03.060." insert "Members of the commission who are not legislators shall be reimbursed for routine administrative expenses and office supplies, including facsimile, mailing costs, duplicating costs, and telephone services."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Insee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough and Locke.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2570 Prime Sponsor, Representative Sprenkle: Requiring the department of ecology to develop a waste reduction, recycling, and procurement plan for state agencies. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Absent: Representative Fraser.

Referred to Committee on Appropriations.

January 19, 1990

HB 2571 Prime Sponsor, Representative Sprenkle: Exempting motor freight carriers who haul recyclables from certain utilities and transportation commission regulation. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 17, after "exclusively" strike everything through "incineration" on line 21 and insert "recovered materials from a centralized collection point to a reprocessing facility or to an end-use manufacturing site. Recovered materials means those commodities that are collected for recycling or reuse, such as papers, glass, aluminum, plastics, metals, yardwaste, used oil, and tires, that if not collected for recycling would otherwise be destined to disposal or incineration"

On page 2, line 22, strike "such carrier" and insert "motor vehicle transporting recovered materials"

Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Sprenkle and Walker.

Absent: Representative Fraser.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2572 Prime Sponsor, Representative Sprenkle: Encouraging newsprint to contain secondary fiber. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Sprenkle and Walker.

Voting nay: Representative Schoon.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2614 Prime Sponsor, Representative Dellwo: Regulating check cashers and sellers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Beck, Crane, Day, Dorn, Inslee, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2615 Prime Sponsor, Representative Dellwo: Excluding commercial paper from "personal property" held by a pawnbroker or second-hand dealer. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Beck, Day, Dorn, Inslee, Nutley, Schmidt and K. Wilson.

Absent: Representative P. King.

Passed to Committee on Rules for second reading.

January 19, 1990

HB 2638 Prime Sponsor, Representative Inslee: Revising provisions for sale and renewal of automobile insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 26, after "liability" strike all material to and including "collision" on line 27 and insert "and/or underinsured motorist"

Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Anderson, Baugher, Crane, Day, Dorn, Inslee, Nutley, K. Wilson and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Ranking Republican Member and Beck.

Absent: Representatives P. King and Nutley.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2832 Prime Sponsor, Representative Youngsman: Revising provisions for horticultural plants and facilities. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

On page 7, beginning on line 11, after "name" strike all material through "or" on line 12 and insert "; botanical name; and variety or"

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representative Grant.

Passed to Committee on Rules for second reading.

MOTIONS

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated with the exception of House Bill No. 2361.

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 2361 was placed on the second reading calendar.

The Speaker assumed the Chair.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4727, by Representatives Basich, Brumsickle, Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, Mark Russell, the piano-playing political satirist, began his career shooting rubber-tipped arrows at local politicians at the Carroll Arms Hotel Bar on Capitol Hill in Washington, D.C.; and

WHEREAS, Mark Russell delighted and disgusted both politicians and political purveyors from the liberal left to the righteous right in Washington's Shoreham Hotel for twenty years and has since moved his Baby Grand to public television where he has been live from Buffalo, New York for fourteen years; and

WHEREAS, Mark Russell should feel at home in these Chambers, as the Capitol of the State of Washington bears close resemblance to that of our nation in Washington, D.C., although this structure is smaller, more compact and more convenient to the freeway; and

WHEREAS, Mark Russell has danced the satiric line between liberals and conservatives for many years, missing few, offending some and amusing all; and

WHEREAS, Mark Russell should find considerable grist for his comedic mill here in Olympia, where headline-making legislation includes bills to criminalize sex among teenagers, to decriminalize marriage between cousins and to make "Louie, Louie" the official state song;

NOW, THEREFORE, BE IT RESOLVED, That the members of the House of Representatives of Washington State welcome Mark Russell to this humble Chamber and to the fine city of Olympia, where he will perform this evening in Olympia's premier performance hall, the Washington Center for the Performing Arts, of which all Olympia citizens can be proud; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mark Russell at this evening's performance at the Washington Center for the Performing Arts.

Mr. Basich moved adoption of the resolution and spoke in favor of it.

On motion of Mr. Basich, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Ms. Miller spoke in favor of the resolution.

House Floor Resolution NO. 90-4727 was adopted.

SPEAKER'S PRIVILEGE

The Speaker introduced Mr. Mark Russell, who was seated on the rostrum. Mr. Russell briefly addressed the members of the House.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

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

SECOND READING

HOUSE BILL NO. 2361, by Representatives H. Sommers, Silver, Vekich, Sayan, Jones, Hargrove, Basich, Schoon, Braddock, Peery and Betrozoff

Clarifying the 1989 appropriation for dredging Grays Harbor.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 2361 was substituted for House Bill No. 2361 and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 2361 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers, Silver and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2361, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Fraser, Rasmussen - 2.

Excused: Representative Prentice - 1.

Substitute House Bill No. 2361, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Ebersole, Substitute House Bill No. 2361 was immediately transmitted to the Senate.

STATEMENTS FOR THE JOURNAL

Please add my "Yea" vote to Substitute House Bill No. 2361. I was inadvertently away from my desk.

MARILYN RASMUSSEN, 2nd District.

This is to request that the record indicate I intended to vote "Aye" on Substitute House Bill No. 2361, pertaining to Grays Harbor dredging. I was on the floor, but was not able to get back to my seat to vote prior to the machine being locked.

KAREN FRASER, 22nd District.

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

THIRD READING

ENGROSSED HOUSE JOINT MEMORIAL NO. 4019, by Representatives Nelson, D. Sommers and R. Fisher

Requesting equal income tax treatment of employer-provided transit passes and vehicle parking.

The memorial was read the third time and placed on final passage.

Mr. Nelson spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Joint Memorial No. 4019, and the memorial passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Sommers D - 1.

Excused: Representative Prentice - 1.

Engrossed House Joint Memorial No. 4019, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed House Bill No. 1836 on the third reading calendar. The motion was carried.

ENGROSSED HOUSE BILL NO. 1836, by Representatives Schoon, Rust, Winsley, Pruitt, G. Fisher, Doty, Dorn, Rasmussen, Brumsickle, Fraser, Youngsman, Walk and Valle

Revising restrictions for smoking in public places.

The bill was read the third time and placed on final passage.

Mr. Schoon spoke in favor of passage of the bill, and Mr. Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1836, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Beck, Fuhrman, Wood - 3.

Absent: Representative Hankins - 1.

Excused: Representative Prentice - 1.

Engrossed House Bill No. 1836, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed House Bill No. 2237 on the third reading calendar. The motion was carried.

ENGROSSED HOUSE BILL NO. 2237, by Representative Anderson

Enacting the Antibigotry and Bias Act of 1989.

The bill was read the third time and placed on final passage.

Mr. Anderson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2237, and the bill passed the House by the following vote: Yeas, 71; nays, 26; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Bennett, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Haugen, Heavey, Hine, Holland, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers R, Miller, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn,

Rector, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 71.

Voting nay: Representatives Ballard, Baugher, Beck, Betrozoff, Bowman, Brumsickle, Chandler, Doty, Ferguson, Fuhrman, Hargrove, Horn, Kirby, May, McLean, Moyer, Nealey, Padden, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Wolfe, Youngsman - 26.

Excused: Representative Prentice - 1.

Engrossed House Bill No. 2237, having received the constitutional majority, was declared passed.

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

SECOND READING

HOUSE BILL NO. 1523, by Representatives Kremen, Braddock and Spanel

Revising provisions for contractor advertising.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1523, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Absent: Representative Basich - 1.

Excused: Representative Prentice - 1.

House Bill No. 1523, having received the constitutional majority, was declared passed.

GOODWILL GAMES RECOGNITION

Presiding: Joseph E. King, Speaker

SPEAKER'S PRIVILEGE

The Speaker: We are about to enjoy one of the first of many, many blessings that the Goodwill Games will bring to the State of Washington. The very first blessing, that the Legislature has had a chance to enjoy, brings to us an exciting program, a great band and three world-class guests, who will be introduced in a minute to help us celebrate the coming of the Goodwill Games.

The Goodwill Games are an absolutely magnificent opportunity for the State of Washington. We, as residents of this state, and those around the world will have the opportunity to see world-class athletes, all competing in the name of good will. We will have the opportunity to share ideas, products and cultural perspectives with visitors and television audiences around the world. We will have the opportunity to show off this state and show the rest of the world why we love it. I think too often, however, we miss the central theme of the Goodwill Games: This is, in fact, the contribution of the State of Washington to world peace.

With that we would like to begin the program. I would like to introduce Father Sullivan, a good friend of mine. I think everybody here realizes that a world-class event, such as the Goodwill Games, needs world-class people to make it work. Our

next guest and my friend, Father Sullivan, is indeed such a person. He is President of Seattle University and Chairman of the Board of Directors of the Seattle Organizing Committee for the Goodwill Games. Please welcome someone, whom I consider to be a true statesman, Father William J. Sullivan.

REMARKS BY FATHER WILLIAM J. SULLIVAN

Father Sullivan: Mr. Speaker and distinguished members of the House: It is a great privilege for me to be here today as a representative of the thousands and thousands of citizens of this state, who are working together to prepare for this magnificent summer event which will be coming to us in just six months. We are now at the six-month countdown for the Goodwill summer. As you know, this will involve world-class sports events and some magnificent international arts events, as well as a visit to our state by thousands of citizens from around the world.

From the very beginning of the preparation for the Goodwill Games, four years ago, it was clear that the games would succeed, depending upon the cooperation of all the sectors here within our state. We are here today celebrating the cooperation between the public sector--of course, yourselves and the local municipalities--and the corporate sector--represented here today by my good friend, Jay Greene, who is the Chairman of U.S. Bank and one of our strong supporters--and then also, of course, the volunteer sector. The games are going to succeed because so many thousands of people in the state are interested in them. We are here today to say thank you to the Legislature for the assistance it has given us and the assistance which we are confident will continue until the wonderful evening, July 21, 1990, when we will have the welcoming ceremonies in Husky Stadium.

As part of your ceremony here today, I have the privilege of introducing to this Chamber two extraordinary athletes. I am not sure whether or not this Chamber has ever previously had four Olympic gold medals in its presence at one time. I am going to take just a moment to introduce both of these gentlemen and then ask them to say a word to you.

First of all will be a man, whom we do not know all that well here in the United States, because the hammer throw is not a really big American sport. Not many of us spent our childhood working on the hammer throw. However, as you know, in Europe and other parts of the world, it is. This gentleman is the current world record holder, two-time Olympic gold medalist, and probably the best known athlete in Europe. Almost anyplace else in the world he has an absolutely extraordinary stature. He won Olympic medals in Montreal and Moscow and, in the opinion of everybody, would have been a winner in Los Angeles if the Soviets would have been permitted to participate there. He is here with us and, in just a moment, I am going to ask Yuri to say a word.

With him, and following him to the rostrum, will be someone whom I think you do know--at least from television and photos--Mr. Edwin Moses, who is a world record holder, two-time Olympic gold medalist in the four hundred meter intermediate hurdles, and, again in everybody's opinion, would have been a winner in the Moscow Olympics if we had participated at that time. You know Mr. Moses' record of consecutive victories in the four hundred meter hurdles along with Joe DiMaggio's consecutive hitting streak--a most extraordinary record in the history of American athletics.

At this point, to say a word about our Goodwill Games next summer from the point of view of the athletes who will be participating, I would like to ask you to join me in welcoming to the podium, Mr. Yuri Sedykh from the Soviet Union and, following him, Mr. Edwin Moses.

REMARKS BY MR. UYRI SEDYKH

Mr. Sedykh: Ladies and gentlemen: I am very happy and enjoying my stay in the State of Washington and City of Seattle. I think the second Goodwill Games in Seattle will be a success because they are not just a sports competition. They will work to bring very good relations and friendship between our countries. Thank you.

REMARKS BY MR. EDWIN MOSES

Mr. Moses: Thank you very much. I would like to echo that I am very pleased to be here. I competed in the Goodwill Games in 1986 in Moscow. It was an opportunity for me to compete in Moscow for the first time, after not being able to compete in 1980 as everyone well knows. I have said it everywhere I have gone: Yuri and I have very similar backgrounds. We both started in the Olympic Games in 1976. I didn't have the opportunity to compete in his country in 1980; he didn't have the opportunity to compete in our country in 1984. We both did compete in Moscow in the Goodwill Games in 1986; we both probably will compete in the Goodwill Games in the Seattle area in 1990. We are the same age. Different events, different countries, but the same sport.

For the State of Washington the Goodwill Games are a great opportunity to help with world relations. In 1986, when the games were originated by Ted Turner and Turner Broadcasting, no one thought that what has happened in the eastern European countries would happen. Here in 1990 we will be right on the cutting edge of those events, still working through sports and bringing good will to sports. That is what it is all about. Just as Yuri and his people showed us a good time when we went to the Soviet Union in 1986, the American people and the people of the State of Washington surely will show athletes from around the world a very good time when they compete here in the Goodwill Games. It is an excellent event and the State of Washington has an excellent opportunity to be right on the leading edge of normalizing relations with the Soviet Union, establishing good sporting relations with many countries of the world, and having an excellent event. You should be proud that the games are being held in this state. The countdown is one hundred and seventy-nine or eighty days to go, so everyone is working like a little beaver to get everything ready. We are sure that it will be a great opportunity for everyone. Thanks a lot.

STAR SPANGLED BANNER

by

Stadium High School Band, Tacoma

Jack Lloyd, Director

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4724, by Representatives Ebersole and Ballard

WHEREAS, The 1990 Goodwill Games will be held throughout Washington State from July 20 to August 5, 1990; and

WHEREAS, The citizens of Washington State are known for their hospitality and commitment to international friendship; and

WHEREAS, Two thousand five-hundred athletes from fifty countries will convene for competition in twenty-one sporting events and approximately sixty thousand out-of-state visitors will come to Washington to attend the games, and the State of Washington will welcome all foreign and out-of-state visitors in the true tradition of Pacific Northwest hospitality; and

WHEREAS, Competitions will be held in seven Washington State cities: Enumclaw, Federal Way, Kennewick, Redmond, Seattle, Spokane and Tacoma; and

WHEREAS, The 1990 Goodwill Games will create an immense economic impact in Washington State including an estimated \$312 million in new spending; and

WHEREAS, Current ticket sales to Goodwill Games events exceed eight million dollars; and

WHEREAS, The advertising, the media attention and international trade exhibition of the Goodwill Games will increase tourism and enhance trade opportunities for businesses in the State of Washington; and

WHEREAS, The 1990 Goodwill Games will offer to the citizens of the 42nd state cultural opportunities that have not been experienced in the northwest; and

WHEREAS, The House of Representatives wishes to encourage and applaud the efforts of Washington State citizens to increase the state's economic base and cultural opportunities and to exhibit the spirit of international friendship; and

WHEREAS, Organization of the 1990 Goodwill Games has involved unprecedented cooperation among northwest corporations, thousands of volunteers and local, state, national and foreign governments;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives on this 24th day of January 1990, does hereby declare this GOODWILL GAMES DAY in Washington State; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to the Organizing Committees of the 1990 Goodwill Games.

Mr. Ebersole moved adoption of the resolution. Representatives Ebersole and Ballard spoke in favor of the resolution.

House Floor Resolution No. 90-4724 was adopted.

PROCESSION OF FLAGS OF PARTICIPATING COUNTRIES

GOODWILL GAMES THEME

by

Stadium High School Band, Tacoma
Jack Lloyd, Director

UNION OF SOVIET SOCIALIST REPUBLICS

Soviet National Anthem

by

Stadium High School Band, Tacoma
Jack Lloyd, Director

SPEAKER'S PRIVILEGE

The Speaker: I want to thank the band from Stadium High School and our guests, who have traveled so far to be with us. I don't remember being part of a more thrilling ceremony, seeing the flags from around the world being escorted in. Let the rest of the world say, "See you in the State of Washington in the summer of 1990." Thank you very much.

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

MOTIONS

On motion of Mr. Ebersole, Engrossed House Bill No. 1055 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2291 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2621 was referred from Committee on Appropriations to Committee on Health Care.

On motion of Mr. Ebersole, House Bill No. 2732 was referred from Committee on Judiciary to Committee on Human Services.

On motion of Mr. Ebersole, House Bill No. 2742 was referred from Committee on Trade & Economic Development to Committee on Education.

On motion of Mr. Ebersole, House Bill No. 2777 was referred from Committee on Local Government to Committee on Revenue.

On motion of Mr. Ebersole, House Bill No. 2828 was referred from Committee on Local Government to Committee on Revenue.

On motion of Mr. Ebersole, House Joint Resolution No. 4227 was referred from Committee on Local Government to Committee on Revenue.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, January 26, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

NINETEENTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, January 26, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Schmidt, Todd and Mr. Speaker. On motion of Ms. Cole, Representative Todd and Mr. Speaker were excused. On motion of Ms. Miller, Representative Schmidt was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Todd Van Selus and Rachel Wahlers. Prayer was offered by The Reverend Phillip Norris, Lacey Community Church.

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

MESSAGE FROM THE SENATE

January 24, 1990

Mr. Speaker:

The Senate has passed:

SUBSTITUTE HOUSE BILL NO. 2361,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6259,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

MESSAGE FROM THE SECRETARY OF STATE

The Honorable Speaker of the House of Representatives
The Legislature of the State of Washington
Olympia, Washington

Mr. Speaker:

On January 8, 1990, this office certified that we had begun the signature checking process on Initiative to the Legislature No. 109 which was originally filed with this office on April 19, 1989.

We have completed a canvass of 40,538 signatures out of 153,619 signatures submitted in support of this measure. Of the number canvassed we have determined that 34,912 were signatures of legal voters, 4,655 were either not registered or illegible, and 971 were multiple signatures.

Article II, section 1A of the State Constitution establishes the minimum number of acceptable signatures in order to qualify an initiative measure for the ballot as eight percent of the total votes cast for the office of Governor, or 150,001 signatures. The total number of invalid signatures permissible on Initiative Measure No. 109, therefore is 3,618 (153,619 - 150,001).

Since the total number of invalid signatures discovered during the canvassing procedure was 5,626, which exceeds the permissible number, we have terminated the signature checking process and we are unable to certify the measure to you for your consideration.

IN WITNESS WHEREOF, I have set my hand and affixed the seal of the State of Washington, this 24th day of January, 1990.

(Seal)

Ralph Munro, Secretary of State

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the Speaker had signed:
 SUBSTITUTE HOUSE BILL NO. 2361,
 HOUSE CONCURRENT RESOLUTION NO. 4428.

INTRODUCTIONS AND FIRST READING

HB 2922 by Representatives Vekich, Prentice, R. King, Smith and Jones

AN ACT Relating to unemployment compensation coverage of nurses practicing their profession as independent contractors; and adding a new section to chapter 50.04 RCW.

Referred to Committee on Commerce & Labor.

HB 2923 by Representatives Vekich, Prentice, R. King, Smith and Jones

AN ACT Relating to industrial insurance coverage for nurses practicing their profession as independent contractors; and amending RCW 51.08.180 and 51.12.020.

Referred to Committee on Commerce & Labor.

HB 2924 by Representatives Sayan, Belcher, Ferguson, Anderson, Jacobsen, Phillips, Winsley and Nelson

AN ACT Relating to wild mushroom sales; and amending RCW 15.90.010, 15.90.020, 15.90.030, 15.90.040, and 15.90.900.

Referred to Committee on Natural Resources & Parks.

HB 2925 by Representatives Wang, Holland, Locke and Hine; by request of Economic and Revenue Forecast Council

AN ACT Relating to contribution rates to the state retirement systems; amending RCW 41.45.060; and providing an effective date.

Referred to Committee on Appropriations.

HB 2926 by Representatives P. King, Pruitt, Crane and Wood

AN ACT Relating to civil actions; amending RCW 12.40.020 and 10.14.150; adding a new section to chapter 7.75 RCW; adding a new section to chapter 12.40 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 2927 by Representative Braddock; by request of Department of Health

AN ACT Relating to the practice of medicine in Washington; and amending RCW 18.71.015 and 18.71.030.

Referred to Committee on Health Care.

HB 2928 by Representative Braddock; by request of Department of Health

AN ACT Relating to physician assistants; amending RCW 18.71A.010, 18.71A.020, 18.71A.030, 18.71A.050, 18.71A.060, 18.71A.070, and 69.50.101; reenacting and amending RCW 18.71A.040; adding a new section to chapter 18.71A RCW; and repealing RCW 18.71A.080.

Referred to Committee on Health Care.

HB 2929 by Representatives Cantwell, R. Fisher, Brough, Haugen, Belcher, Ferguson, Nutley, Phillips, Horn, Rust, Wood, Winsley, Nelson, Locke, Appelwick, Leonard, Wineberry, Scott, Bennett, Pruitt, Cole, Crane, Heavey, Spanel, Forner, Holland, O'Brien, Hine, Fraser, Todd and Wang

AN ACT Relating to growth; amending RCW 36.81.121, 35.77.010, 35.58.2795, 82.02.020, 43.21C.060, 43.21C.110, 36.93.180, 58.17.020, 58.17.030, 58.17.040, 58.17.090, 58.17.110, 58.17.140, 58.17.165, 58.17.170, 58.17.195, 58.17.215, 58.17.255, 58.17.310, 90.44.050, 90.03.345, 19.27.095, 43.31.524, 43.31.526, 43.210.010, 43.210.020, 43.31.005, 43.31.035, 43.63A.065, 43.155.070, 43.160.060, and 43.168.050; amending section 1, chapter 417, Laws of 1989 (uncodified); adding a new chapter to Title 36 RCW; adding new sections to chapter 35.63 RCW; adding a new section to chapter 35A.63 RCW; adding new sections to chapter 36.70 RCW; adding new sections to chapter 43.21C RCW; adding a new section to chapter 36.32

RCW; adding a new section to chapter 43.62 RCW; adding a new chapter to Title 47 RCW; adding a new section to chapter 58.17 RCW; adding a new section to chapter 84.33 RCW; adding a new section to chapter 84.34 RCW; adding a new section to chapter 84.28 RCW; adding new sections to chapter 43.31 RCW; adding new sections to chapter 43.63A RCW; creating new sections; repealing RCW 35A.63.061, 35A.63.062, 36.70.330, 36.70.350, 58.17-.033, 58.17.060, 58.17.065, 58.17.095, 58.17.155, and 19.27.095; making appropriations; providing effective dates; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2930 by Representatives Prentice, Cole, Basich, Hargrove, O'Brien, R. King, Vekich, Phillips, Leonard, Wineberry and Todd

AN ACT Relating to human reproductive rights regarding hazardous substances in the workplace; amending RCW 49.70.010, 49.70.130, 49.17.240, and 49.60.030; adding a new section to chapter 18.73 RCW; adding a new section to chapter 49.44 RCW; and adding a new section to chapter 49.70 RCW.

Referred to Committee on Commerce & Labor.

HB 2931 by Representatives Wolfe, Zellinsky and Padden

AN ACT Relating to counties; amending RCW 36.32.010, 36.32.070, and 36.16.030; and adding new sections to chapter 36.32 RCW.

Referred to Committee on Local Government.

HB 2932 by Representatives K. Wilson, Miller, Baugher, Smith, Doty, Valle, Hine and R. Fisher

AN ACT Relating to regional water resource planning; amending RCW 90.54.010, 90.54.030, and 90.54.040; and declaring an emergency.

Referred to Committee on Natural Resources & Parks.

HB 2933 by Representatives Ferguson, Haugen and Crane

AN ACT Relating to a study of municipal insurance pools; and creating a new section.

Referred to Committee on Local Government.

HB 2934 by Representatives Ferguson and Haugen

AN ACT Relating to counties; amending RCW 36.28.170, 36.32.340, 36.32.350, 36.32.360, and 36.40.040; and repealing RCW 36.47.010, 36.47.020, 36.47.030, 36.47.040, 36.47.050, 36.47.060, and 36.47.070.

Referred to Committee on Local Government.

HB 2935 by Representatives Horn, Haugen, Kirby, Ferguson, D. Sommers, Wood, Rayburn, Morris, Moyer, Wolfe, Brumsickle, Bowman, Walker, Nealey and Raiter

AN ACT Relating to local government elections; amending RCW 27.12.040, 35A.02-.020, 35A.02.060, 35A.06.040, 35A.07.020, 35A.07.050, 35A.08.040, 35A.09.020, 35A.09.040, 35A.10.030, 35A.15.010, 35A.16.030, 52.02.030, 52.06.020, 52.14.015, 53.04.020, 53.04.080, 53.04.085, 53.04.110, 53.12.060, 53.46.020, 56.04.030, 56.04.050, 56.12.015, 56.12.030, 56.24.070, 56.24.200, 57.04.030, 57.04.050, 57.12.015, 57.12.020, 57.24.010, 57.24.190, 68.52.220, 68.52.250, 68.54.010, 68.54.020, 68.54.030, 70.44.020, and 70.44.040; and repealing RCW 68.52.230.

Referred to Committee on Local Government.

HB 2936 by Representatives Chandler, Smith and Walker

AN ACT Relating to expenses concerning food processing waste treatment facilities; and amending RCW 90.48.465.

Referred to Committee on Environmental Affairs.

HB 2937 by Representatives H. Sommers, Phillips, Appelwick, Locke, Nelson, Anderson, Jacobsen, Valle, Crane, Leonard and O'Brien

AN ACT Relating to public markets; and amending RCW 8.12.020, 35.22.280, and 35.92.040.

Referred to Committee on Local Government.

HB 2938 by Representatives Raiter, Cantwell, Doty, Basich, Winsley and Todd

AN ACT Relating to the industrial competitiveness program; adding new sections to chapter 43.31 RCW; creating a new section; and making an appropriation.

Referred to Committees on Trade & Economic Development/ Appropriations.

HB 2939 by Representatives Braddock, Brooks, Morris, Jacobsen, Silver, Holland, Winsley and Baugher; by request of Department of Corrections

AN ACT Relating to population limits at correctional institutions; and repealing RCW 72.02.180 and 72.02.190.

Referred to Committee on Health Care.

HB 2940 by Representatives R. Meyers, S. Wilson and Zellinsky

AN ACT Relating to vehicle dealer documentary service fees; amending RCW 46.70.180 and 63.14.010; and reenacting and amending RCW 63.14.130.

Referred to Committee on Transportation.

HB 2941 by Representatives Prince, Nealey, McLean, Ferguson, Silver and Holland

AN ACT Relating to the sales and use tax on prosthetics and orthotic and durable devices; and amending RCW 82.08.0283 and 82.12.0277.

Referred to Committee on Revenue.

HB 2942 by Representatives R. King, Ballard, R. Meyers, Rayburn, McLean, Bowman, Peery, Basich, P. King, Scott, Cole, Crane, Rasmussen, O'Brien, Hine and Dellwo

AN ACT Relating to progress reports on the recreational fisheries enhancement plan; and adding new sections to chapter 75.08 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 2943 by Representatives Jacobsen, H. Myers, Rector, Miller, Heavey, Hine, Winsley, Wood, Wineberry, P. King and Dellwo

AN ACT Relating to the mentor athletes in the public schools program; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2944 by Representatives Kirby, Sayan, Rayburn, R. Meyers, Zellinsky, Fuhrman, Anderson, Crane, Winsley and Todd

AN ACT Relating to extending protection of the Whistleblower Act to local government employees; and amending RCW 42.40.010, 42.40.020, 42.40.040, and 42.40.070.

Referred to Committee on State Government.

HB 2945 by Representatives Wang, Haugen, Ferguson, Winsley and P. King

AN ACT Relating to special assessments for parking and business improvement areas; and amending RCW 35.87A.010, 35.87A.020, 35.87A.080, 35.87A.090, and 35.87A.170.

Referred to Committee on Local Government.

HB 2946 by Representatives Morris, Brough, Haugen, Hargrove, Raiter, Grant, R. Meyers, Dorn, Winsley and P. King

AN ACT Relating to criminal sentencing; amending RCW 9.94A.120, 9.94A.150, 9.94A.195, and 9.94A.200; reenacting and amending RCW 9.94A.400; and providing an effective date.

Referred to Committee on Judiciary.

HB 2947 by Representatives Peery and H. Myers

AN ACT Relating to business and occupation tax exemption for nonprofit corporations organized for public safety; and adding a new section to chapter 82.04 RCW.

Referred to Committee on Revenue.

HB 2948 by Representative Phillips

AN ACT Relating to security measures in apartments; and adding a new section to chapter 19.27 RCW.

Referred to Committee on Housing.

HB 2949 by Representatives Sprenkle and S. Wilson

AN ACT Relating to the design of on-site sewage disposal and water systems; amending RCW 18.43.130; and reenacting and amending RCW 43.20.050.

Referred to Committee on Environmental Affairs.

HB 2950 by Representatives Rasmussen, Jacobsen, Braddock, Heavey, Vekich, Grant, Dorn and Wineberry

AN ACT Relating to public ownership of professional sports franchises; amending RCW 35.21.695; adding new sections to chapter 35.21 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 2951 by Representatives Braddock, Brooks, D. Sommers, Sayan and Wineberry; by request of Department of Corrections

AN ACT Relating to emergency siting and construction of correctional facilities; amending RCW 34.05.030; adding a new section to chapter 19.27 RCW; adding a new section to chapter 48.48 RCW; adding a new section to chapter 43.21C RCW; adding a new chapter to Title 72 RCW; repealing RCW 72.02.180 and 72.02.190; and declaring an emergency.

Referred to Committee on Health Care.

HB 2952 by Representatives Kremen, McLean, Nealey, Baugher, Hine, Rayburn and Jacobsen

AN ACT Relating to organic food certification; amending RCW 15.86.070; and making an appropriation.

Referred to Committee on Appropriations.

HB 2953 by Representatives Zellinsky, Chandler, Day, P. King and Dellwo

AN ACT Relating to title insurers and their agents; amending RCW 48.30.140 and 48.30.150; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 2954 by Representatives Zellinsky, Chandler, Day and Nutley

AN ACT Relating to withheld real estate brokerage commissions; and adding new sections to chapter 18.85 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 2955 by Representatives Dellwo, Chandler, Zellinsky, Beck, Anderson, Baugher, Day, Crane and Dorn

AN ACT Relating to motor vehicle service contracts; amending RCW 48.96.030, 48.96.040, 48.96.050, and 48.96.060; adding new sections to chapter 48.96 RCW; creating a new section; and providing an effective date.

Referred to Committee on Financial Institutions & Insurance.

HB 2956 by Representatives Nelson, Miller, Jesernig, Sprenkle, May, Grant, Cooper, Hankins, Dellwo, Baugher, R. Meyers, Rust, Brooks, Holland, Appelwick, Moyer, Ballard, Prince, Bennett, Dorn, Jacobsen, Valle, Crane, Brumsickle, Ebersole, Fuhrman, Van Luven, Horn, Rector and Silver; by request of Office of Financial Management

AN ACT Relating to low-level radioactive waste; amending RCW 82.04.260, 43.200-.170, 43.145.020, 43.200.080, and 70.98.085; adding a new section to chapter 43.200 RCW; adding a new section to chapter 81.04 RCW; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committee on Energy & Utilities.

HB 2957 by Representatives Nelson, Hankins, Jacobsen, H. Myers, Rust, Bennett, Brekke, Sprenkle, Fraser, Pruitt, Jesernig, D. Sommers, Valle, Crane,

Wineberry, R. King, P. King, Cole, Jones, Heavey, Rector, Dellwo and Todd

AN ACT Relating to global warming; amending RCW 80.50.010; adding a new section to chapter 43.19 RCW; adding a new section to chapter 35.43 RCW; adding a new section to chapter 36.32 RCW; adding a new section to chapter 19.27 RCW; adding a new section to chapter 19.27A RCW; and creating new sections.

Referred to Committee on Energy & Utilities.

HB 2958 by Representatives Belcher and Beck

AN ACT Relating to the study of the impact of water and sediment quality standards on the state's bedlands and tidelands; and creating a new section.

Referred to Committee on Natural Resources & Parks.

HB 2959 by Representatives Bennett, Dorn, Pruitt, Brumsickle and G. Fisher

AN ACT Relating to health insurance for students participating in extracurricular activities; and amending RCW 28A.58.420.

Referred to Committee on Education.

HJM 4033 by Representatives Basich, R. King, Morris, Cole, Smith, Haugen, Brooks, S. Wilson, Spanel, Bowman, Vekich, Brumsickle, Pruitt, Phillips, Braddock, Jones, Sayan, Raiter, Nutley, Kremen, Rasmussen, Anderson, R. Meyers, Jacobsen, Winsley and Nelson

Requesting that Congress and the President work to ban driftnets.

Referred to Committee on Fisheries & Wildlife.

HCR 4434 by Representatives Ebersole and Ballard

Recognizing Medal of Merit recipients.

E2SSB 6259 by Committee on Ways & Means (originally sponsored by Senators Nelson, Talmadge, Patrick, Wojahn, Thorsness, Vognild, Bender, Warnke, Bauer, von Reichbauer, Gaspard, Madsen, Murray, Sutherland, Rasmussen, Fleming, Hansen, Conner and Kreidler; by request of Governor)

Changing provisions relating to criminal offenders.

MOTIONS

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated with the exceptions of House Concurrent Resolution No. 4434 and Engrossed Second Substitute Senate Bill No 6259.

On motion of Mr. Ebersole, the rules were suspended and House Concurrent Resolution No. 4434 was advanced to second reading.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4434, by Representatives Ebersole and Ballard

Recognizing Medal of Merit recipients.

The resolution was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Ebersole spoke in favor of adoption of the resolution.

House Concurrent Resolution No. 4434 was adopted.

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

REPORTS OF STANDING COMMITTEES

January 24, 1990

HB 1300 Prime Sponsor, Representative Vekich: Repealing worker liability for industrial insurance medical aid fund premiums. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner, Walker and Wolfe.

Referred to Committee on Appropriations.

January 23, 1990

HB 2261 Prime Sponsor, Representative Silver: Making it a misdemeanor to require recording of a credit card number for check cashing purpose. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 62A.3 RCW to read as follows:

No person may record the number or expiration date of a credit card given as identification under RCW 62A.3-505(1)(b) or given as proof of credit worthiness when payment for goods or services is made by check or draft. Nothing in this section prohibits the recording of the number or expiration date of a credit card given in lieu of a deposit to secure payment in the event of a default, loss, damage, or other occurrence."

On page 1, line 1 of the title, after "drafts;" strike the remainder of the title and insert "and adding a new section to chapter 62A.3 RCW."

Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt and Winsley.

Absent: Representatives Beck and K. Wilson.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2266 Prime Sponsor, Representative Braddock: Providing confidentiality for certain basic health plan records and data. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Chandler, Morris, D. Sommers, Sprengle, Vekich and Wolfe.

Absent: Representatives Cantwell and Prentice.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2282 Prime Sponsor, Representative Jones: Providing funding for county fire marshal programs. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Horn, Kirby, Nealey, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representatives Ferguson, Ranking Republican Member; Horn and Nelson.

Referred to Committee on Revenue.

January 23, 1990

HB 2289 Prime Sponsor, Representative Sayan: Increasing the reimbursements for Washington conservation corps members. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 6, strike "eighty-nine" and insert "eighty"

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative Wineberry, Vice Chair.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2296 Prime Sponsor, Representative Cole: Regulating business relationships between manufacturers and distributors of agriculture equipment and independent retail dealers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2299 Prime Sponsor, Representative Crane: Regulating telefacsimile messages for commercial solicitation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13 strike "This" and insert "(a) Except as provided in (b) of this subsection, this"

On page 1, after line 17, insert "(b) A person shall not initiate an unsolicited telefacsimile message under the provisions of (a) of this subsection if the person knows or reasonably should have known that the recipient is a governmental entity."

Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representative Gallagher.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2391 Prime Sponsor, Representative Wood: Establishing a state recording officer. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representative Ferguson, Ranking Republican Member.

Referred to Committee on Appropriations.

January 24, 1990

HB 2394 Prime Sponsor, Representative Day: Modifying requirements for prescription forms for out-of-state practitioners. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Chandler, Morris, D. Sommers, Sprengle, Vekich and Wolfe.

Absent: Representatives Cantwell and Prentice.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2408 Prime Sponsor, Representative Jones: Requiring an assessment of higher education needs of placebound students. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representatives Van Luven, Ranking Republican Member; and Heavey.

Referred to Committee on Appropriations.

January 23, 1990

HB 2409 Prime Sponsor, Representative Haugen: Changing provisions relating to municipal incorporation proceedings. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representative Ferguson, Ranking Republican Member.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2411 Prime Sponsor, Representative Braddock: Amending health care authority provisions. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Chandler, Morris, D. Sommers, Sprenkle, Vekich and Wolfe.

Absent: Representatives Cantwell and Prentice.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2414 Prime Sponsor, Representative Rust: Regulating ozone-depleting substances. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brække, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Referred to Committee on Appropriations.

January 23, 1990

HB 2416 Prime Sponsor, Representative Dellwo: Changing multiple insurance statutes. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt and Winsley.

Absent: Representatives Beck and K. Wilson.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2417 Prime Sponsor, Representative Dellwo: Regarding the cancellation of insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt and Winsley.

Absent: Representatives Beck and K. Wilson.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2469 Prime Sponsor, Representative Braddock: Regarding limited medical licenses for University of Washington programs. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Chandler, Morris, D. Sommers, Sprengle, Vekich and Wolfe.

Absent: Representatives Cantwell and Prentice.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2488 Prime Sponsor, Representative Rector: Providing assistance to single parents in higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representatives Van Luven, Ranking Republican Member; and Heavey.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2489 Prime Sponsor, Representative Rector: Establishing the single parents in higher education assistance program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 26 after "each" strike everything down to and including "RCW 28B.10.016" on line 27 and insert "state university, regional university, state college, and the community college system"

On page 2, line 7, after "of" insert "forty-four thousand seven hundred and six"

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representative Heavey.

Referred to Committee on Appropriations.

January 24, 1990

HB 2490 Prime Sponsor, Representative Rector: Establishing a pilot program to help single parents obtain a higher education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representative Heavey.

Referred to Committee on Appropriations.

January 23, 1990

HB 2491 Prime Sponsor, Representative Leonard: Promoting labor-management cooperation on the industrial insurance system. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 1, strike all material through "employees." on line 8

Renumber the sections consecutively and correct any internal references accordingly.

On page 1, line 2 of the title, after "sections;" strike "making an appropriation;"

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2497 Prime Sponsor, Representative Jones: Processing disputed industrial insurance claims. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2505 Prime Sponsor, Representative McLean: Authorizing the supervisor of banking to examine agricultural lenders participating in loan guaranty programs. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Crane, Day, Dorn, Insee, P. King, Nutley, Schmidt and Winsley.

Absent: Representatives Beck and K. Wilson.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2519 Prime Sponsor, Representative G. Fisher: Phasing out the use of school buses that do not meet the 1977 federal motor vehicle safety standards. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 21 after "features." insert "The superintendent of public instruction shall determine whether the standards should be applied to the existing school bus fleet. In making this decision, the superintendent of public instruction shall consider the costs of retrofitting the existing bus fleet versus the reduction in risk that would be achieved."

Signed by Representatives Peery, Chair; Betrozoff, Ranking Republican Member; Cole, Horn, Jones, Phillips, Rasmussen, Rayburn, Schoon, Valle and Walker.

Absent: Representatives Brumsickle, Fuhrman, Holland and P. King.

Referred to Committee on Appropriations.

January 25, 1990

HB 2554 Prime Sponsor, Representative Rayburn: Removing dairy farm exception from pesticide recordkeeping requirement. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, Rasmussen and Youngsman.

Absent: Representative Rasmussen.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2591 Prime Sponsor, Representative Wood: Authorizing honorary degrees. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luvan, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representative Heavey.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2609 Prime Sponsor, Representative Ferguson: Revising provisions for the Washington pollution liability insurance program. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Horn, Assistant Ranking Republican Member; Basich, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Phillips, Rust and H. Sommers.

Absent: Representatives Holland, Ranking Republican Member; Appelwick, Silver and Van Luven.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2655 Prime Sponsor, Representative R. Fisher: Changing reporting requirements for lobbyists and for employers of lobbyists. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 9, beginning on line 16 after "subsection," strike all material through "contribution." on line 21 and insert "an employer of a lobbyist registered under this chapter shall file a special report with the commission if the employer makes a contribution or contributions aggregating more than one hundred dollars in a calendar month to any one of the following: A candidate, elected official, officer or employee of an agency, or political committee."

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2689 Prime Sponsor, Representative Vekich: Requiring registration or licensure of labor relations consultants. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2755 Prime Sponsor, Representative McLean: Establishing voter registration by mail. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Absent: Representative Silver.

Referred to Committee on Appropriations.

January 23, 1990

HB 2788 Prime Sponsor, Representative Jones: Authorizing civil penalties for violations of state wage payment laws. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2797 Prime Sponsor, Representative R. Fisher: Rearranging provisions relating to candidacy and changing provisions relating to ballot forms and voting equipment. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 58, beginning on line 1 after "one," strike all material through "districts:)" on line 7 and insert "The positions (~~so designated for~~) of school directors in each district shall be dealt with as separate offices for all election purposes, and where more than one position is to be filled, each candidate shall file for one of the positions so designated: PROVIDED, That in school districts containing director districts, candidates shall file for such director districts."

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 23, 1990

HB 2806 Prime Sponsor, Representative Smith: Providing for treatment of industrial insurance payments made on behalf of an injured worker's child. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives Jones, R. King and O'Brien.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2821 Prime Sponsor, Representative Rayburn: Regulating the transportation of food. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representative Rasmussen.

Referred to Committee on Appropriations.

January 24, 1990

SJM 8019 Prime Sponsor, Senator Benitz: Requesting Congress to locate the plutonium-238 mission at Hanford. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representative Gallagher.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 90-4728, by Representatives Leonard and Prentice

WHEREAS, Mr. Loyd E. "Bud" Garrett has unselfishly served with King County Fire District 20 since March 23, 1951; and

WHEREAS, Mr. Garrett will be retiring in 1990 after thirty-nine years of committed service; and

WHEREAS, Mr. Garrett has been active in all facets of the fire district and has earned the rank of Lieutenant; and

WHEREAS, Mr. Garrett joined the fire district within one month of an attic fire in his home; and

WHEREAS, Mr. Garrett was born in Milo, Missouri, and he and his wife, Shirley, have two sons and two daughters; and

WHEREAS, The volunteer fire districts of our state are dependent on the services of dedicated volunteers like Mr. Garrett;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor Mr. Garrett for his contributions to the fire district and to his community; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mr. Loyd E. "Bud" Garrett and members of his family.

Ms. Leonard moved adoption of the resolution. Representatives Leonard and Prentice spoke in favor of the resolution.

House Floor Resolution No. 90-4728 was adopted.

HOUSE FLOOR RESOLUTION NO. 90-4729, by Representatives Moyer, H. Sommers, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, R. Meyers, Miller, Morris, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, To help alleviate the suffering of many hungry persons and families in Washington, the private sector organized its resources to create food banks; and

WHEREAS, The food banks serve as collection and distribution centers in many towns and cities in Washington; and

WHEREAS, Their existence makes it possible for many different individuals and groups to gather donations of food and money to feed the hungry; and

WHEREAS, There has been a need for centralized regional facilities to channel private donations to local food banks; and

WHEREAS, The Spokane Food Bank, Incorporated, located in eastern Washington, and Food Lifeline, located in western Washington, organized to fill this need statewide; and

WHEREAS, Both Spokane Food Bank and Food Lifeline are certified members of Second Harvest; and

WHEREAS, The Spokane Food Bank distributes an average of 148,940 pounds of food to 104,781 different clients each month on an emergency basis; and

WHEREAS, The Food Lifeline distributes approximately 600,000 pounds of food to 250,000 persons, on an average, each month in a supplemental program; and

WHEREAS, In conjunction with the federal surplus food program, these two food banks coordinated the distribution of 1.2 million pounds of Washington apples last year; and

WHEREAS, Washington food banks have become permanent members of our communities, serving as integral links of the food distribution chain;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and commend the Spokane Food Bank, Inc., and Food Lifeline for their outstanding service to their fellow citizens and for their dedication to the cause of eliminating hunger; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Executive Directors of the Spokane Food Bank, Inc., and Food Lifeline.

Mr. Moyer moved adoption of the resolution. Representatives Moyer and H. Sommers spoke in favor of the resolution.

On motion of Mr. Dellwo, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Representatives Dellwo and D. Sommers spoke in favor of resolution.

House Floor Resolution No. 90-4729 was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker (Mr. O'Brien presiding) called the House to order.

MESSAGES FROM THE SENATE

January 26, 1990

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 2361,

HOUSE CONCURRENT RESOLUTION NO. 4428,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

January 26, 1990

Mr. Speaker:

The Senate has adopted:

HOUSE CONCURRENT RESOLUTION NO. 4434,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

JOINT SESSION

WASHINGTON STATE MEDAL OF MERIT AWARD CEREMONY

The Sergeant at Arms announced the arrival of the Senate at the bar of the House.

The Speaker (Mr. O'Brien presiding) instructed the Sergeants at Arms of the House and Senate to escort the President of the Senate, Lieutenant Governor Joel Pritchard, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell, Majority Leader Jeannette Hayner and Democratic Leader Larry Vognild to seats on the rostrum.

The Speaker (Mr. O'Brien presiding) invited the Senators to seats within the House Chamber.

REMARKS BY THE SPEAKER

The Speaker (Mr. O'Brien presiding): It is our privilege again to host the award ceremony for the winners of the Medal of Merit. We welcome you, President Pritchard, our colleagues from the Senate, medal recipients and all other guests who are with us today. It is a pleasure for me to give you, President Pritchard, the gavel to preside over this Joint Session.

The Speaker (Mr. O'Brien presiding) presented the gavel to President Pritchard.

The Secretary of the Senate called the roll of the Senate and all members were present except Senators Fleming, McMullen, Moore and Smitherman, who were excused.

The Clerk of the House called the roll of the House and all members were present except Representatives Todd, Wang and Mr. Speaker, who were excused.

The President of the Senate appointed Senators Anderson and Rinehart and Representatives Baugher and Wood as a special committee to advise His Excellency, Governor Booth Gardner, that the Joint Session had assembled and to escort him from his Chambers to a seat on the rostrum.

The President appointed Senator McDonald and Representatives Valle and McLean as a special committee to escort the Supreme Court Justices from the State Reception Room to seats within the House Chamber.

The President appointed Senator Patterson and Representative Dorn as a special committee to escort the State Elected Officials from the State Reception Room to seats within the House Chamber.

The President welcomed the Governor, the members of the Supreme Court and the State Elected Officials.

The President introduced distinguished guests seated in the North Gallery, including Mrs. Jean Gardner, First Lady of the State of Washington. Guests present to honor Mr. James Reed Ellis included his son and daughter-in-law, Mr. and Mrs. Robert Ellis, and his daughter and son-in-law, Mr. and Mrs. Mark Erickson. Guests from Washington State University, of Mrs. Frances Penrose Owen included Dr. Glenn Terrell, President Emeritus; Dr. Samuel Smith, President; Mr. Scott B. Lukins, President, Board of Regents; Mr. Robert Gibb, former Regent; Mrs. Ruth Gibb; Mr. Robert McEachern, former Regent; Mr. "Dutch" Hayner, former Regent; Mr. Vitt Ferrucci, former Regent; Mrs. May Ferrucci; Mr. Warren Bishop, former Vice President; Mrs. Barbara Bishop; Mr. Robert Smawley, Assistant to Vice President for University Development; Mrs. Carol Smawley; Mr. Tim Marsh, News and Information; Mrs. Gen DeVleming, Executive Assistant to the President and Board of Regents; and Mr. Art McCartan, Emeritus Dean of Students.

The President of the Senate returned the gavel to the Speaker (Mr. O'Brien presiding).

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding): The purpose of the Joint Session is to present Medal of Merit awards for the fourth time to two deserving Washington State citizens who have been distinguished by exceptionally meritorious conduct in performing outstanding services to the people and State of Washington. Ladies and gentlemen, the Speaker has the honor to present to you Lieutenant Governor Joel Pritchard for the purpose of introducing and honoring James Reed Ellis.

REMARKS BY THE PRESIDENT INTRODUCTION OF JAMES REED ELLIS

President Pritchard: In introducing James Ellis to you here in the Chamber, rather than go through a long litany of all of the things he has accomplished and all the awards he has been given, I would like to talk about his characteristics and how I would hope other people would emulate those characteristics in order that they, too, can make an impact on their community.

The first thing about Jim is that he is truly a modest person. He gives credit to other people. When I think of him, I think of him driving an old car and generally wearing a suit that looks like it just came through a rain storm. He has had this habit for many years. When I was far younger, I heard my mother one day say, "Somebody should talk to Jim Ellis' parents." The other person said, "What's wrong?" She said, "Well, he's out there, going through law school, and all he does is wear his old army clothes." And someone else said, "Jim is so stubborn, he won't take help from anyone, and you can't tell him a thing." He truly is a modest man.

He is a great motivator. His enthusiasm is contagious and his persuasion is deadly when he asks you to do something. I don't know how many times I have heard someone say, "I really shouldn't be on this committee," or "I really shouldn't be taking the time to work on this thing. But how do you say 'no' to Jim Ellis?"

He is an original thinker. When he devised the idea of using that space over the freeway for the Freeway Park, this was the first time in America that the air space over a freeway was used. Now it has been copied all over America. Before he put together the Forward Thrust Program, ideas generally came from the top down in the old days in Seattle. There were some very good people who used to sit around in the Rainier Club, and they did some pretty good things. But times changed, and Jim devised the Forward Thrust Program in which over two hundred people were on committees all over our county. They held hearings and meetings

all over the county. The Forward Thrust Program came from the bottom up. It is the way things have to be done today. Jim was ahead of his time.

He has another characteristic--he refuses to give up. Somebody said that there are lots of people who are starters in the world, but Jim Ellis is a finisher. In cleaning up Lake Washington or with the Forward Thrust Program that built parks, in helping the zoo, putting in swimming pools--and those made an enormous change in our community--in every one of those cases, it was hard going. And, in almost every situation, there was a time when conventional wisdom said that it couldn't be done. I can think of the times when people said, "It is a good idea he has, but it'll never get through." Sometimes the idea was put to a vote of the people; then the committees had to put it back up to the vote of the people; there had to be changes and more effort. But eventually those programs went through. Our community is better off because of those efforts. He is dogged in how he works.

He is a sensitive person. I think the best example is when we were having the racial unrest in the sixties, when Jim was a new person on the Board of Regents. That was an explosive situation and he took command, because he was the only one whom all sides trusted and felt understood the problem. He got through that period. I think that was Jim Ellis' finest hour. He is sensitive to other people, and he understands how the other person feels.

He has had some failures. He tried to put a rapid transit system into Seattle. What a foolish idea--a rapid transit system. The sad thing was that he had the funding worked out, working with Scoop and Maggie and elected officials on both sides of the aisle, but we failed. So he hasn't had a perfect record. He also tried to do some community-wide planning. Think of that. Planning all over the county, thirty years ago. He was ahead of his time. When he was thirty-three, he went before the business community of Seattle, the Seattle Rotary Club. He did not represent a corporation and he did not represent a person of great wealth and he did not hold a public office. But he stood up there and made a clarion call to do something about Lake Washington. This gem, this wonderful resource we had, was becoming a point for sewage. If you swam there, you couldn't see the bottom, and the fish were leaving. He rallied the troops and turned that around. It didn't get passed the first time, but you remember he was thirty-three years old and the force of his ideas and the force of his personality prevailed. Today we have Lake Washington. People for years will get the benefit of that effort.

He has had some tragedies. He lost a brother in war. He lost a daughter in an accident. Several years ago he lost his wife. He always dedicates himself even more so to their memories, as he goes out to work.

He has given more of his time and a higher percentage of his assets to other people than any person I have known in my life. At this point I would like to read something that I think fits him. Many of you have heard this before:

"It is not the critic who counts; not the man who points out how the strong man stumbles or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs and comes short again and again, because there is no effort without error and shortcomings; but who does actually strive to do the deed; who knows the great enthusiasm, the great devotions; who spends himself in worthy cause; who at the best knows in the end the triumph of high achievement and who, at the worst if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

Teddy Roosevelt wrote that many years ago. It is fitting now, and today it certainly fits our nominee. I am not going to go into what he has done on the national scene or all the other things. I am going to stop here and just say what a privilege it is for me, a high honor, to introduce James Reed Ellis as one of our recipients.

President Pritchard presented the Medal of Merit to Mr. James Reed Ellis.

REMARKS BY MR. ELLIS

Mr. Ellis: Thank you, Governor Pritchard, for those extraordinarily kind and personal remarks. I also appreciate greatly, Governor Gardner, Speaker King, Justice Callow, Secretary of State Munro, for giving me the honor to stand with Frances Owen before you today and to be in the company of the great Washingtonians

who have received this award. I am a little bit, more than a little bit, embarrassed. My history is one of civic activist. One of the ironies of civic activity is a public focus of credit and blame upon a single individual for what is, almost always, the work of many people. Every effort, in which Mary Lou and I were involved, had dozens of co-authors, co-organizers and co-leaders. Without them none of those things could have happened.

I am pleased that my family is here today. Last November Lynn and Mark, who have lived here for some time where Mark is a city attorney, somehow got me invited to speak to the Olympia Chamber of Commerce. My eight-year-old grandson Matthew, who lives here, came to the luncheon, accompanied by his dad to keep him under control. After lunch Matt was invited to go up to the podium and draw out of the bowl for the door prize. At his height, when he got to the podium, he disappeared completely behind it. You couldn't see him. And, when someone in the audience questioned whether or not there really was, in fact, a drawing going on, Matt reached up from behind the podium with his arm and waved it back and forth with a white slip of paper. This brought down the house. I remember thinking, "At least one more citizen politician will come from the next generation."

Of course, the process of building communities extends from one generation to another. Our family roots go deep in this state, and Mary Lou and I often marveled at the tremendous achievements of the pioneers. They created parks we take for granted and look for granted. They plowed rich farms out of stump land and sage brush. They developed the schools that shaped our values. They created great universities. They established a tradition of honest government, caring families and caring neighbors. We knew that we were building upon the shoulders of people who had gone before, and we believed that, in a later time, other men and women would build on what they found--good and bad.

Today's challenges are as great in their own way as anything that faced people who came before. Will we spread the benefits of economic growth to people and places that have been passed by? Will we let the Puget Sound basin fill up with smog and sprawl? Will I-5 become a strip city clogged with cars? Will we bring effective education to a changing work force? Will we respect our ethnic differences and draw strength from each other? Can we build humane cities and save precious pieces of the natural environment? If you say these questions sound a lot like the problems we have been working on for the last thirty years, you are right. Much was done in that time, but a great deal remains unfinished.

And new conditions, unforeseen problems, continue to emerge. By the time our grandchildren assume their stewardship of the state some of the things, that we thought were so great and that our generation worked on so hard, will either seem like they were always part of the landscape or will have been changed or improved, possibly beyond recognition. Still others will have been torn down and replaced by something different. The institutions we helped to shape may be serving well, or they may have grown tired and be ready for reform. No physical improvement can be truly permanent, and there will never be an end to civic work that needs doing. A community that is alive is never completed. It is a work that is always in progress. Each generation--ours, those that came before, and those that will follow--touches the state in its own way. New causes replace old causes. It is a sign of strength in democracy. We know intuitively that the processes that nurture freedom and build places that people love cannot go forward, unwatched and untended. Every so often states and communities, like families and nations, need surges of effort to show what they can do. The real value of this effort is not so much the people that it helped, the land then preserved, the water cleaned, or the buildings built, but rather that people cared enough to do it.

Caring citizens are the seedbed of community. This seed was planted long before we came. It has grown by examples familiar to all of us and with which I grew up. For me its value was found at home and at school. Awareness became commitment in 1945, when my brother Bob was killed in action. My wife Mary Lou inspired me to make my life count for his. This commitment was encouraged by my law partners and shared by my family and co-workers for almost forty years. I am grateful for loving parents and grandparents, who believed in the value of service to others. I owe a debt to my grade-school teachers who indelibly marked their

students with the ideals of John Muir. I am grateful to all of you for this unforgettable day. And I am grateful to Mary Lou for inspiring my life. Thank you.

The Speaker (Mr. O'Brien presiding) introduced Booth Gardner, Governor of the State of Washington.

REMARKS BY THE GOVERNOR
INTRODUCTION OF FRANCES PENROSE OWEN

Governor Gardner: John Ellis, as he always does so eloquently, gave us a formula that all in this state appreciate, when he said that what he has done so well was supported by what he called "co-workers and co-leaders." We all know them in this state by the word "volunteers." I have the honor of introducing to you this morning the dean of volunteers. How much we, as legislators, appreciate the importance of volunteers, as do all of you. The dean of volunteers in the State of Washington, for many, many years and for as long as most of us have lived, is a person who will be hard to outdo by anyone who comes behind her--Frances Penrose Owen.

I am going to share with you some of the longevity and importance of what she has volunteered for, but give most of this time to her, so that you can hear her fine words. Understand that when you look at her when she gets up here, you are looking at a woman who has touched many lives and many organizations. Her leadership, while broad-based, has been specifically directed toward children and youth in the State of Washington. For more than thirty-six years she has dedicated her time and her energy to serving Children's Orthopedic Hospital and, during those thirty-six years, she served for a period as President of that organization's Board of Trustees. For twenty-two years she served as a member of the Seattle School Board, including four terms as President of the Seattle School Board. Thirty-six years with Children's Orthopedic, twenty-two years with the Seattle School Board and yet she had time to serve for eighteen years as a member of the Board of Regents of Washington State University, twice elected as President of that Board of Regents. As a postscript, she was also the first woman to be appointed to the WSU Board of Regents. To this day she continues to volunteer her time and her energy, concentrating now on serving the needs of senior citizens.

Today we recognize and truly thank Frances Penrose Owen with the Medal of Merit. I think you would agree from what you have just heard, that she has truly earned the title of "Dean of Volunteers in the State of Washington." Ladies and gentlemen, Frances Penrose Owen.

Governor Gardner presented the Medal of Merit to Mrs. Frances Penrose Owen.

REMARKS BY MRS. OWEN

Mrs. Owen: Governor Gardner, distinguished guests, members of the Legislature: I am particularly proud of having received this very great honor, because I am first and last and always a citizen of the State of Washington. It means more to me to have received this from my state than almost any other organization that I can think of. One of the things that I have been most proud of is that I was born in the State of Washington. Many worthy Washingtonians cannot claim that privilege. I have always felt myself fortunate.

I have been fortunate in another regard. I have lived on both sides of the state. Born and brought up in eastern Washington, my roots go deep into that side of the state. I appreciate its history, particularly, its economy, its culture and its beauty. But I have spent several decades on the west side of the state, where I thoroughly appreciate the quality of life that we have here and the beauty in which we live. As I have lived in the state and worked around the state, I have made a discovery which, as a citizen of the State of Washington, I abhor. And that is that the Cascade Mountains seem to cloud our vision of the state as a whole. We naturally are loyal to the community in which we live, but I know a number of citizens on both sides of the state to whom the State of Washington is only the half of the state that they live in. If you are going to be a citizen of the state, I think you have to concern yourself

with all of the differences and the difficulties and the special needs and the possible solutions. They may not be yours to make, but we need, as citizens of the state, to be interested and involved in them.

I am proud of the fact that the State of Washington stands in the forefront of good legislation in many fields. My particular field was that of education on the national level, state level and local level and in both higher education and in the public schools. I will always be a concerned citizen, whether I am active any more or not—a concerned citizen, and a doubly concerned citizen, when I learned through federal statistics recently that the State of Washington ranks below the national average in its contribution to the expenditure per pupil in the common schools. Washington State ranks lower than the national average in its expenditures for public schools. In this day and age we need a strong educational system—strong for the children in the public schools, strong for the young men and women who are going to our colleges and universities. It is one of the best investments we can make for the future of Washington State and its future citizens.

Thank you again for this medal of recognition. I am tremendously pleased. As a citizen of the State of Washington, it gives me a great deal of satisfaction. Thank you very much.

The Speaker (Mr. O'Brien presiding) presented the gavel to President Pritchard.

The President of the Senate instructed the special committee to escort Governor Gardner to his Chambers.

The President instructed the special committee to escort the State Elected Officials from the House Chamber.

The President instructed the special committee to escort the Supreme Court Justices from the House Chamber.

MOTION

On motion of Mr. Ebersole, the Joint Session was dissolved.

The President of the Senate returned the gavel to the Speaker.

The Speaker instructed the Sergeants at Arms of the House and Senate to escort the President of the Senate, Lieutenant Governor Joel Pritchard, President Pro Tempore Alan Bluechel, Vice President Pro Tempore Ellen Craswell, Majority Leader Jeannette Hayner, Democratic Leader Larry Vognild and members of the Washington State Senate from the House Chamber.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, January 29, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWENTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Monday, January 29, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Betzoff, Brekke, Cantwell, Horn, Jones, P. King, Morris, Vekich and Wood. On motion of Ms. Fraser, Representatives Appelwick, Cantwell and Jones were excused. On motion of Ms. Miller, Representatives Betzoff, Horn and Wood were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jeremy Norris and Leila Lott. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

MESSAGE FROM THE SENATE

January 26, 1990

Mr. Speaker:

The Senate has passed:

SENATE JOINT MEMORIAL NO. 8020,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

HB 2960 by Representatives R. Meyers, P. King, Dellwo and Appelwick

AN ACT Relating to public hazards; adding a new chapter to Title 19 RCW; adding new sections to chapter 4.24 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 2961 by Representatives R. King, Raiter, R. Meyers and Basich

AN ACT Relating to commercial fishing licenses; amending RCW 75.28.255; and adding a new section to chapter 75.28 RCW.

Referred to Committee on Fisheries & Wildlife.

HB 2962 by Representative Appelwick

AN ACT Relating to changes in references made necessary by child support legislation; amending RCW 26.09.070, 26.09.100, 74.20A.055, 13.32A.177, 13.34.162, 26.10.045, 26.21.065, and 74.20A.160; reenacting and amending RCW 26.26.130; and providing an effective date.

Referred to Committee on Judiciary.

HB 2963 by Representatives Cantwell, R. Fisher and Doty

AN ACT Relating to exemption from pilotage requirements; amending RCW 88.16-.070; and declaring an emergency.

Referred to Committee on Trade & Economic Development.

HB 2964 by Representatives Schoon, H. Sommers, P. King and Betzoff

AN ACT Relating to financing capital facilities; amending RCW 43.99H.010, 43.99H-.020, 43.99H.080, 43.99H.030, 43.99H.040, and 43.99H.060, reenacting RCW; 43.83A.020, 43.99E.015, 43.99F.020, and 75.48.020; repealing RCW 82.64.900; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2965 by Representatives Wolfe, Sayan, Youngsman, Kremen, Ballard, Zellinsky, D. Sommers, Moyer, Rector, Forner and Winsley

AN ACT Relating to a sales and use tax exemption for home heating oil; adding a new section to chapter 82.08 RCW; and adding a new section to chapter 82.12 RCW.

Referred to Committee on Revenue.

HB 2966 by Representatives Schoon, S. Wilson, McLean, Fuhrman, Vekich, Winsley and Jones

AN ACT Relating to the militia and military affairs; adding a new chapter to Title 38 RCW; and repealing chapters 38.04, 38.08, 38.12, 38.14, 38.16, 38.20, 38.24, 38.32, 38.36, 38.38, 38.40, 38.44, and 38.48 RCW; and prescribing penalties.

Referred to Committee on State Government.

HB 2967 by Representative Winsley

AN ACT Relating to attorneys not currently licensed representing family members in legal proceedings; and amending RCW 2.48.190.

Referred to Committee on Judiciary.

HB 2968 by Representatives Brumsickle, Bowman, Wolfe, Moyer, Ferguson, Youngsman and Dellwo

AN ACT Relating to prevention of head injuries by requiring the wearing of bicycle helmets; adding a new section to chapter 46.61 RCW; and providing an effective date.

Referred to Committee on Transportation.

HB 2969 by Representatives Day, May, Appelwick, Sayan, R. Fisher, Silver and Wineberry

AN ACT Relating to establishing preferences for in-state contractors in contracts for public works and for public purchase of goods; and adding a new chapter to Title 39 RCW.

Referred to Committee on State Government.

HB 2970 by Representatives Baugher, Kremen, Kirby, Grant, Gallagher, Day and Crane

AN ACT Relating to political advertising during nonelection years; and amending RCW 42.17.070.

Referred to Committee on State Government.

HB 2971 by Representatives Wineberry, Padden, Nutley, Baugher, Leonard, Winsley, Anderson, Locke, O'Brien, Jacobsen, Crane, Rayburn, P. King, Walker and Forner

AN ACT Relating to drug prevention activities in assisted housing; amending RCW 43.180.070; adding a new section to chapter 43.180 RCW; and adding a new section to chapter 43.185 RCW.

Referred to Committee on Housing.

HB 2972 by Representatives Wineberry, Chandler, Dellwo, R. Meyers, Baugher, Spanel, Beck, Crane, Dorn, Locke, Nutley, Anderson, P. King, Insee, Winsley, Zellinsky, Wang, Phillips, Jones and Betzoff

AN ACT Relating to affordable automobile liability insurance; creating new sections; making an appropriation; providing an expiration date; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 2973 by Representatives Wineberry, Ferguson, Locke, O'Brien, Jacobsen and Crane

AN ACT Relating to minority-owned business assistance; adding a new section to chapter 43.31 RCW; and making an appropriation.

Referred to Committee on Trade & Economic Development.

HB 2974 by Representatives May, R. Meyers, S. Wilson, Baugher, Nealey, Hankins, Brooks, Phillips, Horn, Jacobsen, Youngsman, Schoon, Silver, Brumsickle, Holland, Winsley, Moyer, Wood, Forner,

D. Sommers, Bowman, Sprenkle, Beck, Betrozoff, Spanel, Nutley, Day, Crane, Basich, Padden, P. King, Walker, Brough, Miller, Locke and Wolfe

AN ACT Relating to disclosure requirements for solicitations; and amending RCW 19.09.100.

Referred to Committee on Judiciary.

HB 2975 by Representatives Rasmussen and Dorn

AN ACT Relating to designating state route number 706 as the Road to Paradise; and amending RCW 47.17.820.

Referred to Committee on Transportation.

HB 2976 by Representative Tate

AN ACT Relating to the salary allocation schedule for instructional staff; amending RCW 28A.41.112; and declaring an emergency.

Referred to Committees on Education/Appropriations.

HB 2977 by Representatives Wang, Holland, Hine, Silver and Haugen; by request of State Treasurer

AN ACT Relating to treasurer-managed funds and accounts; amending RCW 82.14-.050, 82.14.060, 70.39.170, 18.08.240, 43.79.330, 43.51.280, 40.14.025, 43.51.310, 70.48.120, 43.140.030, 43.31.958, 43.99C.040, 28B.14D.040, 46.10.075, 72.72.030, 43.79.350, 43.01.050, 67.40.040, 28B.10.821, 43.88.525, 58.24.060, 82.14.200, 82.14.210, 18.72.390, 18.04.105, 43.79-.445, 43.51.200, 86.26.007, 43.08.250, 84.33.041, 43.31A.400, 70.94.656, 18.43.150, 75.52.140, 43.33A.160, 43.83B.360, 42.16.011, 43.19.610, 27.34.090, 82.42.090, 47.68.236, 43.79.201, 70.93-.180, 46.08.172, 43.99.040, 28B.31.040, 43.83A.030, 75.48.030, 43.99F.030, 28B.10.851, 43.83.020, 28B.56.030, 28B.30.730, 28B.57.050, 43.99.060, 43.83B.030, 43.83C.030, 43.83D.030, 43.83H.030, 43.84.092, 28A.46.010, 50.16.010, 70.164.030, 79.90.555, 47.78.010, 22.09.411, 70.47.030, 2.14-.070, 70.170.080, 90.76.100, 70.95.800, 59.21.050, 47.56.712, 28B.14C.060, 43.79A.020, 4.92.130, 43.08.190, 43.79A.040, 28C.10.082, 43.250.030, 43.185.030, 28B.10.882, 70.148.020, 4.92.220, 41.40.080, 28B.35.751, 28B.20.800, 28B.10.868, 42.26.010, 41.05.120, 90.50A.020, 2.14.080, 41.26.070, 41.48.065, 41.48.060, and 43.160.080; reenacting and amending RCW 74.18.230, 47.76.030, 27.60.060, 76.04.630, 28B.50.360, 28B.35.370, 70.146.030, 90.48.390, 41.24.030, and 41.04.260; repealing RCW 43.84.090, 46.09.290, and 79.64.055; and providing effective dates.

Referred to Committee on Revenue.

HB 2978 by Representatives Youngsman, Kremen, Padden, Baugher, McLean, Nealey, Silver, Wolfe, Moyer, May, Brumsickle, Rayburn, Fuhrman, Hargrove, D. Sommers, Ballard, Wood, Bowman, Kirby and Miller

AN ACT Relating to the motor vehicle fund; amending RCW 46.68.130; creating a new section; and providing an effective date.

Referred to Committee on Transportation.

HB 2979 by Representative Appelwick

AN ACT Relating to firearm forfeiture; and amending RCW 9.41.098.

Referred to Committee on Judiciary.

HB 2980 by Representatives Jacobsen, Fraser, Wang, Wineberry and P. King

AN ACT Relating to the Washington state foundation for international understanding; adding a new chapter to Title 43 RCW; and making appropriations.

Referred to Committees on Higher Education/Appropriations.

HB 2981 by Representatives Jacobsen, Van Luven, Spanel, Prince and P. King

AN ACT Relating to the higher education coordinating board; and amending RCW 28B.80.330.

Referred to Committee on Higher Education.

E2SSB 6259 by Committee on Ways & Means (originally sponsored by Senators Nelson, Talmadge, Patrick, Wojahn, Thorsness, Vogniild, Bender, Warnke, Bauer, von Reichbauer, Gaspard, Madsen, Murray,

Sutherland, Rasmussen, Fleming, Hansen, Conner and Kreidler;
by request of Governor)

Changing provisions relating to criminal offenders.

Held on First Reading from 1/26/90.

SJM 8020 by Senators Thorsness, Vognild, Nelson, Bender, Amondson, Gaspard, Metcalf, Patterson, Conner, Benitz, Wojahn, Cantu, Bauer, Saling, Warnke, Johnson, Barr, Stratton, Bluechel, Smith, Kreidler, Anderson, Moore, Newhouse, Craswell, Bailey, Sellar, Sutherland, Madsen, Murray, Talmadge, West, Rasmussen, Patrick, von Reichbauer, Lee and Fleming

Requesting Congress to make disclosure regarding missing in action/prisoner of war Americans.

Referred to Committee on State Government.

MOTIONS

On motion of Mr. Ebersole, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

January 25, 1990

HB 2252 Prime Sponsor, Representative Braddock: Establishing the Washington universal health access and containment commission. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, Sprenkle and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives D. Sommers and Wolfe.

Absent: Representative Vekich.

Referred to Committee on Appropriations.

January 24, 1990

HB 2298 Prime Sponsor, Representative Vekich: Regarding water treatment devices. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative Leonard.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2300 Prime Sponsor, Representative Crane: Changing provisions relating to orders for protection and antiharassment orders. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2306 Prime Sponsor, Representative P. King: Retaining county clerk responsibility for summoning jurors. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2320 Prime Sponsor, Representative Haugen: Changing provisions relating to financing of flood control projects. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representatives Ferguson, Ranking Republican Member; and Horn.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2379 Prime Sponsor, Representative Peery: Creating student enrollment options programs. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Dorn, Fuhrman, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle and K. Wilson.

Voting nay: Representatives Brumsickle and Cole.

Absent: Representative Holland.

Referred to Committee on Appropriations.

January 25, 1990

HB 2386 Prime Sponsor, Representative Ballard: Clarifying the status of temporary permit fees paid to vehicle dealers. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment: On page 1, line 19, after "the" strike "temporary permit" and insert "registration"

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cooper, Day, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betzoff, Cantwell, G. Fisher, Haugen and D. Sommers.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2435 Prime Sponsor, Representative Nutley: Authorizing continuing education requirements for land surveyors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2452 Prime Sponsor, Representative R. King: Providing for safety in Washington navigable waters. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Referred to Committee on Appropriations.

January 25, 1990

HB 2460 Prime Sponsor, Representative Inslee: Establishing civil docket priority for parties over seventy years of age or terminally ill. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 9, after "a party is" insert "trial and"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Hargrove and Wineberry.

Absent: Representatives Locke and D. Sommers.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2492 Prime Sponsor, Representative Appelwick: Authorizing the appointment of district court judges as pro tempore judges in cities over 400,000 population. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2513 Prime Sponsor, Representative Walker: Providing revenue generating authority to counties to fund roadside litter and illegal dumping. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; G. Fisher, Fraser, Phillips, Van Luven and Walker.

Voting nay: Representatives Brekke and Van Luven.

Referred to Committee on Appropriations.

January 25, 1990

HB 2514 Prime Sponsor, Representative Walker: Establishing a state-wide adopt-a-highway litter control program. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cooper, Day, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Cantwell, G. Fisher, Haugen and Nelson.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2561 Prime Sponsor, Representative P. King: Changing provisions relating to replevin. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 25, strike "judicial"

On page 4, line 1, strike "the original" and insert "a certified copy of the"

On page 5, line 17, strike "an original" and insert "a certified copy of the"

On page 6, strike lines 21 through 24 and insert "The sheriff shall file ~~((the affidavit, with the proceedings thereon;))~~ a return of proceedings with the clerk of the court in which the action is pending ~~((:))~~ within twenty days after taking possession of the property ~~((mentioned therein))."~~

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2562 Prime Sponsor, Representative P. King: Updating the repeal of hospital commission statutes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2582 Prime Sponsor, Representative Bowman: Revising provisions for detention of runaway youth. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Hargrove, Padden and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Anderson, Brekke, Leonard and Raiter.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2606 Prime Sponsor, Representative Ferguson: Requiring disclosure of the right to cancel mortgage insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Beck, Crane, Day, Dorn, Inslee, Nutley, K. Wilson and Winsley.

Absent: Representatives P. King and Schmidt.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2714 Prime Sponsor, Representative Padden: Concerning execution dates. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 20, after "thirty" insert "judicial"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher and Dellwo.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2724 Prime Sponsor, Representative Haugen: Authorizing fees to fund aquifer protection area water monitoring. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Horn, Nealey, Nelson, Nutley, Phillips; Raiter, Rayburn and Wood.

MINORITY recommendation: Do not pass. Signed by Representatives Kirby, Wolfe and Zellinsky.

Absent: Representatives Ferguson, Ranking Republican Member; and Horn.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2789 Prime Sponsor, Representative Cooper: Revising provisions on fraud in obtaining telecommunications services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representatives Gallagher and R. Meyers.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2845 Prime Sponsor, Representative Vekich: Promoting wood products. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Forner, Jones, Leonard and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Walker and Wolfe.

Voting nay: Representatives Smith, Ranking Republican Member; R. King, O'Brien, Walker and Wolfe.

Referred to Committee on Appropriations.

January 26, 1990

HB 2901 Prime Sponsor, Representative Dellwo: Modifying the statutes pertaining to the Washington life and disability insurance guaranty association. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member, Anderson, Baugher, Beck, Crane, Day, Dorn, Inslee, Nutley, K. Wilson and Winsley.

Absent: Representatives P. King and Schmidt.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2910 Prime Sponsor, Representative Sayan: Providing guidelines for establishing grant standards for income assistance programs. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice

Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Raiter, Padden and Winsley.

Referred to Committee on Appropriations.

January 25, 1990

HJM 4024 Prime Sponsor, Representative Basich: Promoting a Pacific Coast Highway Corridor. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Bennett, Cooper, Forner, Hankins, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betzoff, Cantwell, G. Fisher, Haugen, Nelson and Prince.

Passed to Committee on Rules for second reading.

January 25, 1990

HCR 4430 Prime Sponsor, Representative Zellinsky: Designating State Route 3 "The Marine Corps Memorial Highway." Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cooper, Day, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Todd, Walker and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative S. Wilson.

Absent: Representatives Betzoff, Cantwell, G. Fisher, Haugen, Nelson and Prince.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

SECOND READING

ENGROSSED HOUSE BILL NO. 1881, by Representatives Rayburn, Nealey and Doty

Modifying allowable compensation for irrigation district directors.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1881, and the bill passed the House by the following vote: Yeas, 87; absent, 5; excused, 6.

Voting yea: Representatives Anderson, Ballard, Baugher, Beck, Belcher, Bennett, Bowman, Braddock, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Insee, Jacobsen, Jesernig, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 87.

Absent: Representatives Basich, Brekke, King P, Morris, Vekich - 5.

Excused: Representatives Appelwick, Betzoff, Cantwell, Horn, Jones, Wood - 6.

Engrossed House Bill No. 1881, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

Representatives Basich, Betrozoff, Brekke, Cantwell, Horn, P. King, Morris and Vekich appeared at the bar of the House.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4730, by Representatives Bennett and Tate

WHEREAS, Students Moiya Callahan, Greg Kooistra, Monica Reed and Aaron Werner, with guidance from History teacher Mark Vetter, of Ballou Junior High School in Puyallup, won first place in the 1989 National History Day Contest in Washington, D.C., with a senior group project entitled, "Eleanor Roosevelt: First Lady of the World"; and

WHEREAS, These fine students had to compete against hundreds of thousands of other students from Washington and forty-six other states to achieve their success; and

WHEREAS, They conducted the year-long research project and funded it out of their own pockets; and

WHEREAS, Their project has served to enlighten not only them, but also many others about the great sense of caring and compassion that led Eleanor Roosevelt to work for the betterment of all humankind; and

WHEREAS, This first place award is the second consecutive such honor bestowed upon students of history under the tutelage of Mr. Vetter at Ballou Junior High School; and

WHEREAS, Mr. Vetter's commitment to teaching and to history has fostered in his students a great sense of the fun and excitement of learning; and

WHEREAS, The students and their teacher are outstanding representatives of their school, their community and the great State of Washington, and they have enhanced the feeling of pride in our schools, communities and state;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor the achievements of these students and their teacher, and extend congratulations and appreciation on behalf of the citizens of the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Moiya Callahan, Greg Kooistra, Monica Reed, Aaron Werner, Mr. Mark Vetter and to the administration of Ballou Junior High School.

Mr. Bennett moved adoption of the resolution. Representatives Bennett and Tate spoke in favor of it.

House Floor Resolution No. 90-4730 was adopted.

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

SECOND READING

HOUSE BILL NO. 2273, by Representatives R. King, Walker, Smith and Silver; by request of Board of Industrial Insurance Appeals

Revising provisions for attorney's fees before the department of labor and industries and the board of industrial insurance appeals.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King and Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2273, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Todd - 1.

Excused: Representatives Appelwick, Jones, Wood - 3.

House Bill No. 2273, having received the constitutional majority, was declared passed.

Representative Appelwick appeared at the bar of the House.

HOUSE BILL NO. 2277, by Representatives Pruitt, D. Sommers, Rust, Walker, Brekke, Schoon, Valle, Fraser, Phillips, Nelson, Sprenkle, Hine and P. King

Creating a joint select committee on air quality.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 2277 was substituted for House Bill No. 2277, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 2277 was read the second time.

Mr. Pruitt moved adoption of the following amendments:

On page 1, line 6, after "select" strike "committee on air quality" and insert "task force on clean air"

On page 1, line 15, after "for the" strike "committee" and insert "task force"

On page 1, line 19, after "of the" strike "committee" and insert "task force"

On page 1, beginning on line 21, strike "committee" and insert "task force"

On page 1, line 23, after "The" strike "committee" and insert "task force"

On page 1, line 25, after "select" strike "committee on air quality" and insert "task force on clean air"

On page 2, line 8, after "The" strike "committee" and insert "task force"

On page 2, line 14, after "The" strike "committee" and insert "task force"

On page 2, line 17, after "The" strike "committee" and insert "task force"

On page 2, line 20, after "The" strike "committee" and insert "task force"

On page 2, line 24, after "The" strike "committee" and insert "task force"

Mr. Pruitt spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2277, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Basich - 1.

Excused: Representatives Jones, Wood - 2.

Engrossed Substitute House Bill No. 2277, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2292, by Representatives R. King, Bowman, Sayan, Brumsickle, Basich, Brooks, Spanel, Smith, Morris, Day, Jones, Youngsman, Cole, P. King, Wood and Kremen; by request of Department of Fisheries

Authorizing family fishing days.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2292, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Jones, Wood - 2.

House Bill No. 2292, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2293, by Representatives R. King, Bowman, Sayan, Morris, Brumsickle, Basich, Brooks, Spanel, Smith, Day, Leonard, D. Sommers, Youngsman, Cole, P. King and Wood; by request of Department of Fisheries

Authorizing the department of fisheries to issue group fishing permits to licensed care facilities.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 2293 was substituted for House Bill No. 2293, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 2293 was read the second time.

Ms. Brough moved adoption of the following amendments by Representatives Brough and R. King:

On page 1, line 7, after "mentally ill persons," insert "hospital patients."

On page 1, line 13, after "mentally ill persons," insert "hospital patients."

On page 3, line 34, after "persons" insert "hospital patients."

Ms. Brough spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2293, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Jones, Wood - 2.

Engrossed Substitute House Bill No. 2293, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2294, by Representatives R. King, Bowman, Haugen, Morris, Brumsickle, Sayan, Spanel, Basich, Brooks, Smith, S. Wilson and Youngsman; by request of Department of Fisheries

Removing restrictions on the sale of salmon taken in test fishing operations.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2294, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Jones, Wood - 2.

House Bill No. 2294, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2297, by Representatives Pruitt, Walker, Rust, D. Sommers, Belcher, Phillips, Van Luven, R. King, G. Fisher, Valle, Brekke, Fraser and Wineberry

Changing provisions relating to air pollution control authorities.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Pruitt spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2297, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representative May - 1.

Excused: Representatives Jones, Wood - 2.

House Bill No. 2297, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

Regarding final passage of House Bill No. 2297, I had moved from my desk and did not get back quickly enough. Please show me as a "Yes" vote.

FRED O. MAY, 41st District.

HOUSE BILL NO. 2312, by Representatives H. Sommers, Schoon and Rasmussen; by request of State Treasurer

Expanding the public funds investment account.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2312, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Ratter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Loven, Vekich, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Chandler, Walker - 2.

Excused: Representatives Jones, Wood - 2.

House Bill No. 2312, having received the constitutional majority, was declared passed.

STATEMENTS FOR THE JOURNAL

I just walked into the caucus room and did not get back in time before the machine was locked on final passage of House Bill No. 2312. I would like to vote "Yea."

GLYN CHANDLER, 13th District.

I was concentrating on another bill and simply neglected to vote on final passage of House Bill No. 2312. Please show me as a "Yes."

SALLY W. WALKER, 28th District.

HOUSE BILL NO. 2339, by Representatives Brough, Nutley, Winsley, Leonard, R. King, Jacobsen, Todd, Crane and K. Wilson

Allowing mobile home tenants to hold forums for candidates and public officials.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 2339 was substituted for House Bill No. 2339, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 2339 was read the second time.

Ms. Brough moved adoption of the following amendment by Representatives Brough and Insee:

On page 1, line 21, after "premises," strike all language through "homes," on line 23.

Representatives Brough, Insee, R. King and Moyer spoke in favor of adoption of the amendment, and Representatives Winsley, R. Meyers, Anderson, Wineberry and K. Wilson spoke against it.

POINT OF PERSONAL PRIVILEGE

Mr. Sayan: Thank you, Mr. Speaker. I would like to make note of the fact that several years ago this body changed the name of those facilities you are calling

mobile homes to manufactured housing. That makes this a moot issue, and I move that we dismiss this activity.

Ms. Brough again spoke in favor of adoption of the amendment.

The amendment was not adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Brough spoke against passage of the bill.

The Speaker called on Representative Wang to preside.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2339, and the bill passed the House by the following vote: Yeas, 76; nays, 20; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Brekke, Cantwell, Chandler, Cole, Cooper, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Beck, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Crane, Day, Doty, Forner, Fuhrman, King R, Kirby, Kremen, Moyer, Nealey, Prince, Schmidt, Wang - 20.

Excused: Representatives Jones, Wood - 2.

Substitute House Bill No. 2339, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2445, by Representatives Winsley, Leonard, Wood and Miller

Requiring notice of any conditional use permits applicable to a mobile home park in mobile home park rental agreements.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2445, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Jones, Wood - 2.

House Bill No. 2445, having received the constitutional majority, was declared passed.

Representative Jones appeared at the bar of the House.

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2030, by Committee on Local Government (originally sponsored by Representatives Hine, Nelson, Phillips, Todd, Valle, K. Wilson, Haugen and Brekke)

Restricting the composition of metropolitan municipal councils.

MOTION

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Ms. Haugen moved adoption of the following amendments:

- On page 5, line 20, strike "1990" and insert "1991"
- On page 5, line 25, strike "1989" and insert "1990"
- On page 5, line 26, strike "1989" and insert "1990"
- On page 5, line 34, strike "1989" and insert "1990"
- On page 5, line 35, strike "1989" and insert "1990"
- On page 6, line 20, strike "1991" and insert "1992"
- On page 6, line 22, strike "1990" and insert "1991"
- On page 10, line 27, strike "1989" and insert "1990"
- On page 10, line 30, strike "1989" and insert "1990"
- On page 11, line 36, strike "1989" and insert "1990"
- On page 13, line 26, strike "1989" and insert "1990"
- On page 15, line 4, strike "1990" and insert "1991"

Representatives Haugen and Ferguson spoke in favor of adoption of the amendments, and they were adopted.

The bill was order reengrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Schoon, Brough and Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed Substitute House Bill No. 2030, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Bailard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brunsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Wood - 1.

Reengrossed Substitute House Bill No. 2030, having received the constitutional majority, was declared passed.

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 2780 was referred from Committee on Local Government to Committee on Revenue.

On motion of Mr. Ebersole, House Bill No. 2919 was referred from Committee on State Government to Committee on Trade & Economic Development.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, January 31, 1990.

ALAN THOMPSON, Chief Clerk

JOSEPH E. KING, Speaker

TWENTY-FOURTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, January 31, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Wood. On motion of Ms. Miller, Representative Wood was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Chris Barlow and Colleen Werner. Prayer was offered by The Reverend Lee Forstrom, Minister of the Westwood Baptist Church of Olympia.

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

MESSAGE FROM THE SENATE

January 29, 1990

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5206,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5516,
 ENGROSSED SENATE BILL NO. 5821,
 ENGROSSED SENATE BILL NO. 6002,
 SUBSTITUTE SENATE BILL NO. 6166,
 SUBSTITUTE SENATE BILL NO. 6167,
 SUBSTITUTE SENATE BILL NO. 6190,
 SUBSTITUTE SENATE BILL NO. 6246,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

MESSAGE FROM THE GOVERNOR

January 29, 1990

To the Honorable, the House
 of Representatives of the
 State of Washington

Ladies and Gentlemen:

I have the honor to advise you that on January 26, 1990, Governor Gardner approved the following House Bill entitled:

SUBSTITUTE HOUSE BILL NO. 2361: Relating to the expenditure of previously appropriated funds for the dredging of Grays Harbor.

Sincerely,
 Terry Sebring, Counsel.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4731, by Representatives Schoon, Van Luven, D. Sommers, Brekke, Brough, G. Fisher, Fraser, Pruitt, Phillips, May, Sprenkle, Valle, Rust, Moyer, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, R. Fisher, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, McLean, R. Meyers, Miller, Morris, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Prentice, Prince, Raiter, Rasmussen, Rayburn, Rector, Sayan, Schmidt, Scott, Silver, Smith, H. Sommers,

Spanel, Tate, Todd, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, Throughout the history of our country many men in battle have exhibited courage significantly beyond the call of duty; and

WHEREAS, Their heroic acts were performed as a matter of personal choice in the midst of combat; and

WHEREAS, Their unselfishness in acting on behalf of their country, fellow soldiers and fellow citizens to protect the right to freedom of choice must not be forgotten; and

WHEREAS, The first Congressional Medal of Honor awards were presented to six men on the twenty-fifth day of March in 1863 by the Secretary of War; and

WHEREAS, Only a small percentage of the millions of persons who have served this country in war, police actions or other conflicts have merited our country's highest combat award; and

WHEREAS, Of two hundred twenty-three living recipients of the Congressional Medal of Honor, fifteen of these reside in Washington State; and

WHEREAS, The citizens of Washington State honor Patrick Henry Brady, Robert Eugene Bush, Jose Calugas, Jesse R. Drowley, James P. Fleming, Robert E. Galer, John D. Hawk, Joe M. Jackson, Delbert O. Jennings, Thomas J. Kinsman, Richard Miles McCool, Jr., Donald Kirby Ross, Wilburn K. Ross, Leo K. Thorsness and Jerald O. Young;

NOW, THEREFORE, BE IT RESOLVED, By the members of the Washington State House of Representatives, That March 25 be declared Congressional Medal of Honor Day in Washington State and designated such henceforth to honor all winners of the Medal of Honor; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Governor Booth Gardner and to each recipient of the Medal of Honor who resides in Washington State.

Mr. Schoon moved adoption of the resolution. Representatives Schoon and Brough spoke in favor of the resolution.

On motion of Mr. May, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

House Floor Resolution No. 90-4731 was adopted.

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

INTRODUCTIONS AND FIRST READING

HB 2982 by Representatives Vekich, Wolfe, Cole, Walker, Leonard, Prentice, R. King, Jones and Wineberry

AN ACT Relating to the protection of public health and safety in the handling of hazardous waste; adding a new chapter to Title 49 RCW; prescribing penalties; making an appropriation; and providing an effective date.

Referred to Committees on Commerce & Labor/Appropriations.

HB 2983 by Representatives Wineberry, Vekich, Prentice, Peery and Anderson

AN ACT Relating to youth employment; creating new sections; and making appropriations.

Referred to Committees on Commerce & Labor/Appropriations.

HB 2984 by Representatives Vekich, Zellinsky, Sayan and R. Meyers

AN ACT Relating to capital appropriations for the U.S.S. Turner Joy; adding a new section to chapter 12, Laws of 1989 1st ex. sess. (uncodified); making an appropriation; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2985 by Representatives Berozoff, Ferguson, Miller, Horn, Van Luven and May

AN ACT Relating to transportation taxes; amending RCW 82.36.025, 46.68.090, 82.36.030, 82.38.150, 36.79.140, 82.36.440, 82.38.280, 46.16.070, 46.68.035, 46.44.0941, 46.44.095, 46.68.030, 46.16.030, 46.87.020, 46.87.070, 46.87.120, 46.87.140, 46.08.010, 82.44.010, 82.44.020,

82.44.060, 82.44.110, 82.44.120, 82.44.150, 82.44.160, 82.44.170, 82.14.200, 82.14.210, 35.58.2721, 35.58.273, 43.62.010, 46.16.015, 82.50.400, 82.50.410, 82.50.510, 46.12.360, 47.56.711, 47.60.160, 47.60.326, 47.60.420, and 47.60.440; reenacting and amending RCW 82.02.030 and 47.60.150; adding new sections to chapter 46.68 RCW; adding a new section to chapter 47.60 RCW; adding new sections to chapter 82.44 RCW; adding new sections to chapter 82.50 RCW; adding a new chapter to Title 82 RCW; creating new sections; repealing RCW 82.44.013, 82.44.040, 82.44.045, 82.44.050, 82.50.420, 82.50.430, 47.56.712, 47.56.713, 47.56.714, 47.56.715, 47.56.716, 47.56.365, and 47.60.543; providing effective dates; and declaring an emergency.

Referred to Committee on Transportation.

HB 2986 by Representative Appelwick

AN ACT Relating to minor adjustments to chapter 271, Laws of 1989, the alcohol and controlled substances abuse act; amending RCW 69.50.520; amending section 408, chapter 271, Laws of 1989 (uncodified); amending section 411, chapter 271, Laws of 1989 (uncodified); amending section 420, chapter 271, Laws of 1989 (uncodified); amending section 603, chapter 271, Laws of 1989 (uncodified); and repealing RCW 44.28.170.

Referred to Committee on Judiciary.

HB 2987 by Representatives Haugen, Phillips, Wood, Winsley, Wang, Ebersole, R. Meyers, Walker, Nelson and Anderson

AN ACT Relating to port commissioners in port districts in class AA and class A counties; and amending RCW 53.12.220 and 53.12.260.

Referred to Committee on Local Government.

HB 2988 by Representatives Locke, Prince, Ferguson, H. Sommers, Anderson, Wineberry and Nelson

AN ACT Relating to development of low-income housing near the state convention and trade center; amending RCW 67.40.030 and 67.40.040; amending section 1, chapter 8, Laws of 1987 1st ex. sess. as amended by section 9, chapter 1, Laws of 1988 1st ex. sess. (uncodified); amending section 9, chapter 8, Laws of 1987 1st ex. sess. as amended by section 10, chapter 1, Laws of 1988 1st ex. sess. (uncodified); and adding a new section to chapter 67.40 RCW.

Referred to Committee on Capital Facilities & Financing.

HB 2989 by Representatives Peery and R. Fisher

AN ACT Relating to freight brokers and forwarders; amending RCW 81.80.430; and declaring an emergency.

Referred to Committee on Transportation.

HB 2990 by Representatives Anderson, Jacobsen, Wang, Brekke and Wineberry

AN ACT Relating to disposition of forfeited firearms; and amending RCW 9.41.098.

Referred to Committee on Judiciary.

HB 2991 by Representatives Berozoff, Ferguson, S. Wilson, Forner, Walker, May and Horn

AN ACT Relating to incentive grants for school district certificated employees; creating a new section; and making an appropriation.

Referred to Committees on Education/Appropriations.

HB 2992 by Representatives Cooper, Ferguson, Haugen, Nealey, Phillips and Raiter

AN ACT Relating to local government bidding practices; amending RCW 28A.58.135, 35.22.620, 35.23.352, 53.08.120, 56.08.070, and 57.08.050; reenacting and amending RCW 36.32.250; adding a new section to chapter 39.04 RCW; adding a new section to chapter 39.30 RCW; adding a new section to chapter 36.77 RCW; and repealing RCW 36.32.271, 36.32.273, 36.32.275, and 36.32.277.

Referred to Committee on Local Government.

HB 2993 by Representatives Rector, Moyer, Dellwo, Padden, Anderson, Day, Ebersole, R. Meyers, Wineberry, Nelson, Wolfe and Wang

AN ACT Relating to general obligation bonds for financing zoo and aquarium development; adding new sections to chapter 43.99B RCW; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

HB 2994 by Representatives Raiter, Cantwell, Tate and O'Brien

AN ACT Relating to the extension of the final report date and expiration date of the task force on ports and local associate development organizations; and amending section 9, chapter 425, Laws of 1989 (uncodified).

Referred to Committee on Trade & Economic Development.

HB 2995 by Representatives Brumsickle, Sayan, Holland and Basich

AN ACT Relating to retirement from public service; amending RCW 41.32.825 and 41.40.740; creating a new section; and declaring an emergency.

Referred to Committee on Appropriations.

HB 2996 by Representatives Leonard, Winsley, Anderson, Nutley, Holland, Wineberry and Nelson

AN ACT Relating to property tax exemptions for leased homeless shelters; and amending RCW 84.36.043.

Referred to Committee on Revenue.

HB 2997 by Representatives Nutley and Winsley

AN ACT Relating to the form and substance of notice in unlawful detainer actions resulting from unpaid rent; and amending RCW 59.18.365.

Referred to Committee on Housing.

HB 2998 by Representative Belcher

AN ACT Relating to permits or licenses issued by the department of wildlife, department of fisheries, or the state parks and recreation commission; and amending RCW 4.24.210.

Referred to Committee on Natural Resource & Parks.

HB 2999 by Representatives Jacobsen, Locke, H. Sommers, Ebersole, Miller, Prince, S. Wilson, Holland, Rector, Winsley, Crane, Basich, Wineberry, Ferguson, Bennett, Spanel and O'Brien; by request of State Board for Community College Education

AN ACT Relating to compensation for community college officers and employees; and reenacting and amending RCW 28B.50.140.

Referred to Committee on Higher Education.

HB 3000 by Representatives Todd, McLean, Anderson, R. Fisher, Wineberry and Wang

AN ACT Relating to elections; amending RCW 29.07.070, 29.07.080, 29.07.140, 29.07.160, 29.10.180, 29.62.090, and 29.36.070; adding new chapters to Title 29 RCW; adding a new section to chapter 29.07 RCW; creating a new section; repealing RCW 29.07.040; prescribing penalties; and providing effective dates.

Referred to Committee on State Government.

HB 3001 by Representatives Zellinsky, R. Meyers, Dellwo and Crane; by request of Insurance Commissioner

AN ACT Relating to solvency protection for health maintenance organizations; amending RCW 48.46.020, 48.46.030, 48.46.040, 48.46.240, 48.46.420, and 48.80.030; adding new sections to chapter 48.46 RCW; repealing RCW 48.46.230; and prescribing penalties.

Referred to Committee on Financial Institutions & Insurance.

HB 3002 by Representatives Zellinsky, R. Meyers, Dellwo and Crane; by request of Insurance Commissioner

AN ACT Relating to solvency protection for health care service contractors; amending RCW 48.44.010, 48.44.020, 48.44.026, 48.44.030, 48.44.070, 48.44.080, and 48.80.030; and adding new sections to chapter 48.44 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 3003 by Representatives Belcher, Wood, Phillips, Beck, Nelson, Valle, Dellwo, Heavey, Wineberry, Sprenkle and Spanel

AN ACT Relating to comprehensive land use planning and economic development; amending RCW 82.02.020, 35.43.110, 35.91.020, 36.93.150, 36.93.180, 43.31.524, 43.31.526, 43.210.010, 43.210.020, 43.31.005, 43.31.035, 43.63A.065, 43.155.070, 43.160.060, and 43.168.050; amending section 1, chapter 417, Laws of 1989 (uncodified); reenacting and amending RCW 42.17.2401; adding new sections to chapter 43.31 RCW; adding new sections to chapter 43.63A RCW; adding a new chapter to Title 43 RCW; creating new sections; making an appropriation; and prescribing penalties.

Referred to Committee on Appropriations.

HB 3004 by Representatives Rayburn, Nealey, Grant and Rasmussen

AN ACT Relating to open spaces; amending RCW 84.34.020, 84.34.037, 84.34.050, 84.34.060, 84.34.065, 84.34.070, 84.34.108, 84.34.145, 84.34.150, 84.34.155, 84.34.160, 84.34.320, and 84.34.360; and adding a new section to chapter 84.34 RCW.

Referred to Committee on Revenue.

HJM 4034 by Representatives Zellinsky, Schmidt, Vekich, R. Meyers, Sayan and Pruitt

Asking the transportation commission to designate State Route 3 "The Marine Corps Memorial Highway."

Referred to Committee on Rules.

ESSB 5206 by Committee on Ways & Means (originally sponsored by Senators Gaspard and McDonald)

Changing provisions relating to the economic and revenue forecast council.

Referred to Committee on Revenue.

E2SSB 5516 by Committee on Health & Long Term Care (originally sponsored by Senators Wojahn, Warnke, Johnson, Niemi, Bauer, Rasmussen and West)

Regarding the disabilities land trust.

Referred to Committee on Capital Facilities & Financing.

ESB 5821 by Senators Rinehart, Bailey and Murray

Directing the department of community development to develop a model intergenerational child care program.

Referred to Committees on Human Services/Appropriations.

ESB 6002 by Senators Bauer, Bailey, Rinehart, Benitz, Gaspard, Murray, Craswell, Fleming and Bender

Creating a summer school program for the blind.

Referred to Committees on Education/Appropriations.

SSB 6166 by Committee on Ways & Means (originally sponsored by Senators Newhouse, Hansen, Patrick, Bauer, Sutherland, Rasmussen, Lee, Johnson, Anderson, Conner, Kreidler, Wojahn, Amondson, Fleming and Bender)

Funding retired senior volunteer programs.

Referred to Committee on Appropriations.

SSB 6167 by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Rasmussen, McCaslin, Smitherman, Matson, Moore, Johnson, Warnke, Bauer and Conner; by request of Attorney General)

Regulating motor vehicle subleasing and ownership transfers.

Referred to Committee on Financial Institutions & Insurance.

SSB 6190 by Committee on Health & Long Term Care (originally sponsored by Senators West, Kreidler, Wojahn, Bailey, Nelson, McDonald, Warnke, Niemi, Conner and Stratton)

Providing for the prevention of head injuries.

Referred to Committees on Health Care/Appropriations.

SSB 6246 by Committee on Agriculture (originally sponsored by Senators Barr, Hansen, Anderson, Madsen, Benitz and Warnke)

Changing recordkeeping requirements for pesticide use.

Referred to Committee on Commerce & Labor.

E2SSB 6259 by Committee on Ways & Means (originally sponsored by Senators Nelson, Talmadge, Patrick, Wojahn, Thorsness, Vognild, Bender, Warnke, Bauer, von Reichbauer, Gaspard, Madsen, Murray, Sutherland, Rasmussen, Fleming, Hansen, Conner and Kreidler; by request of Governor)

Changing provisions relating to criminal offenders.

Held on First Reading from 1/26/90.

MOTIONS

On motion of Mr. Heavey, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

January 26, 1990

SHB 1293 Prime Sponsor, Committee on Trade & Economic Development: Revising provisions for the community economic revitalization board. Reported by Committee on Committee on Trade & Economic Development

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative Kirby.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 1366 Prime Sponsor, Representative Haugen: Requiring that booth renting cosmetologists get shop licenses. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Braddock, Brekke, Brough, Dorn, Doty, Ebersole, Hine, Inslee, May, Mclean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle and Wineberry.

Voting nay: Representative H. Sommers, Vice Chair.

Absent: Representatives Youngsman, Assistant Ranking Republican Member; Belcher, Ebersole, Ferguson, Hine, Holland, Sprengle and Wang.

Passed to Committee on Rules for second reading.

January 26, 1990

EHB 2059 Prime Sponsor, Representative Sayan: Creating the Washington hardwoods commission. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative Kirby.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2072 Prime Sponsor, Representative Belcher: Adjusting the human rights commission's jurisdiction over specified types of discrimination. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; R. Fisher, R. King and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Republican Member; Hankins, Morris and Silver.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2208 Prime Sponsor, Representative Fraser: Establishing the Washington wildlife rescue coalition. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Absent: Representatives S. Wilson, Ranking Republican Member; and Vekich.

Referred to Committee on Appropriations.

January 26, 1990

HB 2253 Prime Sponsor, Representative Spanel: Repealing exemption from the state minimum wage for students at institutions of higher education. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Braddock, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Hine, Insee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Youngsman, Assistant Ranking Republican Member; Belcher, Ebersole, Ferguson, Hine, Holland, Sprengle and Wang.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2333 Prime Sponsor, Representative Rasmussen: Disposing of wastes in agricultural areas. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Referred to Committee on Appropriations.

January 25, 1990

HB 2338 Prime Sponsor, Representative Appelwick: Raising claim limits of actions subject to mandatory arbitration. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 14, strike "~~(thirty-five)~~ seventy" and insert "seventy thousand dollars in tort cases and in other cases thirty-five"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Belcher, Brough, Dellwo, Hargrove, Inslee, P. King, R. Meyers, H. Myers, Schmidt, Scott, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Republican Member; Forner and Moyers.

Absent: Representatives Locke and D. Sommers.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2342 Prime Sponsor, Representative Vekich: Licensing fire protection sprinkler system contractors. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Referred to Committee on Appropriations.

January 29, 1990

HB 2352 Prime Sponsor, Representative Prentice: Creating the student-to-student pilot program. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 14 insert:

"NEW SECTION. Sec. 4. The student to student program funded by the grants established in section 2 of this act shall be evaluated by the office of the superintendent of public instruction based on the performance indicators developed pursuant to RCW 28A.100.013 and by locally developed assessment measures which are consistent with the educational outcomes targeted by such performance indicators."

Renumber the remaining sections consecutively.

On page 2, line 19 after "Sec. 6." strike all material through "program." on line 25 and insert "If specific funding for this act, referencing this act by bill number, is not provided in the supplemental omnibus appropriations act, this act shall be null and void."

On page 1, line 2 of the title after "sections;" strike "making an appropriation."

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Cole, Dorn, Fuhrman, Holland, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Brumsickle, Horn and Rayburn.

Referred to Committee on Appropriations.

January 29, 1990

HB 2366 Prime Sponsor, Representative Spanel: Establishing the parent as first teacher program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Cole, Dorn, Fuhrman, Holland, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Brumsickle, Horn and Rayburn.

Referred to Committee on Appropriations.

January 26, 1990

HB 2384 Prime Sponsor, Representative Appelwick: Changing provisions relating to criminal offenders. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Brekke, Brough, Dorn, Doty,

Ebersole, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Belcher, Braddock and Holland.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2389 Prime Sponsor, Representative G. Fisher: Regulating transporting waste material. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, Fraser, Phillips, Pruitt, Schoon, Sprenkle and Walker.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2393 Prime Sponsor, Representative Sayan: Changing provisions relating to the family independence program. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

January 25, 1990

HB 2404 Prime Sponsor, Representative Padden: Allowing deferrals of traffic infraction judicial determinations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 28, strike "two-year" and insert "three-year"

On page 2, line 1, strike "two" and insert "three"

On page 2, line 3, after "application," insert "Whenever a deferral is granted, the court shall send the department a record of the notice of infraction and the deferral. The department shall maintain the record for at least three years for the purpose of allowing courts to determine whether a person is eligible to receive a deferral."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, P. King, R. Meyers, Moyer, Schmidt, Scott, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Brough, Inslee, Locke and H. Myers.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2413 Prime Sponsor, Representative Wood: Including middle and junior high school students in the mathematics, engineering, and science achievement program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 1 strike section 2

On page 1, line 1 of the title after "opportunities;" insert "and"

On page 1, line 2 of the title after "28A.03.432" strike ":" and making an appropriation"

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Miller and Wood.

Referred to Committee on Appropriations.

January 26, 1990

HB 2426 Prime Sponsor, Representative Vekich: Revising provisions for employer contributions for unemployment compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member, Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2429 Prime Sponsor, Representative R. Meyers: Establishing penalties for attempts by vessel operators to elude pursuing law enforcement vessels. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 7, insert the following:

"Any operator of a vessel who wilfully fails to stop when requested or signaled to do so by a person reasonably identifiable as a law enforcement officer is guilty of a gross misdemeanor.

NEW SECTION, Sec. 2. A new section is added to chapter 88.08 RCW to read as follows:"

On page 1, line 2 of the title, after "adding" strike "a new section" and insert "new sections"

Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Absent: Representative Vekich.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2433 Prime Sponsor, Representative Basich: Establishing the self-image and personal responsibility grant program for school districts. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 6 after "Sec. 5." strike all language through "act." on line 9 and insert "If specific funding for this act, referencing this act by bill number, is not provided in the supplemental omnibus appropriations act, this act shall be null and void."

On page 1, line 2 of the title after "responsibility;" insert "and"

On page 1, line 2 of the title, after "Title 28A RCW" strike ": and making an appropriation"

Signed by Representatives Peery, Chair; Betzoff, Ranking Republican Member; Dorn, Holland, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representatives Brumsickle, Horn and Rayburn.

Referred to Committee on Appropriations.

January 26, 1990

HB 2436 Prime Sponsor, Representative Nutley: Altering priorities and criteria for evaluation regarding Washington housing trust fund applicants. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Padden, Rector and Todd.

Absent: Representatives Inslee and Todd.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2437 Prime Sponsor, Representative Nutley: Regulating tenant application fees. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Rector and Todd.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representatives Inslee and Todd.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2456 Prime Sponsor, Representative Locke: Pertaining to mental condition defenses. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 4, beginning on line 2, strike "The" and insert "Before or during the trial, the ((The))"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

Absent: Representatives Locke and D. Sommers.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2466 Prime Sponsor, Representative Vekich: Requiring employee health benefits under school service contracts. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Forner, Jones, R. King, Leonard, O'Brien, Prentice and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2467 Prime Sponsor, Representative Padden: Changing provisions relating to juries. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Brough and Locke.

Absent: Representative D. Sommers.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2471 Prime Sponsor, Representative Cole: Establishing a before and after school child care pilot program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Valle, Walker and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Schoon.

Absent: Representatives Dorn, Horn and Rayburn.

Referred to Committee on Appropriations.

January 26, 1990

HB 2482 Prime Sponsor, Representative G. Fisher: Restructuring the Puget Sound Water Quality Authority. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Sprengle and Walker.

MINORITY recommendation: Without recommendation. Signed by Representatives D. Sommers, Ranking Republican Member; and Schoon.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2493 Prime Sponsor, Representative H. Sommers: Providing for the preservation of historic sites. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Referred to Committee on Capital Facilities & Financing.

January 29, 1990

HB 2517 Prime Sponsor, Representative Phillips: Establishing the magnet school program. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 27 after "Sec. 11." strike everything down to and including "act" on line 31 and insert "if specific funding for this act, referencing the act by bill number, is not provided in the supplemental omnibus appropriations act, this act shall be null and void"

On page 1, line 3 of the title after "schools;" insert "and"

On page 1, line 3 of the title after "28A.RCW" strike "; and making an appropriation"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Cole, Dorn, Holland, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Betzoff, Ranking Republican Member; Fuhrman and Walker.

Absent: Representatives Brumsickle, Horn and Rayburn

Referred to Committee on Appropriations.

January 26, 1990

HB 2536 Prime Sponsor, Representative Phillips: Giving local governments the right of first refusal in the purchase of federally assisted housing. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Padden, Rector and Todd.

Absent: Representatives Inslee and Todd.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2551 Prime Sponsor, Representative Jacobsen: Granting a greater voice to students in recommending budgets for services and activities fees. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Miller and Wood.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2566 Prime Sponsor, Representative Kirby: Expanding rural health care opportunities. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Referred to Committee on Appropriations.

January 30, 1990

HB 2567 Prime Sponsor, Representative Todd: Changing provisions relating to state employment. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 19, line 36, strike ";" and insert "."

On page 20, line 19, after "(1)" strike "A" and insert "Unless expressly approved by the director of the office of financial management on request of the state agency, a"

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, R. King, Morris and O'Brien

MINORITY recommendation: Do not pass. Signed by Representatives Hankins and Silver.

Referred to Committee on Appropriations.

January 29, 1990

HB 2568 Prime Sponsor, Representative Belcher: Funding the acquisition of land for wildlife conservation and outdoor recreation. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Brumsickle, Dellwo, Hargrove, H. Myers, Raiter and Sayan.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Referred to Committee on Capital Facilities & Financing.

January 26, 1990

HB 2569 Prime Sponsor, Representative Sprenkle: Modifying provisions relating to oil recycling. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle and Walker.

Absent: Representative Van Luven.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2583 Prime Sponsor, Representative May: Mandating coverage for diabetic education. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Anderson, Crane, Day, Insee, Nutley, K. Wilson and Winsley

MINORITY recommendation: Do not pass. Signed by Representatives Zellinsky, Vice Chair; Baugher, Beck and Dorn.

Absent: Representatives Chandler, Ranking Republican Member; P. King and Schmidt.

Passed to Committee on Rules for second reading.

January 25, 1990

HB 2610 Prime Sponsor, Representative Sayan: Revising provisions for public assistance. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

January 30, 1990

HB 2617 Prime Sponsor, Representative G. Fisher: Establishing a jet aircraft emissions study. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 5, after "exposed to" insert "exhaust"

On page 1, line 7, after "aircraft" insert "exhaust"

On page 1, line 10, after "aircraft" insert "exhaust"

On page 1, line 13, after "aircraft" insert "exhaust"

On page 1, line 17, after "aircraft" insert "exhaust"

Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, Fraser, Phillips, Pruitt, Schoon, Sprengle and Van Luven.

Absent: Representatives Fraser and Walker.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2646 Prime Sponsor, Representative Doty: Providing for a conference on international education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Spanel, Vice Chair; Miller and Wood.

Referred to Committee on Appropriations.

January 29, 1990

HB 2653 Prime Sponsor, Representative G. Fisher: Requiring the superintendent of public instruction and the Henry M. Jackson school of International studies to provide services to develop international education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representative Wood.

Referred to Committee on Appropriations.

January 29, 1990

HB 2658 Prime Sponsor, Representative Spanel: Establishing the summer motivation and academic residential training program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Miller and Wood.

Referred to Committee on Appropriations.

January 26, 1990

HB 2685 Prime Sponsor, Representative Cooper: Requiring the department of labor and industries to recognize federal electrical standards for manufactured homes. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Padden, Rector and Todd.

Absent: Representatives Inslee and Todd.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2692 Prime Sponsor, Representative Cooper: Providing for supported employment. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 17, after "experience" strike "providing" and insert "promoting"

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

January 29, 1990

HB 2694 Prime Sponsor, Representative Cole: Extending the expiration date of the interim task force on student transportation safety. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 7, after "(j)" insert "A bus driver's supervisor from a school district;
(k) a bus driver from a school district;

(l)

On page 2, line 8, strike "(k)" and insert "((k))(m)"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Cole, Dorn, Fuhrman, Holland, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle and Walker.

Absent: Representatives Brumsickle, Horn and Rayburn.

Passed to Committee on Rules for second reading.

January 24, 1990

HB 2695 Prime Sponsor, Representative Vekich: Revising provisions for industrial insurance vocational rehabilitation services. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner, Walker and Wolfe.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2719 Prime Sponsor, Representative Beck: Requiring reimbursement for state parks and recreation commission costs of plan review and construction approval for winter recreational facilities. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2774 Prime Sponsor, Representative Rasmussen: Providing for economic impact studies of sports events. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Raiter, Rasmussen, Rector, Tate and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representatives Kremen and Schoon.

Absent: Representatives Kirby and Moyer.

Referred to Committee on Appropriations.

January 25, 1990

HB 2809 Prime Sponsor, Representative H. Myers: Allowing certain child abuse victims to testify through closed-circuit television. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, P. King, Moyer, H. Myers, Scott, Tate and Wineberry.

Absent: Representatives Locke, Schmidt and D. Sommers.

Referred to Committee on Appropriations.

January 29, 1990

HB 2831 Prime Sponsor, Representative Jacobsen: Establishing the American Indian endowed scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Miller and Wood.

Referred to Committee on Appropriations.

January 30, 1990

HB 2855 Prime Sponsor, Representative Ferguson: Changing provisions relating to lessee improvements to municipal airports. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2857 Prime Sponsor, Representative Phillips: Creating a new license for the sale of table and fortified wine. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, Leonard, O'Brien, Prentice and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representatives R. King and Walker.

Passed to Committee on Rules for second reading.

January 29, 1990

HB 2879 Prime Sponsor, Representative Jesernig: Establishing the Washington state center for environmental and molecular sciences at Washington State University/Tri-Cities. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luvan, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller and Rector.

Voting nay: Representative Prince.

Absent: Representatives Miller and Wood.

Passed to Committee on Rules for second reading.

January 26, 1990

HB 2957 Prime Sponsor, Representative Nelson: Requiring action be taken to reduce global warming. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, R. Meyers and Miller.

MINORITY recommendation: Do not pass. Signed by Representatives May and S. Wilson.

Absent: Representatives Brooks, Gallagher and R. Meyers.

Referred to Committee on Appropriations.

MOTION

On motion of Mr. Heavey, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

SIGNED BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced the Speaker had signed:
HOUSE CONCURRENT RESOLUTION NO. 4434.

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

THIRD READING

ENGROSSED HOUSE BILL NO. 1423, by Representatives Day, Cantwell, Wineberry, Schoon, Rasmussen, Doty, Kremen, McLean, Rayburn, Jesernig, Ferguson, Jacobsen, Rector and P. King

Authorizing the creation of local seed capital pools.

The bill was read the third time and placed on final passage.

MOTION

Mr. Heavey moved that the House defer further consideration of Engrossed House Bill No. 1423 and that the bill hold its place on the third reading calendar. The motion was carried.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

MOTION

On motion of Ms. Fraser, Representative Sayan was excused.

SENATE AMENDMENTS TO HOUSE BILL

January 29, 1990

Mr. Speaker:

The Senate has passed ENGROSSED SUBSTITUTE HOUSE BILL NO. 2198 with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. The legislature finds that using energy efficiently in housing is one of the lowest cost ways to meet consumer demand for energy; that using energy efficiently helps protect citizens of the state from negative impacts due to changes in energy supply and cost; that using energy efficiently will help mitigate negative environmental impacts of energy use and resource development; and that using energy efficiently will help stretch our present energy resources into the future. The legislature further finds that the electricity surplus in the Northwest is dwindling as the population increases and the economy expands, and that the region will eventually need new sources of electricity generation.

It is declared policy of the state of Washington that energy be used efficiently. It is the intent of this act to establish residential building standards that bring about the common use of energy efficient building methods, and to assure that such methods remain economically feasible and affordable to purchasers of newly constructed housing.

NEW SECTION. Sec. 2. A new section is added to chapter 19.27A RCW to read as follows:

Except as provided in RCW 19.27A.020(7), the Washington state energy code for residential buildings shall be the maximum and minimum energy code for residential buildings in each city, town, and county and shall be enforced by each city, town, and county no later than July 1, 1991. The Washington state energy code for nonresidential buildings shall be the minimum energy code for nonresidential buildings enforced by each city, town, and county.

Sec. 3. Section 3, chapter 76, Laws of 1979 ex. sess. as amended by section 2, chapter 144, Laws of 1985 and RCW 19.27A.020 are each amended to read as follows:

(1) No later than January 1, 1991, the state building code ((~~advisory~~)) council shall promulgate rules((-pursuant to chapter 34.04 RCW, for the purpose of adopting a revised)) to be known as the Washington state energy code as part of the state building code. ((The revised code shall be designed to achieve reductions in energy consumption relative to buildings constructed to comply with the state energy code, June 30, 1980 edition, as amended.))

(2) The council shall follow the legislature's ((~~guidelines~~)) standards set forth in this section to ((~~design a revised~~)) promulgate rules to be known as the Washington state energy code ((which requires)). The Washington state energy code shall be designed to require new buildings to meet a certain level of energy efficiency, but allow((s)) flexibility in building design ((and)), construction, and heating equipment efficiencies within that framework. The Washington state energy code shall be designed to allow space heating equipment efficiency to offset or substitute for building envelope thermal performance.

(3) The ((~~revised~~)) Washington state energy code shall take into account regional climatic conditions ((and shall be designed according to the following guidelines)). Climate zone 1 shall include all counties not included in climate zone 2. Climate zone 2 includes: Adams, Chelan, Douglas, Ferry, Grant, Kittitas, Lincoln, Okanogan, Pend Oreille, Spokane, Stevens, and Whitman counties.

(4) The Washington state energy code for residential buildings shall require:

(a) ((For new electric resistance heated residential buildings, the code shall be designed)) New residential buildings that are space heated with electric resistance heating systems to achieve energy ((savings)) use equivalent to ((savings-achieved)) that used in typical buildings constructed with:

(i) Ceilings insulated to a level of R-38((-except)). The code shall contain an exception which permits single rafter or joist vaulted ceilings ((may-be)) insulated to a level of R-30 (R value includes insulation only):

(ii) in zone 1, walls insulated to a level of R-19 ((total assembly)) (R value includes insulation only), or constructed with two by four members, R-13 insulation batts, R-3.2 insulated sheathing, and other normal assembly components; in zone 2 walls insulated to a level of R-24 (R value includes insulation only), or constructed with two by six members, R-22 insulation batts, R-3.2 insulated sheathing, and other normal construction assembly components; for the purpose of determining equivalent thermal performance, the wall U-value shall be 0.058 in zone 1 and 0.044 in zone 2:

(iii) Below grade walls, insulated on the interior side, to a level of R-19 or, if insulated on the exterior side, to a level of R-10 in zone 1 and R-12 in zone 2 (R value includes insulation only):

(iv) Floors over unheated spaces insulated to a level of ((R-19 for areas with six thousand or less annual heating degree days and to a level of R-25 for areas with more than six thousand annual heating degree days)) R-30 (R value includes insulation only):

~~((iv))~~ (v) Slab on grade floors insulated to a level of R-10 at the perimeter;

(vi) Double glazed windows with ~~((tested R))~~ values not ~~((less))~~ more than ~~((t-79 when tested according to the procedures of the American architectural manufacturers association))~~ U-0.4; ~~((and~~

~~((v) in areas with more than six thousand annual heating degree days a maximum of seventeen percent of the floor area in glazing; in areas with six thousand or less annual heating degree days a maximum of twenty-one percent of the floor area in glazing))~~ (vii) In zone 1 the glazing area may be up to twenty-one percent of floor area and in zone 2 the glazing area may be up to seventeen percent of floor area where consideration of the thermal resistance values for other building components and solar heat gains through the glazing result in thermal performance equivalent to that achieved with thermal resistance values for other components determined in accordance with the equivalent thermal performance criteria of (a) of this subsection and glazing area equal to fifteen percent of the floor area. Throughout the state for the purposes of determining equivalent thermal performance, the maximum glazing area shall be fifteen percent of the floor area; and

(viii) Exterior doors insulated to a level of R-5; or an exterior wood door with a thermal resistance value of less than R-5 and values for other components determined in accordance with the equivalent thermal performance criteria of (a) of this subsection.

(b) ~~((For))~~ New residential buildings which are space-heated with ~~((other fuels, the code shall be designed))~~ all other forms of space heating to achieve energy ~~((savings))~~ use equivalent to ~~((savings achieved))~~ that used in typical buildings constructed with:

(i) Ceilings insulated to a level of R-30 in zone 1 and R-38 in zone 2 the code shall contain an exception which permits single rafter or joist vaulted ceilings insulated to a level of R-30 (R value includes insulation only);

(ii) Walls insulated to a level of R-19 ~~((total assembly))~~ (R value includes insulation only), or constructed with two by four members, R-13 insulation batts, R-3.2 insulated sheathing, and other normal assembly components;

(iii) Below grade walls, insulated on the interior side, to a level of R-19 or, if insulated on the exterior side, to a level of R-10 in zone 1 and R-12 in zone 2 (R value includes insulation only);

(iv) Floors over unheated spaces insulated to a level of R-19 in zone 1 and R-30 in zone 2 (R value includes insulation only);

~~((iv))~~ (v) Slab on grade floors insulated to a level of R-10 at the perimeter;

(vi) Heat pumps with a minimum heating season performance factor (HSPF) of 6.8 or with all other energy sources with a minimum annual fuel utilization efficiency (AFUE) of seventy-eight percent;

(vii) Double glazed windows with ~~((tested R))~~ values not ~~((less))~~ more than ~~((t-40 when tested according to the procedures of the American architectural manufacturers association))~~ U-0.65 in zone 1 and U-0.60 in zone 2. The state building code council, in consultation with the state energy office, shall review these U-values, and, if economically justified for consumers, shall amend the Washington state energy code to improve the U-values by December 1, 1993. The amendment shall not take effect until July 1, 1994; and

~~((v) in areas with more than six thousand annual heating degree days a)~~ (viii) In zone 1, the maximum ~~((of seventeen))~~ glazing area shall be twenty-one percent of the floor area ~~((in glazing; in areas with six thousand or less annual heating degree days a maximum of twenty-one percent of the floor area in glazing))~~. In zone 2 the maximum glazing area shall be seven percent of the floor area. Throughout the state for the purposes of determining equivalent thermal performance, the maximum glazing area shall be fifteen percent of the floor area.

(c) For ~~((new nonresidential buildings;))~~ log built homes with space heat other than electric resistance, the building code council shall establish equivalent thermal performance standards consistent with the standards and maximum glazing areas of (b) of this subsection.

(d) The state building code council may approve an energy code for pilot projects of residential construction that use innovative energy efficiency technologies intended to result in savings that are greater than those realized in the levels specified in this section.

(5) U-values for glazing shall be determined using the area weighted average of all glazing in the building. U-values for glazing are the tested values for thermal transmittance due to conduction resulting from either the American architectural manufacturers' association (AAMA) 1503.1 test procedure or the American society for testing materials (ASTM) C236 or C976 test procedures. Testing shall be conducted under established winter horizontal heat flow test conditions using the fifteen miles per hour wind speed perpendicular to the exterior surface of the glazing as specified under AAMA 1503.1 and product sample sizes specified under AAMA 1503.1. The AAMA 1503.1 testing must be conducted by an AAMA certified testing laboratory. The ASTM C236 or C976 testing U-values include any tested values resulting from a future revised AAMA 1503.1 test procedure. Sealed insulation glass, where used, shall conform to ASTM E-774-81 level A or better. The state building code council shall maintain a list of the tested U-values for glazing products available in the state.

(6) The minimum state energy code for new nonresidential buildings shall be ((designed to achieve a ten percent reduction in energy consumption relative to buildings constructed to comply with)) the Washington state energy code, ((June 30, 1986)) 1986 edition, as amended.

((2) In developing the revised code, the council shall consider possible health and respiratory problems caused by insulating buildings so tightly that the rate of air exchange is significantly retarded, thereby concentrating toxic pollutants at unhealthy high levels.

(3) The council shall publish the revision as proposed rules pursuant to chapter 34.04 RCW and provide for the rules to become effective January 1, 1986. All cities, towns, and counties shall enforce the revised state energy code not later than April 1, 1986;))

(7)(a) Except as provided in (b) of this subsection, the Washington state energy code for residential structures shall preempt the residential energy code of each city, town, and county in the state of Washington.

(b) The state energy code for residential structures does not preempt a city, town, or county's energy code for residential structures which exceeds the requirements of the state energy code and which was adopted by the city, town, or county prior to the effective date of this section. Such cities, towns, or counties may not subsequently amend their energy code for residential structures to exceed the requirements adopted prior to the effective date of this section.

(8) The state building code council shall consult with the state energy office as provided in RCW 34.05.310 prior to publication of proposed rules. The state energy office shall review the proposed rules for consistency with the guidelines adopted in subsection (4) of this section. The director of the state energy office shall recommend to the state building code council any changes necessary to conform the proposed rules to the requirements of this section.

(9) The state building code council shall conduct a study of county and city enforcement of energy codes in the state. In conducting the study, the council shall conduct public hearings at designated council meetings to seek input from interested individuals and organizations, and to the extent possible, hold these meetings in conjunction with adopting rules under this section. The study shall include recommendations as to how code enforcement may be improved. The findings of the study shall be submitted in a report to the legislature no later than January 1, 1991.

(10) If any electric utility providing electric service to customers in the state of Washington purchases at least one percent of its firm energy load from a federal agency, pursuant to section 5.(b)(1) of the pacific northwest electric power planning and conservation act (P.L. 96-501), and such utility is unable to obtain from that agency at least fifty percent of the funds for payments required by section 4 of this act, the amendments to this section by this 1990 act shall be null and void, and the 1986 state energy code shall be in effect, except that a city, town, or county may enforce a local energy code with more stringent energy requirements adopted prior to the effective date of this section. This subsection shall expire June 30, 1995.

NEW SECTION. Sec. 4. A new section is added to chapter 19.27A RCW to read as follows:

(1) Electric utilities shall make payments to the owner at the time of construction of a newly constructed residential building with electric resistance space heat built in compliance with the requirements of the Washington state energy code adopted pursuant to RCW 19.27A.020 or a residential energy code in effect pursuant to RCW 19.27A.020(7). All or a portion of the funds for payments may be accepted from federal agencies or other sources. Payments are required for residential buildings on which construction has begun on or after July 1, 1991, and prior to July 1, 1995. Payments in an amount equal to a fixed sum of at least nine hundred dollars per single family residence are required for such buildings so constructed which are single family residences having two thousand square feet or less of finished floor area. Payments in an amount equal to a fixed sum of at least three hundred ninety dollars per multifamily residential unit, are required for such buildings so constructed which are multifamily residential units. For purposes of this section, a zero lot line home and each unit in a duplex and each attached housing unit in a planned unit development shall each be considered a single family residence.

(2) Electric utilities which provide electrical service in jurisdictions in which the local government has adopted an energy code not preempted by RCW 19.27A.020(7)(b) shall make payments as provided in subsection (1) of this section for residential buildings on which construction has begun on or after the effective date of this section and prior to July 1, 1991.

(3) Nothing in this section shall prohibit an electric utility from providing incentives in excess of the payments required by this section or from providing additional incentives for energy efficiency measures in excess of those required under RCW 19.27A.020.

(4) This section is null and void if any electric utility providing electric service to its customers in the state of Washington purchases at least one percent of its firm energy load from a federal agency, pursuant to section 5.(b)(1) of the pacific northwest electric power planning and conservation act (P.L. 96-501), and if such electric utility is unable to obtain from the agency at least fifty percent of the funds to make the payments required by this section. This subsection shall expire June 30, 1995.

(5) The utilities and transportation commission shall provide an appropriate regulatory mechanism which allows a utility regulated by the commission to recover expenses incurred by the utility in making payments under this section.

(6) Subsections (1) through (3) of this section shall expire July 1, 1996.

NEW SECTION. Sec. 5. A new section is added to chapter 19.27A RCW to read as follows:

The state building code council shall maintain the state energy code for residential structures in a status which is consistent with the state's interest as set forth in section 1 of this act. In maintaining the Washington state energy code for residential structures, beginning in 1996 the council shall review the Washington state energy code every three years. After January 1, 1996, by rule adopted pursuant to chapter 34.05 RCW, the council may amend any provisions of the Washington state energy code to increase the energy efficiency of newly constructed residential buildings. Decisions to amend the Washington state energy code for residential structures shall be made prior to December 1 of any year and shall not take effect before the end of the regular legislative session in the next year.

NEW SECTION. Sec. 6. A new section is added to chapter 19.27A RCW to read as follows:

There is hereby created in the state treasury the energy code training account. The Washington state energy office shall administer expenditures from this account for the purpose of providing training for the inspection and training for the enforcement by local governments of the Washington state energy code in effect pursuant to RCW 19.27A.020. The revenues into this account shall derive from assessments by the state energy office on all investor-owned and publicly owned gas and electric utilities in the state of Washington in proportion to the number of housing starts served by a utility in 1989, based on an amount of one hundred fifty dollars per energy code inspection or enforcement official that is within the service area of the utility. Assessments may be made between January 1, 1991, and July 1, 1991. Federal funds available to qualifying utilities for code inspection retraining shall be used before obtaining funds from utilities under this section. Additional funds may be deposited in the account from federal agencies or other sources. All or a portion of the funds for the cost of local government inspection and enforcement may be accepted from federal agencies or other sources.

NEW SECTION. Sec. 7. A new section is added to chapter 19.27 RCW to read as follows:

(1)(a) Not later than January 1, 1991, the state building code council, in consultation with the state energy office, shall establish interim requirements for the maintenance of indoor air quality in newly constructed residential buildings. In establishing the interim requirements, the council shall take into consideration differences in heating fuels and heating system types. These requirements shall be in effect July 1, 1991, through June 30, 1993.

(b) The interim requirements for new electrically space heated residential buildings shall include ventilation standards which provide for mechanical ventilation in areas of the residence where water vapor or cooking odors are produced. The ventilation shall be exhausted to the outside of the structure. The ventilation standards shall further provide for the capacity to supply outside air to each bedroom and the main living area through dedicated supply air inlet locations in walls, or in an equivalent manner. At least one exhaust fan in the home shall be controlled by a dehumidistat or clock timer to ensure that sufficient whole house ventilation is regularly provided as needed.

(c)(i) For new single family residences with electric space heating systems, zero lot line homes, each unit in a duplex, and each attached housing unit in a planned unit development, the ventilation standards shall include fifty cubic feet per minute of effective installed ventilation capacity in each bathroom and one hundred cubic feet per minute of effective installed ventilation capacity in each kitchen.

(ii) For other new residential units with electric space heating systems the ventilation standards may be satisfied by the installation of two exhaust fans with a combined effective installed ventilation capacity of two hundred cubic feet per minute.

(iii) Effective installed ventilation capacity means the capability to deliver the specified ventilation rates for the actual design of the ventilation system. Natural ventilation and infiltration shall not be considered acceptable substitutes for mechanical ventilation.

(d) For new residential buildings that are space heated with other than electric space heating systems, the interim standards shall be designed to result in indoor air quality equivalent to that achieved with the interim ventilation standards for electric space heated homes.

(e) The interim requirements for all newly constructed residential buildings shall include standards for indoor air quality pollutant source control, including the following requirements: All structural panel components of the residence shall comply with appropriate standards for the emission of formaldehyde; the back-drafting of combustion by-products from combustion appliances shall be minimized through the use of dampers, vents, outside combustion air sources, or other appropriate technologies; and, in areas of the state where monitored data indicate action is necessary to inhibit indoor radon gas concentrations from exceeding appropriate health standards, entry of radon gas into homes shall be minimized through appropriate foundation construction measures.

(2) No later than January 1, 1993, the state building code council, in consultation with the state energy office, shall establish final requirements for the maintenance of indoor air quality in newly constructed residences to be in effect beginning July 1, 1993. For new electrically space heated residential buildings, these requirements shall maintain indoor air quality equivalent to that provided by the mechanical ventilation and indoor air pollutant source control requirements included in the February 7, 1989, Bonneville power administration record of decision for the environmental impact statement on new energy efficient homes programs

(DOE/EIS-0127F) built with electric space heating. In residential units other than single family, zero lot line, duplexes, and attached housing units in planned unit developments, ventilation requirements may be satisfied by the installation of two exhaust fans with a combined effective installed ventilation capacity of two hundred cubic feet per minute. For new residential buildings that are space heated with other than electric space heating systems, the standards shall be designed to result in indoor air quality equivalent to that achieved with the ventilation and source control standards for electric space heated homes. In establishing the final requirements, the council shall take into consideration differences in heating fuels and heating system types.

NEW SECTION. Sec. 8. A new section is added to chapter 4.24 RCW to read as follows:

It is a defense in a civil action brought for damages for injury caused by indoor air pollutants in a residential structure on which construction was begun on or after July 1, 1991, that the builder or design professional complied in good faith, without negligence or misconduct, with:

- (1) Building product safety standards, including labeling;
- (2) Restrictions on the use of building materials known or believed to contain substances that contribute to indoor air pollution; and
- (3) The ventilation requirements adopted under section 7 of this act.

NEW SECTION. Sec. 9. A new section is added to chapter 80.28 RCW to read as follows:

(1) The commission shall adopt a policy allowing an incentive rate of return on investment (a) for payments made under section 4 of this act and (b) for programs that improve the efficiency of energy end use if priority is given to senior citizens and low-income citizens in the course of carrying out such programs. The incentive rate of return on investments set forth in this subsection is established by adding an increment of two percent to the rate of return on common equity permitted on the company's other investments.

(2) The commission shall consider and may adopt a policy allowing an incentive rate of return on investment in additional programs to improve the efficiency of energy end use or other incentive policies to encourage utility investment in such programs.

(3) The commission shall consider and may adopt other policies to protect a company from a reduction of short-term earnings that may be a direct result of utility programs to increase the efficiency of energy use. These policies may include allowing a periodic rate adjustment for investments in end use efficiency or allowing changes in price structure designed to produce additional new revenue.

(4) The commission may adopt a policy allowing the recovery of a utility's expenses incurred under section 6 of this act.

NEW SECTION. Sec. 10. A new section is added to chapter 82.16 RCW to read as follows:

(1) In computing tax under this chapter there shall be deducted from the gross income:

- (a) Payments made under section 4 of this act; and
- (b) Those amounts expended on additional programs that improve the efficiency of energy end use if priority is given to senior citizens and low-income citizens in the course of carrying out such programs.

(2) The department, after consultation with the utilities and transportation commission in the case of investor-owned utilities and the governing bodies of locally regulated utilities, shall determine the eligibility of individual programs for deductions under this section.

(3) Until July 1, 1992, utilities may deduct from the amount of tax paid under this chapter fifty percent of the payments made under section 6 of this act, excluding any federal funds that are passed through to a utility for the purpose of retraining local code officials.

(4) This section shall expire January 1, 1996.

Sec. 11. Section 4, chapter 96, Laws of 1974 ex. sess. as last amended by section 8, chapter 360, Laws of 1985 and RCW 19.27.040 are each amended to read as follows:

The governing body of each county or city is authorized to amend the state building code as it applies within the jurisdiction of the county or city. The minimum performance standards of the codes and the objectives enumerated in RCW 19.27.020 shall not be diminished by any county or city amendments. (~~Amendments to RCW 19.27A.010 shall not result in structures that exceed the overall structural heat loss characteristics that would have resulted from conforming to RCW 19.27A.010;~~)

Nothing in this chapter shall authorize any modifications of the requirements of chapter 70.92 RCW.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

(1) Section 3, chapter 96, Laws of 1974 ex. sess., section 8, chapter 110, Laws of 1975 1st ex. sess., section 11, chapter 14, Laws of 1977 ex. sess., section 1, chapter 76, Laws of 1979 ex. sess., section 1, chapter 8, Laws of 1980, section 1, chapter 101, Laws of 1984, section 1, chapter 144, Laws of 1985 and RCW 19.27A.010;

(2) Section 3, chapter 144, Laws of 1985, section 1, chapter 204, Laws of 1988 and RCW 19.27A.030; and

(3) Section 4, chapter 144, Laws of 1985, section 2, chapter 204, Laws of 1988 and RCW 19.27A.040.

NEW SECTION. Sec. 13. 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. 14. Sections 1 through 4, 6, 7, 9, and 10 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect March 1, 1990. Sections 11 and 12 of this act shall take effect January 1, 1991. Section 8 of this act shall take effect July 1, 1991."

On page 1, line 1 of the title, after "conservation;" strike the remainder of the title and insert "amending RCW 19.27A.020 and 19.27.040; adding new sections to chapter 19.27A RCW; adding a new section to chapter 19.27 RCW; adding a new section to chapter 4.24 RCW; adding a new section to chapter 80.28 RCW; adding a new section to chapter 82.16 RCW; creating a new section; repealing RCW 19.27A.010, 19.27A.030, and 19.27A.040; providing effective dates; and declaring an emergency."

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Nelson moved that the House do concur in the Senate amendments to Engrossed Substitute House Bill No. 2198.

Representatives Nelson and Hankins spoke in favor of the motion.

POINT OF INQUIRY

Mr. Nelson yielded to question by Ms. Hankins.

Ms. Hankins: As I understand it, the assessments referred to in Section 6 of the bill are intended to be based on a fee for each inspection official and enforcement official. Is that correct?

Mr. Nelson: Yes.

Ms. Hankins: Also, are the assessments in Section 6 to be based on whether a utility provided heat for new housing starts?

Mr. Nelson: Yes.

MOTION

On motion of Ms. Miller, Representatives Schmidt and Zellinsky were excused.

Mr. Cooper spoke in favor of the motion to concur in the Senate amendments to Engrossed Substitute House Bill No. 2198, and the motion was carried.

FINAL PASSAGE OF HOUSE BILL AS SENATE AMENDED

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2198 as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2198 as amended by the Senate, and the bill passed the House by the following vote: Yeas, 91; nays, 3; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insløe, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, and Mr. Speaker - 91.

Voting nay: Representatives Baugher, Fuhrman, Kirby - 3.

Excused: Representatives Sayan, Schmidt, Wood, Zellinsky - 4.

Engrossed Substitute House Bill No. 2198 as amended by the Senate, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1825, by Committee on Transportation (originally sponsored by Representatives R. Fisher, Wood, Walk, Nelson, G. Fisher, Day, Hankins, Walker, Cantwell, Todd, Heavey, Winsley, Pruitt, Wang, Prentice, R. King, Scott, Crane and Fraser)

Changing provisions relating to high capacity transportation systems.

The bill was read the third time and placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1825, and the bill passed the House by the following vote: Yeas, 64; nays, 29; absent, 1; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Braddock, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, Miller, Nelson, Nutley, O'Brien, Peery, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Schoon, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, and Mr. Speaker - 64.

Voting nay: Representatives Ballard, Bowman, Brooks, Brumsickle, Chandler, Dorn, Fuhrman, Hankins, Holland, Horn, Inslee, Kirby, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Padden, Phillips, Prince, Rector, Silver, Smith, Tate, Wilson S, Winsley, Wolfe, Youngsman - 29.

Absent: Representative Rust - 1.

Excused: Representatives Sayan, Schmidt, Wood, Zellinsky - 4.

Engrossed Substitute House Bill No. 1825, having received the constitutional majority, was declared passed.

The Speaker called on Representative O'Brien to preside.

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

INTRODUCTIONS AND FIRST READING

HB 3005 by Representatives Anderson, H. Sommers, Brekke and Wineberry

AN ACT Relating to the natural death act; and amending RCW 70.122.010, 70.122.020, 70.122.030, 70.122.050, 70.122.060, 70.122.070, 70.122.090, and 70.122.100.

Referred to Committee on Health Care.

HB 3006 by Representatives Wineberry, Appelwick, Locke, Anderson, Nelson and Spanel

AN ACT Relating to the Washington state minority justice commission; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committee on Appropriations.

HB 3007 by Representative Nealey

AN ACT Relating to notice of employee pension plans provided by third class cities and fourth class municipalities.

Referred to Committee on Local Government.

HB 3008 by Representatives Belcher, Brough and Wineberry

AN ACT Relating to modification of child support schedules.

Referred to Committee on Rules.

HJM 4035 by Representatives Raiter, Brumsickle, Hargrove, H. Myers, Kirby, Ferguson, Jones, Beck, Doty, May, S. Wilson, Ballard, Prince, Basich, Braddock, R. Meyers, Appelwick, Jesernig, Grant, Morris, Heavey, Rayburn, Rasmussen, Anderson, G. Fisher, Haugen, Cooper, Dorn, Baugher, Cantwell, Peery, Inslee, Jacobsen, Sprenkle, Kremen, Vekich, Schoon, Bowman, Tate, Silver, McLean, Youngsman, Brough, Smith, Crane, D. Sommers, Hankins, Leonard, Horn, Walker, Dellwo, Moyer, Schmidt, Winsley, Ebersole, Betzoff, Belcher, K. Wilson, Wineberry,

Padden, Zellinsky, Holland, Wolfe, Forner, Prentice, Rector, Chandler, Nealey, R. King, Scott, Van Luven, P. King, Hine, R. Fisher, Wang, Miller, Day, Nutley, Fuhrman, Sayan, Gallagher, Brooks, Pruitt, Fraser, O'Brien and H. Sommers

Pertaining to timber.

Referred to Committee on Natural Resources & Parks.

MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's supplemental introduction sheet under the fourth order of business were referred to the committees so designated.

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

MOTIONS

On motion of Mr. Ebersole, Engrossed House Bill No. 1423 was referred from the third reading calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2378 was referred from Committee on Education to Committee on Capital Facilities & Financing.

Mr. Ebersole moved that the rules be suspended and Engrossed Second Substitute Senate Bill No. 6259 be placed on the second reading calendar.

Representatives Ebersole and Brough spoke in favor of the motion, and it was carried.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, February 2, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWENTY-SIXTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, February 2, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Brekke, Brough, Locke, Padden and Wood. On motion of Ms. Miller, Representatives Brough and Wood were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jenifer Miller and Nicole Mailey. Prayer was offered by The Reverend Kent McCulloch, Minister of St. Mary's Episcopal Church of Tacoma.

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

MESSAGES FROM THE SENATE

January 31, 1990

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5070,
 SUBSTITUTE SENATE BILL NO. 5146,
 SUBSTITUTE SENATE BILL NO. 5328,
 SUBSTITUTE SENATE BILL NO. 5379,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5650,
 SENATE BILL NO. 5798,
 ENGROSSED SENATE BILL NO. 6164,
 SENATE BILL NO. 6200,
 SENATE JOINT MEMORIAL NO. 8022,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

January 31, 1990

Mr. Speaker:

The President has signed:

HOUSE CONCURRENT RESOLUTION NO. 4434.

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

INTRODUCTIONS AND FIRST READING

HB 3009 by Representatives Wang, Ebersole and R. Meyers

AN ACT Relating to the collection of delinquent taxes from candidates and political committees; amending RCW 82.32.235; creating a new section; and declaring an emergency.

Referred to Committee on Revenue.

HB 3010 by Representatives Youngsman, Haugen, S. Wilson, Basich, Brumsickle, Sayan, Bowman, Wolfe, Betrozoff, May, R. Meyers, McLean, Baugher and D. Sommers

AN ACT Relating to notification and appropriate defense of impending actions that may result in loss of rights to public and private landowners; creating a new section; making an appropriation; and declaring an emergency.

Referred to Committees on Judiciary/Appropriations.

HB 3011 by Representatives Cantwell, P. King, Miller, Valle, Crane, Wineberry, Scott, Ferguson, Leonard, Basich and Anderson

AN ACT Relating to suicide prevention; adding a new section to chapter 19, Laws of 1989 1st ex. sess. (uncodified); making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HJM 4036 by Representatives Padden, Hargrove, Ballard, Wineberry, McLean, Bowman, Brumsickle and D. Sommers

Inviting the American Legislative Exchange Council to hold its 1991 annual meeting in Seattle.

Referred to Committee on State Government.

SSB 5070 by Committee on Transportation (originally sponsored by Senators Cantu and Smith)

Restricting access to vehicle records.

Referred to Committee on State Government.

SB 5146 by Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Craswell, Kreidler, Lee, Stratton, Sellar and Conner)

Providing a Hood Canal marine fish preservation area.

Referred to Committee on Fisheries & Wildlife.

SSB 5328 by Committee on Economic Development & Labor (originally sponsored by Senators Bluechel, Lee, Smitherman and Warnke; by request of Director of Trade and Economic Development)

Revising provisions for the community economic revitalization board.

Referred to Committee on Trade & Economic Development.

SSB 5379 by Committee on Governmental Operations (originally sponsored by Senators Hansen, Newhouse, Barr, Benitz, Hayner, Patterson, Matson, Stratton, Bauer and West)

Requiring a member from eastern Washington on the tax appeals board.

Referred to Committee on State Government.

ESSB 5650 by Committee on Law & Justice (originally sponsored by Senators Pullen, Anderson and McCaslin)

Specifying conditions for the awarding of attorneys' fees.

Referred to Committee on Judiciary.

SB 5798 by Senators Rasmussen, Pullen, McDonald, Talmadge, Barr, Conner and Metcalf

Raising the homestead exemption.

Referred to Committee on Judiciary.

ESB 6164 by Senators Newhouse, Talmadge, Warnke, Benitz, Bauer, Rasmussen, Conner, Barr, Moore, Sutherland, Hansen and Kreidler

Revising provisions for the transportation of food products.

Referred to Committee on Agriculture & Rural Development.

SB 6200 by Senators Smitherman, Lee and Conner

Extending the final report date and expiration date of the task force on ports and local associate development organizations.

Referred to Committee on Trade & Economic Development.

SJM 8022 by Senators Madsen, Johnson, Gaspard, Rasmussen and Murray

Paying medical treatment for children of military parents.

Referred to Committee on Health Care.

MOTION

On motion of Mr. Ebersole, the bills and memorials listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

SECOND READING

HOUSE BILL NO. 1375, by Representative Kremen

Requiring certification of electric spa equipment.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 1375 was substituted for House Bill No. 1375, and the substitute bill was placed on the calendar for second reading.

Substitute House Bill No. 1375 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kremen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1375, and the bill passed the House by the following vote: Yeas, 93; absent, 3; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raifer, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Brekke, Locke, Padden - 3.

Excused: Representatives Brough, Wood - 2.

Substitute House Bill No. 1375, having received the constitutional majority, was declared passed.

Representative Brekke appeared at the bar of the House.

The Speaker assumed the Chair.

SUBSTITUTE HOUSE BILL NO. 1405, by Committee on Capital Facilities & Financing (originally sponsored by Representatives Jacobsen, H. Sommers, Prince, Wood, Spanel, Locke, O'Brien, Heavey, Miller, Brekke, Basich, Sayan, Phillips and Crane; by request of Governor Gardner)

Regarding building fees for higher education.

The bill was read the second time. On motion of Ms. H. Sommers, Second Substitute House Bill No. 1405 was substituted for Substitute House Bill No. 1405, and the second substitute bill was placed on the calendar for second reading.

Second Substitute House Bill No. 1405 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1405, and the bill passed the House by the following vote: Yeas, 94; absent, 2; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner,

Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representatives Locke, Padden - 2.

Excused: Representatives Brough, Wood - 2.

Second Substitute House Bill No. 1405, having received the constitutional majority, was declared passed.

Representative Padden appeared at the bar of the House.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SUBSTITUTE HOUSE BILL NO. 2198.

HOUSE BILL NO. 1491, by Representatives Leonard, Schoon, Moyer, Prentice, Anderson, Raiter, Hine, Wineberry, Todd, Vekich, Cooper, Brekke, Jacobsen, Nelson, R. King, Pruitt, Sayan, Spanel, Basich and Rasmussen

Redefining the role of the community action agency network.

The bill was read the second time.

Mr. Sayan moved adoption of the following amendment by Committee on Human Services:

On page 1, line 20, after "for" strike "the"

Mr. Sayan spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1491, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Locke - 1.

Excused: Representatives Brough, Wood - 2.

Engrossed House Bill No. 1491, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2216, by Representatives Day, D. Sommers, Walk, Moyer, Schmidt, Rector, Wolfe, R. Fisher, Silver, Cooper, Prince, Dellwo and Fuhrman.

Revising provisions for the Spokane river toll bridge.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Day and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2216, and the bill passed the House by the following vote: Yeas, 94; nays, 1; absent, 1; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Winsley - 1.

Absent: Representative Locke - 1.

Excused: Representatives Brough, Wood - 2.

House Bill No. 2216, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2260, by Representatives Ferguson, Haugen and Wood

Changing provisions relating to the Municipal Research Council.

The bill was read the second time.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen and Ferguson:

On page 2, line 17, after "services," insert "Contracts for staff support may be made with state agencies, educational institutions, or private consulting firms that in the judgment of the council members are qualified to provide such support."

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ferguson and Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2260, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Locke - 1.

Excused: Representatives Brough, Wood - 2.

Engrossed House Bill No. 2260, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

Representative Locke appeared at the bar of the House.

MOTION

On motion of Ms. Fraser, Representative Zellinsky was excused.

SPEAKER'S PRIVILEGE

The Speaker: It gives me great pleasure today to welcome some very distinguished guests to the Washington State House of Representatives. They are the

Consular officers representing fifteen countries all stationed in Seattle. They have been invited here today to receive our thanks and appreciation for the invaluable contributions that they have made to the people of the State of Washington. In addition to their administrative functions, they have focused their efforts on promoting cultural, educational and economical ties between our governments. The spirit of cooperation and friendship which encompasses their work has helped create an environment in our state in which international activities can flourish. Gentlemen, please accept our deepest thanks.

The Speaker introduced the Philippine Consul General and Dean of the Seattle Consular Corps, Dr. Jaime Bautista; the Korean Consul General, Heung Soo Kim; the Consul General of German, Hans-Jurgen Mendel; the Consul General of Mexico, Raul Lopez Lira Castro; the British Consul, Noel Jones; the Consul General of Peru, Victor Schiantarelli; the Austrian Consul General, Walter Weber; the Consul of Bolivia, Ricardo Antezana; the Consul of Switzerland, Hans Weber; the Consul of Chile, Kerry Monterey; the Belgian Consul, Ronald Masnik; the Consul of Finland, Norman Westerberg; the Canadian Consul, Richard Seaborn; Consul Emeritus of France, Roger Gotteland; and the Director General of the Coordination Council for North American Affairs representing Taiwan, James Chang. The consular officers, who were seated in the place of honor in the rear of the House Chambers, were welcomed by the Members of the House of Representatives.

SPEAKER'S PRIVILEGE

The Speaker: At this time, it is my pleasure to present the Dean of the Seattle Consular Corps, Dr. Jaime Bautista, the Consul General of the Philippines. Dr. Bautista entered the Ministry of Foreign Affairs in 1972 and has represented his government in various positions around the world, including Manila, Kuala Lumpur, Peking and London. In July of 1986 he was appointed head of the consular post in Seattle with jurisdiction covering Washington, Oregon, Idaho, Montana, Wyoming and Alaska. Please welcome Dr. Bautista.

REMARKS BY DR. JAIME BAUTISTA

Dr. Bautista: Thank you very much, Mr. Speaker. The Honorable Joe King, the Honorable Members of the House of Representatives, my distinguished colleagues, ladies and gentlemen: We, the members of the Seattle Consular Corps, are truly honored by this invitation to meet the distinguished members of the Washington State Legislature. I understand that this may be the first time that such an invitation has been extended, providing the Consular Corps with a unique opportunity to better understand the different ways by which this august body influences the course of events in Washington State and beyond. For this initiative, which we hope will be the beginning of a great tradition, we are truly grateful to Speaker Joe King and Lieutenant Governor Joel Pritchard. Our special thanks also to Mr. Alan Thompson, the Chief Clerk of the House, and to Ms. Mae Clise.

There is good reason to make this a tradition. The Seattle Consular Corps represents the sovereign governments and peoples with the greatest commercial interests and the oldest historical and cultural ties with the Evergreen State. Furthermore, the presence of a lively Consular Corps is surely one of the best manifestations of successful trading practices and of the importance that a state is regarded by its foreign trading partners.

As you may have noted, there are seven Career Consular Missions in Washington, manned by full-time professional diplomats, and eighteen Honorary Consulates, the officials of which are chosen from among the most distinguished and qualified citizens of the state.

It is only natural that your immediate neighbors, Canada and Mexico, should maintain Career Missions in Seattle, as do your top trading partners in the European community, the United Kingdom and the Federal Republic of Germany. The other three Career Missions represent Pacific Rim nations in Asia, reflecting the growing importance of this region to Washington's trade. The countries so represented are Japan, an economic giant, the Republic of Korea, one of the newly-emerging Asian tigers, and my country, the Philippines, which is a member of ASEAN.

On the other hand, the ethnic diversity of Seattle and Washington State is reflected in the composition of the Honorary Consulates. All the five Scandinavian countries have established Honorary Consulates here, as have all the Benelux countries, as well as France, Austria and Switzerland. The Latin American presence is illustrated by seven Honorary Consulates representing four Andean states--Peru, Chile, Bolivia and Ecuador--and three Central American nations--Costa Rica, Honduras and Guatemala.

Nowadays, as the Speaker has mentioned, practically all Consular Missions are expected to perform not only the traditional consular duties of issuing passports, visas and other documents and extending assistance to nationals, but also a wide variety of functions, including the promotion of trade, investments and tourism and providing information and cultural services. In view thereof, most of the Career Missions in Seattle have a staff, which is as large or larger than mine and which make them large by Philippine foreign services standards. My office has a staff of fourteen, which compares favorably with the size of our Embassies in Europe.

It is reasonable to expect that the size of the Consular Corps of Seattle should increase in the years to come. Already another nation has expressed an interest in establishing a Mission in Seattle. If the Pacific Century emerges, as economists predict, more Asian countries and those down under are likely to consider similar moves. The Pacific Century should usher in an era of greater prosperity, with the Pacific Northwest and Washington State playing an even more prominent role. After all, Washington officials never tire of reminding us that Seattle and Tacoma are located centrally between Asia and Europe. Moreover, a bigger global economy would also stimulate the economies of Latin American and generate more trade.

The dawn of a new democratic age in eastern Europe also provides new opportunities for trade and cooperation. There freedom has returned, replacing the despotism which ruined rich and proud European nations. Undoubtedly, there is need to create and sustain the development of democratic institutions in these socialist countries, without neglecting to support democracy where it flourishes in Third World countries. The age of telecommunications hastened the downfall of dictatorships in eastern Europe. Conversely, a setback of democracy in one country may encourage despots to re-emerge in other countries.

The struggle of Third World countries to maintain their freedom and democracy has been rendered more difficult by their serious debt problems. These nations are faced with the tremendous task of feeding their populations and modernizing their economies, but find their scarce resources diverted to paying external debts. Undoubtedly, the debt problem is one needing a global solution. As a state whose interests are more directly related to the prosperity of its trading partners, Washington State has provided leadership in enlightening the decision-makers at the other Washington on trade and related matters.

This gathering today is, therefore, all the more significant and symbolic. As it is now apparent, the most important task of our Consular Missions here is really to promote greater understanding and to earn the good will of other nations, particularly the host nation. Our meeting today ushers a new approach to building a framework for greater cooperation.

MABUHAY and thank you to all of you.

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

REPORTS OF STANDING COMMITTEES

February 1, 1990

EHB 1109

Prime Sponsor, Representative O'Brien: Dealing with voter registration for high school students. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, Phillips, Pruitt, Rasmussen, Rayburn, Walker and K. Wilson.

Absent: Representatives Fuhrman, Holland, P. King, Phillips, Rasmussen, Rayburn, Schoon and Valle.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 1492 Prime Sponsor, Representative Ebersole: Defining chiropractic care. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Cantwell, Chandler, Morris, D. Sommers and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives Brooks, Ranking Republican Member; Prentice and Sprengle.

Voting nay: Representatives Brooks, Ranking Republican Member; Prentice, Sprengle and Wolfe.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 1597 Prime Sponsor, Representative Patrick: Establishing a geologists' review board. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 30, 1990

SHB 1624 Prime Sponsor, Committee on Natural Resources & Parks: Regulating the sale of valuable materials from state-owned tidelands and shorelands. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Passed to Committee on Rules for second reading.

January 31, 1990

ESHB 1666 Prime Sponsor, Committee on State Government: Establishing voter registration along with driver licensing. Reported by Committee on State Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 1824 Prime Sponsor, Representative Wood: Regarding tuition waivers for state employees at state institutions of higher education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Van Luven, Ranking Republican Member; Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Voting nay: Representative Spanel, Vice Chair.

Absent: Representatives Basich, Heavey, Miller and Wood.

Referred to Committee on Appropriations.

January 29, 1990

HB 1934 Prime Sponsor, Representative Pruitt: Establishing a program to assist disabled children. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

February 1, 1990

HB 2032 Prime Sponsor, Representative Todd: Including senior citizen and community centers within the definition of recreational facilities for park and recreation districts. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representatives Ferguson, Ranking Republican Member; Horn, Nelson, Nutley and Wood.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2278 Prime Sponsor, Representative Walker: Establishing the fair start program. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 8, line 22 after "Sec. 17," strike all material through "act." on page 9, line 2, and insert "If specific funding for this act, referencing this act by bill number, is not provided in the supplemental appropriations act by June 30, 1990, this act shall be null and void."

Renumber the remaining section consecutively.

On page 1, line 2 of the title after "RCW," insert "and"

On page 1, line 3 of the title after "sections" strike "; and making an appropriation"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman and Phillips.

Referred to Committee on Appropriations.

January 31, 1990

HB 2323 Prime Sponsor, Representative Pruitt: Increasing governmental accountability. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Absent: Representative R. King.

Referred to Committee on Appropriations.

January 30, 1990

HB 2330 Prime Sponsor, Representative Haugen: Modifying levy rate provisions for senior and junior taxing districts. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Basich, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust, Silver and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representative Van Luven

Absent: Representative Phillips.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2335 Prime Sponsor, Representative Silver: Regulating preservation of historical and abandoned cemeteries. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 7, after "guilty of a" strike "gross misdemeanor" and insert "class C felony"

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2346 Prime Sponsor, Representative Jacobsen: Adding submarine veterans of World War II to the list of organizations represented on the veterans affairs advisory committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2348 Prime Sponsor, Representative Rector: Establishing an employment training program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member, G. Fisher, Kirby, Kremen, Moyer, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative Raiter.

Referred to Committee on Appropriations.

January 31, 1990

HB 2351 Prime Sponsor, Representative R. Fisher: Exempting certain state patrol from the civil service. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2354 Prime Sponsor, Representative G. Fisher: Creating the Pacific Rim language teachers conditional scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Basich, Heavey, Miller and Wood.

Referred to Committee on Appropriations.

January 31, 1990

HB 2355 Prime Sponsor, Representative Cole: Changing rules of the road with regard to school buses and private carrier buses. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 13, after "within" strike "five" and insert "three"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, P. King, Phillips, Rasmussen and Rayburn.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2357 Prime Sponsor, Representative Peery: Allowing the superintendent of public instruction to withhold basic education moneys from school districts owing repayment of moneys to the federal government. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, P. King and Phillips.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2358 Prime Sponsor, Representative H. Myers: Creating a child abuse prevention program. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 11 after "Washington" strike all material through "schools" on line 12

On page 3, line 4 after "Sec. 6." strike everything down to and including "specialists" on line 8 and insert "If specific funding for this act, referencing the act by bill number, is not provided in the supplemental omnibus appropriations act by June 30, 1990, this act shall be null and void"

On page 1, strike line 2 of the title and insert "RCW; and creating new sections."

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, P. King and Phillips.

Referred to Committee on Appropriations.

February 1, 1990

HB 2369 Prime Sponsor, Representative Rust: Planning for hazardous waste management. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Fraser, Phillips, Pruitt and Sprenkle.

MINORITY recommendation: Do not pass. Signed by Representatives D. Sommers, Ranking Republican Member; Schoon and Walker.

Absent: Representative Van Luvan.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2370 Prime Sponsor, Representative Pruitt: Promoting community service. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, R. King, Morris, O'Brien and Silver.

MINORITY recommendation: Do not pass. Signed by Representative Hankins.

Referred to Committee on Appropriations.

January 30, 1990

HB 2373 Prime Sponsor, Representative Holland: Revising bond information requirements. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 17 after "year." strike "Such" and insert "The"

On page 2, line 19 after "RCW 39.44.200" insert "; and shall show principal and interest components of remaining lease payments on leases that finance acquisition of property. The report also shall show the local government's outstanding indebtedness compared to its debt limit under RCW 39.36.020 and 39.30.010 and to its debt limit under RCW 35.42.200"

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Bowman, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representatives Jacobsen and Wang.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2375 Prime Sponsor, Representative Betrozoff: Creating ALL KIDS CAN LEARN incentive grants. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, P. King and Phillips.

Referred to Committee on Appropriations.

January 30, 1990

HB 2390 Prime Sponsor, Representative Rust: Regulating hazardous substances and waste. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Fraser, Phillips, Pruitt and Sprengle.

MINORITY recommendation: Do not pass. Signed by Representatives D. Sommers, Ranking Republican Member; Schoon and Van Luven.

Absent: Representative Walker.

Referred to Committee on Revenue.

January 30, 1990

HB 2395 Prime Sponsor, Representative Anderson: Regarding reimbursement of nursing homes authorized to meet the needs of people with AIDS. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, Sprengle, Vekich and Wolfe.

Absent: Representative D. Sommers.

Referred to Committee on Appropriations.

January 31, 1990

HB 2406 Prime Sponsor, Representative D. Sommers: Limiting the ban on tobacco on public school property. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 12, beginning with "intended" strike all material through "event" on line 13 and insert "used for school purposes, activities or events at any time"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman and Phillips.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2407 Prime Sponsor, Representative Vekich: Regulating workplace safety bonus programs. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner and Wolfe.

Absent: Representative Walker.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2410 Prime Sponsor, Representative Anderson: Extending medical assistance hospice benefits through the end of this biennium. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprengle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2419 Prime Sponsor, Representative Dorn: Establishing the joint service center program as a pilot program in ten schools. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman and Phillips.

Referred to Committee on Appropriations.

January 31, 1990

HB 2438 Prime Sponsor, Representative Sprengle: Providing reimbursement to state library employees injured while working in state correctional institutions and offices. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Referred to Committee on Appropriations.

January 30, 1990

HB 2451 Prime Sponsor, Representative Prentice: Authorizing advanced registered nurse practitioners to prescribe certain drugs. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, Sprengle, Vekich and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representative Chandler.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2453 Prime Sponsor, Representative Nelson: Creating the parental involvement grant program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, Horn, P. King, Phillips, Rasmussen, Rayburn and Schoon.

Referred to Committee on Appropriations.

January 30, 1990

HB 2455 Prime Sponsor, Representative Locke: Authorizing local governments to establish public corporations to finance nonprofit corporations. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Wolfe.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2463 Prime Sponsor, Representative Van Luven: Restricting release of vehicle registration records. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2470 Prime Sponsor, Representative Cole: Regulating pain management programs in industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 23, after "voluntary" strike ". Any" and insert ", except as otherwise provided in this subsection. Upon referral by the worker's attending physician or the department, a worker shall be required to attend a screening interview and, if accepted into a program, the two subsequent sessions of the pain management program. Thereafter, any"

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2473 Prime Sponsor, Representative Rayburn: Revising provisions for the subdivision of land that is in whole or in part within an irrigation district and that has been previously platted by the United States. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 24 after "to be platted" strike all material through "district." on line 29 and insert "is wholly or partially within an irrigation district of two hundred thousand acres or more and has been previously platted by the United States bureau of reclamation as a farm unit in the district, the legislative authority shall not approve for such land a short plat or final plat as defined in RCW 58.17.020 without the approval of the irrigation district and the administrator or manager of the project of the bureau of reclamation, or its successor agency, within which that district lies."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representatives Jesernig and Rasmussen.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2475 Prime Sponsor, Representative Ferguson: Limiting license fees and taxes that impact certain convention and trade facilities. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Basich, Brumsickle, Fraser, Fuhrman, Grant, Morris, Phillips, H. Sommers and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Voting nay: Representatives Fuhrman, Rust and Silver.

Passed to Rules for second reading.

January 30, 1990

HB 2476 Prime Sponsor, Representative Horn: Establishing a formula for allocating the indebtedness incurred by certain lessees. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

MINORITY recommendation: Without recommendation. Signed by Representative Bowman.

Absent: Representative Wang.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2477 Prime Sponsor, Representative Ferguson: Providing exemptions from taxation for certain classes of public property. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Referred to Committee on Revenue.

January 30, 1990

HB 2494 Prime Sponsor, Representative Rust: Changing provisions relating to oil and hazardous substance spills. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, Fraser, Phillips, Pruitt, Schoon, Sprengle and Van Luven.

Absent: Representative Walker.

Referred to Committee on Appropriations.

January 30, 1990

HB 2524 Prime Sponsor, Representative Leonard: Continuing the board of pharmacy and modifying licensures. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2532 Prime Sponsor, Representative Phillips: Regarding early intervention and prevention projects. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 2 after "September 1," strike "1989" and insert "1990"

On page 5, line 6 after "January 1," strike "1990" and insert "1991"

On page 6, line 18 after "Sec. 12," strike all language through "services." on line 25 and insert "If specific funding for this act, referencing this act by bill number, is not provided in the supplemental omnibus appropriations act by June 30, 1990, this act shall be null and void."

On page 1, line 2 of the title after "and" strike "making an appropriation" and insert "creating a new section"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Holland, Horn, Jones, P. King, Rayburn, Schoon, Valle and Walker.

Absent: Representatives Fuhrman and Phillips.

Referred to Committee on Appropriations.

January 31, 1990

HB 2533 Prime Sponsor, Representative Jacobsen: Establishing the local master's degree teacher training program. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, P. King, Phillips and Rasmussen.

Referred to Committee on Appropriations.

January 30, 1990

HB 2543 Prime Sponsor, Representative Morris: Regarding community violence prevention and public security programs. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Referred to Committee on Appropriations.

January 30, 1990

HB 2545 Prime Sponsor, Representative Rasmussen: Monitoring the impact of certain biotechnologies upon the dairy industry. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rayburn, Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, Rasmussen and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representative McLean.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2560 Prime Sponsor, Representative Peery: Permitting educational staff to attend certain out-of-state courses to fulfill continuing education requirements. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 7, after "staff" insert "associate"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman and Phillips.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2584 Prime Sponsor, Representative Haugen: Raising public utility district internal job value limits and creating a small works roster. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter and Rayburn.

MINORITY recommendation: Do not pass. Signed by Representatives Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2586 Prime Sponsor, Representative Heavey: Creating the integration incentive grant program. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:
On page 2, after line 17, strike all material through "act." on line 21

On page 1, line 1 of the title, after "schools;" insert "and" and on line 2, after "RCW" strike "; and making an appropriation"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman and Phillips.

Referred to Committee on Appropriations.

January 30, 1990

HB 2601 Prime Sponsor, Representative Belcher: Creating a comprehensive program for pregnancy prevention and support for women and their partners. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, Sprenkle and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives Day, Vice Chair; Chandler, D. Sommers and Wolfe.

Referred to Committee on Appropriations.

January 31, 1990

HB 2605 Prime Sponsor, Representative Jacobsen: Authorizing a study of emergency communications systems. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representatives H. Myers, Vice Chair; Gallagher, Jesernig and R. Meyers.

Referred to Committee on Appropriations.

January 30, 1990

HB 2612 Prime Sponsor, Representative Locke: Requiring closing documents for mortgage loans to be available to loan applicants prior to closing. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Chandler, Ranking Republican Member; Anderson, Beck, Crane, Day, Dorn, Insee, Nutley, Schmidt, K. Wilson and Winsley.

Voting nay: Representative P. King.

Absent: Representatives Zellinsky, Vice Chair; and Baugher.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2618 Prime Sponsor, Representative G. Fisher: Creating the parent-teacher partnership task force. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 33, strike all material through "force." on page 3, line 3

On page 1, strike line 2 of the title and insert "and creating new sections."

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, Horn, P. King, Phillips, Rasmussen, Rayburn and Schoon.

Referred to Committee on Appropriations.

January 31, 1990

HB 2624 Prime Sponsor, Representative Fraser: Regulating exchange student placement agencies. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Loven, Ranking Republican Member; Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Basich, Jesernig and Wood.

Referred to Committee on Appropriations.

January 31, 1990

HB 2626 Prime Sponsor, Representative Wang: Giving high school credit for high school courses taken in the seventh and eighth grades. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 28 after "credit," insert "This subsection shall apply to students currently enrolled in high school and who took the courses while they were in seventh and eighth grade."

NEW SECTION. Sec. 2. 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 shall take effect immediately."

On page 1, line 1 of the title after "credit;" strike "and"

On page 1, line 2 of the title after "28A.05.060" insert "; and declaring an emergency"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman, P. King, Phillips, Rasmussen and Rayburn.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2654 Prime Sponsor, Representative Cole: Adopting a policy prohibiting corporal punishment. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman and K. Wilson.

Absent: Representative Phillips.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2659 Prime Sponsor, Representative Nutley: Changing the definition of housing under the Washington state housing finance commission. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Inslee, Rector and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Ballard and Padden.

Referred to Committee on Capital Facilities & Financing.

January 31, 1990

HB 2661 Prime Sponsor, Representative Wineberry: Revising provisions for private activity bond allocation ceilings. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Bowman, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2684 Prime Sponsor, Representative Phillips: Providing for relocation assistance for low-income tenants. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Rector and Todd.

MINORITY recommendation: Do not pass. Signed by Representatives Ballard, Inslee and Padden.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2687 Prime Sponsor, Representative Rayburn: Authorizing municipal utilities to reimburse the city or town for management services. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn and Zellinsky.

Absent: Representatives Wolfe and Wood.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2698 Prime Sponsor, Representative Jones: Revising provisions for the reopening of industrial insurance claims. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2700 Prime Sponsor, Representative Cole: Establishing procedures for industrial insurance claims. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 22, after "51.48.017," insert "The date of the protest for purposes of determining compliance with any appeal period that may apply to the protest shall be the date on which either the self-insurer or the department received notice of the protest, whichever is earlier."

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Forner, Jones, R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Smith, Ranking Republican Member; and Wolfe.

Absent: Representative Walker.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2701 Prime Sponsor, Representative Leonard: Providing civil penalties for prohibited practices in industrial insurance. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner, Walker and Wolfe.

Referred to Committee on Appropriations.

January 30, 1990

HB 2705 Prime Sponsor, Representative Ballard: Changing provisions relating to winter recreation functions of the state parks and recreation commission. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2706 Prime Sponsor, Representative Locke: Promoting economic diversification for defense-dependent industries and communities. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Raiter, Rasmussen, Rector, Tate and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representatives Moyer and Schoon.

Referred to Committee on Appropriations.

January 31, 1990

HB 2707 Prime Sponsor, Representative H. Sommers: Changing provisions relating to school district indebtedness. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betrozoff, Bowman, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2718 Prime Sponsor, Representative Van Luven: Establishing the Washington state Pacific Rim language scholarship. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 17, after "shall" strike all material through "recommendations" on line 19, and insert "report on the program"

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Basich, Heavey, Miller and Wood.

Referred to Committee on Appropriations.

January 30, 1990

HB 2739 Prime Sponsor, Representative Dellwo: Establishing a license to sell liquor in motels. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Smith, Ranking Republican Member; Forner, R. King, Leonard, O'Brien, Prentice and Wolfe.

MINORITY recommendation: Without recommendation. Signed by Representatives Vekich, Chair; Cole, Vice Chair; and Jones.

Absent: Representative Walker.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2742 Prime Sponsor, Representative Dorn: Establishing the state board for vocational technical institutes. Reported by Committee on Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Peery, Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Jones, P. King, Pruitt, Rayburn, Schoon and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives G. Fisher, Vice Chair; Holland, Horn and Walker.

Voting nay: Representatives G. Fisher, Vice Chair; Holland, Horn, Valle and Walker.

Absent: Representatives Phillips and K. Wilson.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2745 Prime Sponsor, Representative McLean: Pertaining to volunteer programs. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, R. King, Morris, O'Brien and Silver.

MINORITY recommendation: Do not pass. Signed by Representative Hankins.
Passed to Committee on Rules for second reading.

January 30, 1990

HB 2748 Prime Sponsor, Representative Sayan: Establishing procedures for the acquisition of tidelands by state agencies. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Referred to Committee on Capital Facilities & Financing.

January 29, 1990

HB 2751 Prime Sponsor, Representative Scott: Establishing a program for infants and children with special needs due to the effect of alcohol, drugs, or the human immunodeficiency virus. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

January 30, 1990

HB 2753 Prime Sponsor, Representative Prince: Rerouting state route number 128 through Red Wolf Crossing. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Bennett, Betrozoff, Cooper, Day, G. Fisher, Forner, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd and S. Wilson.

Absent: Representatives Wood, Assistant Ranking Republican Member; Basich, Cantwell, Cooper, Day, Gallagher, Haugen, Nelson, Walker and Zellinsky.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2761 Prime Sponsor, Representative Peery: Changing provisions relating to the Washington state school directors' association. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Brumsickle, Cole, Dorn, Fuhrman, Holland, Horn, Jones, P. King, Pruiitt, Rasmussen, Rayburn, Valle, Walker and K. Wilson.

MINORITY recommendation: Without recommendation. Signed by Representatives Betrozoff, Ranking Republican Member; and Schoon.

Absent: Representative Phillips.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2769 Prime Sponsor, Representative R. Meyers: Revising provisions for deductions from unemployment compensation weekly benefits. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Referred to Committee on Appropriations.

January 30, 1990

HB 2777 Prime Sponsor, Representative Haugen: Modifying provisions regarding local government tax levies. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Basich, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust, Silver and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representative Van Luvan.

Absent: Representative Phillips.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2784 Prime Sponsor, Representative Spanel: Regulating labeling of salmon. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2823 Prime Sponsor, Representative Fraser: Providing for an enhanced 911 system. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 10, after "standardized" strike "by establishing uniform standards"

On page 2, line 29, after "The" strike "comission" and insert "department"

Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representatives H. Myers, Vice Chair; Gallagher and R. Meyers.

Referred to Committee on Appropriations.

February 1, 1990

HB 2843 Prime Sponsor, Representative Todd: Establishing an equine research and education program at Washington State University. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 8 after "over" strike all material through "horses." on line 10 and insert "three hundred fifty thoroughbred breeding farms and as many other breeding farms, and one hundred seventy-seven thousand horses. The industry has a value of over four hundred forty-one million dollars to the state's economy."

On page 1, after line 27 insert:

"Any new degree program created by the university under this section shall be submitted to the higher education coordinating board for approval under chapter 28B.80 RCW."

Signed by Representatives Rayburn, Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representative Jesernig.

Referred to Committee on Appropriations.

January 31, 1990

HB 2844 Prime Sponsor, Representative Vekich: Improving administration of historical activities and programs. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Referred to Committee on Appropriations.

January 30, 1990

HB 2858 Prime Sponsor, Representative Cole: Authorizing business entertainment practices for liquor importers, wholesalers, or manufacturers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice and Wolfe.

Absent: Representative Walker.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2868 Prime Sponsor, Representative Spanel: Changing provisions relating to sea urchin endorsements. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

MINORITY recommendation: Without recommendation. Signed by Representative Bowman.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2869 Prime Sponsor, Representative Jacobsen: Waiving the nonresident tuition and fee differential for students from the People's Republic of China. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Basich, Heavey, Miller and Wood.

Referred to Committee on Appropriations.

January 31, 1990

HB 2884 Prime Sponsor, Representative Prentice: Excluding vocational-technical instructors from certain salary and benefit limitations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 23, after "apply to" strike "instructors" and insert "certificated instructional staff"

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Referred to Committee on Appropriations.

January 31, 1990

HB 2904 Prime Sponsor, Representative H. Myers: Providing for services for children under twelve years of age who abuse children. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

January 31, 1990

HB 2914 Prime Sponsor, Representative Betrozoff: Revising provisions for school levies for construction, modernization, or remodeling of school facilities. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Fuhrman, Horn, Jones, P. King, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representative Holland.

Absent: Representative Phillips.

Referred to Committee on Capital Facilities & Financing.

January 30, 1990

HB 2924 Prime Sponsor, Representative Sayan: Regulating wild mushroom sales. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass with the following amendment:
On page 3, line 5, after "June ((30)) 10," strike "1994" and insert "(1994) 1995"

Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2942 Prime Sponsor, Representative R. King: Requiring progress reports on the recreational fisheries enhancement plan. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Smith, Spanel and Vekich.

MINORITY recommendation: Do not pass. Signed by Representative Haugen.

Absent: Representatives Basich, Spanel and Vekich.

Passed to Committee on Rules for second reading.

January 30, 1990

HB 2955 Prime Sponsor, Representative Dellwo: Pertaining to motor vehicle service contracts. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Beck, Crane, Day, Dorn, Inslee, P. King, Nutley, K. Wilson and Winsley.

Absent: Representatives Zellinsky, Vice Chair; and Schmidt.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2959 Prime Sponsor, Representative Bennett: Authorizing school districts to require health insurance for students participating in extracurricular activities. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Walker and K. Wilson.

Absent: Representatives Fuhrman, Holland, P. King, Rasmussen, Rayburn and Valle.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2997 Prime Sponsor, Representative Nutley: Changing the requirements of notice in certain unlawful detainer actions. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Insee, Padden, Rector and Todd.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2998 Prime Sponsor, Representative Belcher: Exempting certain permits and licenses from the definition of a fee. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republic Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Absent: Representative Raiter.

Passed to Committee on Rules for second reading.

January 31, 1990

HB 2999 Prime Sponsor, Representative Jacobsen: Revising provisions for compensation for community college officers and employees. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince and Rector.

Absent: Representatives Basich, Heavey, Miller and Wood.

Referred to Committee on Appropriations.

January 31, 1990

HJM 4031 Prime Sponsor, Representative Sayan: Requesting support for veterans who were exposed to toxic chemicals. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Passed to Committee on Rules for second reading.

January 30, 1990

HJR 4227 Prime Sponsor, Representative Haugen: Amending the Constitution to allow property taxing districts to impose six-year tax levies. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Basich, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust, Silver and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representative Van Luven

Absent: Representative Phillips.

Passed to Committee on Rules for second reading.

January 31, 1990

HJR 4228 Prime Sponsor, Representative Peery: Changing voting validation requirements for bonds for capital purposes. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betzoff, Bowman, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Braddock.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolutions listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

The Speaker declared the House to be at ease.

The Speaker (Mr. Wineberry presiding) called the House to order.

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

INTRODUCTIONS AND FIRST READING

HB 3012 by Representatives H. Sommers and Schoon

AN ACT Relating to funding, acquisition, development, transfer, and management of lands; amending RCW 76.12.030 and 76.12.080; reenacting and amending RCW 76.12.120; adding new sections to chapter 76.12 RCW; adding a new section to chapter 79.68 RCW; adding a new chapter to Title 43 RCW; creating new sections; repealing RCW 76.12.100; and making appropriations.

Referred to Committee on Capital Facilities & Financing.

HB 3013 by Representatives R. Fisher, Schmidt, Zellinsky and R. Meyers

AN ACT Relating to specialized transportation services; adding a new section to Title 47 RCW; creating a new section; making an appropriation; and providing an effective date.

Referred to Committee on Transportation.

HB 3014 by Representative O'Brien

AN ACT Relating to extending parent requested juvenile mental health treatment to age fifteen; and amending RCW 71.34.030.

Referred to Committee on Human Services.

HB 3015 by Representatives R. Meyers, Schmidt and Zellinsky

AN ACT Relating to the imposition of moratorium or interim zoning by permit-granting agencies; adding new sections to chapter 36.70 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 3016 by Representatives H. Myers and Belcher

AN ACT Relating to adequately funding implementation of RCW 76.12.190 as enacted by the 1989 legislature, including counties who own their own lands; creating new sections; making an appropriation; and declaring an emergency.

Referred to Committee on Appropriations.

HB 3017 by Representative Hargrove

AN ACT Relating to reserve timber; amending RCW 77.12.190; making an appropriation; and declaring an emergency.

Referred to Committee on Rules.

MOTION

On motion of Mr. Ebersole, the bills listed on today's supplemental introduction sheet under the fourth order of business were referred to the committees so designated.

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

REPORTS OF STANDING COMMITTEES

February 2, 1990

EHB 1423 Prime Sponsor, Representative Day: Authorizing the creation of local seed capital pools. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 23, after "financed by" insert "voluntary"

On page 2, line 26, after "capital pool" insert "financed by voluntary citizen contributions"

On page 3, line 17, strike section 6

Renumber the remaining sections consecutively and correct internal references accordingly.

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative G. Fisher.

Passed to Committee on Rules for second reading.

February 1, 1990

SHB 1509 Prime Sponsor, Committee on State Government: Creating a legal holiday. Reported by Committee on State Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris and Silver.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 1535 Prime Sponsor, Representative Pruitt: Directing vehicle insurance rates to consider etching of vehicle identification numbers into the vehicles' windows. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Beck, Crane, Day, Inslee, P. King, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative Dorn.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 1653 Prime Sponsor, Representative Appelwick: Regulating credit agreements. Reported by Committee on Judiciary

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 1770 Prime Sponsor, Representative Haugen: Revising provisions on the appointment of ecological commission members. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris and Silver.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 1926 Prime Sponsor, Representative Schoon: Authorizing industrial development corporations. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative G. Fisher.

Referred to Committee on Revenue.

February 1, 1990

HB 1978 Prime Sponsor, Representative Jacobsen: Revising provisions for application of the state building code. Reported by Committee on State Government

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris and Silver.

Voting nay: Representative Silver.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

February 2, 1990

ESHB 2023 Prime Sponsor, Committee on Trade & Economic Development: Providing for technology development and commercialization. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative G. Fisher.

Referred to Committee on Appropriations.

February 1, 1990

HB 2154 Prime Sponsor, Representative Belcher: Regarding retirement benefits. Reported by Committee on Judiciary

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough, Locke and R. Meyers.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2251 Prime Sponsor, Representative Dellwo: Prohibiting auto transfer brokers from transferring vehicles without transferring title. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2258 Prime Sponsor, Representative Day: Changing conditions applying to the sale of products of correctional industries. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Absent: Representatives Cantwell and Sprenkle.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2262 Prime Sponsor, Representative Walker: Compensating bailee's for services rendered for unclaimed property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2270 Prime Sponsor, Representative Heavey: Regulating transport of food items. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Betrozoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Wood, Assistant Ranking Republican Member; Betrozoff, Haugen and Prince.

Referred to Committee on Appropriations.

February 1, 1990

HB 2271 Prime Sponsor, Representative Kremen: Changing eligibility requirements for concealed weapon permits. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Belcher, Dellwo, Inslee, Locke, Moyer, Schmidt, Scott and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Republican Member; Forner, Hargrove, H. Myers, D. Sommers and Tate.

Voting nay: Representatives Padden, Ranking Republican Member; Forner, Hargrove, P. King, R. Meyers, H. Myers, D. Sommers and Tate.

Absent: Representative Brough.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2327 Prime Sponsor, Representative Silver: Changing provisions relating to sunset review of programs and agencies. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris, O'Brien and Silver.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2334 Prime Sponsor, Representative Ferguson: Changing the blood and breath alcohol content standards for intoxication. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, D. Sommers and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Dellwo, R. Meyers and Wineberry.

Absent: Representatives Crane, Vice Chair; Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2336 Prime Sponsor, Representative O'Brien: Increasing penalties for the manufacture, sale, or delivery of controlled substances on public buses, and on or near bus stops and public parks. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative H. Myers.

Voting nay: Representatives Appelwick, Chair; Belcher and H. Myers.

Absent: Representatives Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2340 Prime Sponsor, Representative R. Meyers: Prohibiting the installation of inoperable fire protection sprinkler systems. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2341 Prime Sponsor, Representative R. Meyers: Creating a felony for tampering with fire fighting equipment with the intent to commit a felony. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2349 Prime Sponsor, Representative R. Meyers: Providing for DNA identification. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane,

Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2353 Prime Sponsor, Representative R. Fisher: Changing requirements for state agency use of credit reporting agencies. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris and Silver.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2363 Prime Sponsor, Representative R. King: Regulating hours of labor. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner, Walker and Wolfe.

Voting nay: Representatives Smith, Ranking Republican Member; Forner and Walker.

Absent: Representatives O'Brien and Wolfe.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2365 Prime Sponsor, Representative Spanel: Establishing guidelines for determinations of future urban use of forest land. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Raiter and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman and H. Myers.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2383 Prime Sponsor, Representative Morris: Creating a jail standards incentive board. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Referred to Committee on Capital Facilities & Financing.

February 1, 1990

HB 2385 Prime Sponsor, Representative Sayan: Making technical changes to alcohol and drug treatment laws. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice

Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Absent: Representatives Scott, Vice Chair; Tate, Assistant Ranking Republican Member; and Padden.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2388 Prime Sponsor, Representative Rust: Regulating infectious waste. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; G. Fisher, Fraser, Phillips, Pruitt, Sprengle, Van Luven and Walker.

Referred to Committee on Appropriations.

February 2, 1990

HB 2399 Prime Sponsor, Representative Baugher: Amending raffle provisions. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representatives Cole, Vice Chair; and O'Brien.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2401 Prime Sponsor, Representative Grant: Increasing limits for associate development organization expenditures. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative G. Fisher.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2403 Prime Sponsor, Representative Rector: Adding video telecommunication responsibilities to the department of information services. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris, O'Brien and Silver.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2421 Prime Sponsor, Representative Dorn: Requiring safety standards for the operation of jet skis. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers and Raiter.

Absent: Representatives Dellwo, Fuhrman, Hargrove and Sayan.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2425 Prime Sponsor, Representative Rasmussen: Authorizing revocation of driving privileges for violation of drug and alcohol laws. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Forner, Hargrove, P. King, Moyer, Schmidt, Scott, D. Sommers and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Dellwo, Inslee, R. Meyers, H. Myers and Wineberry.

Voting nay: Representatives Belcher, Dellwo, Inslee, R. Meyers, H. Myers, Schmidt and Wineberry.

Absent: Representatives Brough and Locke.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2457 Prime Sponsor, Representative Wolfe: Regulating employment listing or employment information services. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice and Wolfe.

Absent: Representatives O'Brien and Walker.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2459 Prime Sponsor, Representative Inslee: Establishing punitive liability for injury or wrongful death from driving while intoxicated. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2465 Prime Sponsor, Representative May: Revising the natural death act. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprengle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2507 Prime Sponsor, Representative Haugen: Changing provisions relating to tax levies for medical services. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Kirby.

Absent: Representative Wood.

Referred to Committee on Revenue.

February 2, 1990

HB 2515 Prime Sponsor, Representative P. King: Permitting reciprocal insurance exchanges to engage in real estate transactions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Beck, Day, Dorn, Insee, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representatives Baugher, Crane and P. King.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2531 Prime Sponsor, Representative Day: Changing provisions relating to nursing home administration. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2534 Prime Sponsor, Representative Vekich: Requiring the submittal of certified payrolls on public works projects. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 22, after "subcontractor" strike all material through "industries" on line 23

Signed by Representatives Vekich, Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Voting nay: Representative Smith, Ranking Republican Member.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2539 Prime Sponsor, Representative Wood: Amending water and sewer district provisions. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn and Zellinsky.

Absent: Representatives Ferguson, Ranking Republican Member; Horn, Nelson, Nutley and Wood.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2542 Prime Sponsor, Representative Youngsman: Forfeiting vehicles used in illegal transfers of controlled substances. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Insee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough, Locke and Scott.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2544 Prime Sponsor, Representative Nelson: Providing an alternate lien and foreclosure process for sewer charges. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2557 Prime Sponsor, Representative Sprenkle: Restricting promotional distribution of tobacco. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representatives Day, Vice Chair; and Vekich.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2575 Prime Sponsor, Representative McLean: Regarding nonappearance by occupant of motor vehicle. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Voting nay: Representatives Hargrove and Inslee.

Absent: Representatives Belcher, Brough, Dellwo and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2587 Prime Sponsor, Representative Prince: Authorizing port districts to spend money on road improvements. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn and Zellinsky.

Absent: Representatives Nelson, Wolfe and Wood.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2593 Prime Sponsor, Representative Belcher: Modifying requirements for registration of pesticides. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Referred to Committee on Appropriations.

February 1, 1990

HB 2603 Prime Sponsor, Representative Vekich: Enhancing availability of medical care for children. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Referred to Committee on Appropriations.

February 1, 1990

HB 2622 Prime Sponsor, Representative Belcher: Pertaining to interference with health care. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Belcher, Dellwo, Forner, Inslee, P. King, Locke, R. Meyers, H. Myers, Schmidt, Scott, and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Republican Member; Moyer, D. Sommers and Tate.

Voting nay: Representatives Padden, Ranking Republican Member; Hargrove, Moyer, D. Sommers and Tate.

Absent: Representative Brough.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2630 Prime Sponsor, Representative Jesernig: Abrogating the professional rescuer doctrine. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Dellwo, Hargrove, Inslee, P. King, R. Meyers, H. Myers, Scott and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Republican Member; Forner, Moyer, Schmidt, D. Sommers and Tate.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2631 Prime Sponsor, Representative Cooper: Regulating community services for persons with developmental disabilities. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2633 Prime Sponsor, Representative Appelwick: Amending the uniform commercial code. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2639 Prime Sponsor, Representative Todd: Compensating members of state boards, commissions, councils, and committees. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 18, after line 5 insert the following:

*Sec. 20. Section 4, chapter 287, Laws of 1984 and RCW 43.03.240 are each amended to read as follows:

(1) Any part-time, statutory board, commission, council, committee, or other similar group which has rule-making authority, performs quasi judicial functions, has responsibility for the

administration or policy direction of a state agency or program, or performs regulatory or licensing functions with respect to a specific profession, occupation, business, or industry shall be identified as a class three group for purposes of compensation.

(2) Except as otherwise provided in this section, each member of a class three group is eligible to receive compensation in an amount not to exceed fifty dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group. The maximum compensation amount is one hundred dollars for each member of a class three group which performs regulatory or licensing functions with respect to a specific profession, occupation, business, or industry but only if the compensation is fully paid by fees assessed against the regulated occupation, business, or industry. A person shall not receive compensation for a day of service under this section if the person (a) occupies a position, normally regarded as full-time in nature, in any agency of the federal government, Washington state government, or Washington state local government; and (b) receives any compensation from such government for working that day.

(3) Compensation may be paid a member under this section only if it is authorized under the law dealing in particular with the specific group to which the member belongs or dealing in particular with the members of that specific group."

Re-number the remaining sections consecutively.

On page 36, after line 35 insert the following:

"NEW SECTION. Sec. 38. Nothing contained in this act shall increase or diminish the compensation of any member of a part-time board, commission, council, committee, or other similar group if such a member began his or her term of office prior to the effective date of this act. The provisions of this act shall apply at the time a member begins a term of office after the effective date of this act."

On page 1, line 6 of the title, after "36.93.070," insert "43.03.240."

On page 1, line 9 of the title, after "90.58.170;" strike the remainder of the title and insert "reenacting and amending RCW 41.04.260; and creating a new section."

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Absent: Representative R. King.

Referred to Committee on Appropriations.

February 1, 1990

HB 2641 Prime Sponsor, Representative S. Wilson: Declaring a moratorium on further private ferries. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 9, after "certificates," insert "The provisions of this section do not apply to launch services regulated under chapter 81.84 RCW."

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Walker, S. Wilson and Zellinsky.

Absent: Representatives Wood, Assistant Ranking Republican Member; Haugen and Prince.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2649 Prime Sponsor, Representative Jones: Authorizing the department of transportation to place conditions on rail line salvage. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Betzoff; Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Hankins.

Absent: Representatives Wood, Assistant Ranking Republican Member; Haugen and Prince.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2651 Prime Sponsor, Representative R. Meyers: Regulating personal injury protection insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Baugher, Beck, Crane, Day, Inslee, P. King, Nutley, Schmidt and Winsley.

Absent: Representative Dorn.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2662 Prime Sponsor, Representative D. Sommers: Implementing radon programs. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; G. Fisher, Fraser, Phillips, Schoon, Sprenkle and Walker.

Absent: Representative Van Luven.

Referred to Committee on Appropriations.

February 2, 1990

HB 2663 Prime Sponsor, Representative Sprenkle: Changing provisions relating to the Washington committee for recycling markets. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Brekke.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2664 Prime Sponsor, Representative Sprenkle: Changing restrictions on the use of solid fuel burning devices. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; G. Fisher, Fraser, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

MINORITY recommendation: Without recommendation. Signed by Representatives Brekke and Phillips.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2672 Prime Sponsor, Representative Jones: Authorizing medication benefits for former recipients of general assistance. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

February 2, 1990

HB 2688 Prime Sponsor, Representative Doty: Authorizing free group fishing licenses for federal job corps young adults. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; Basich, Bowman, Cole, Smith and Spanel.

MINORITY recommendation: Without recommendation. Signed by Representatives S. Wilson, Ranking Republican Member; Brooks, Haugen and Vekich.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2708 Prime Sponsor, Representative Haugen: Authorizing public utility districts to perform sewer inspections. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Wood.

Absent: Representative Wolfe.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2709 Prime Sponsor, Representative Crane: Revising criteria for setting the number of district court judges in each electoral district. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Delliwo, Forner, Hargrove, R. Meyers, H. Myers, Scott, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2715 Prime Sponsor, Representative Vekich: Pertaining to the registration of engineers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representatives Cole, Vice Chair; Jones, Leonard and O'Brien.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2722 Prime Sponsor, Representative Zellinsky: Modifying "rules of the road" as they relate to solid waste collection vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 24, after "vehicle" strike "upon the roadway" and insert "as close as practical to the right edge of the right-hand shoulder of the roadway or right edge of the roadway if no shoulder exists"

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Voting nay: Representative Baugher, Vice Chair, Eastern Washington.

Absent: Representatives Wood, Assistant Ranking Republican Member; Haugen, Nelson and Prince.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2726 Prime Sponsor, Representative Schoon: Raising the debt funding limitation for certain port districts. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 4, after "than" strike "two hundred fifty" and insert "eight hundred"
 On page 2, at the beginning of line 13, strike "The" and insert "For the purposes of this section, 'indebtedness of the district' shall not include any debt secured by a mortgage on district property when such property is leased to the federal government; and the"

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kirby, Moyer, Raiter, Rasmussen, Schoon and Tate.

Absent: Representatives G. Fisher, Kremen and Rector.

Referred to Committee on Capital Facilities & Financing.

February 1, 1990

HB 2728 Prime Sponsor, Representative Brough: Providing for changing the name of a city or town. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representatives Ferguson, Ranking Republican Member; and Wood.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2740 Prime Sponsor, Representative G. Fisher: Modifying permit requirements for substantial developments on shorelines as they relate to utility extensions. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

MINORITY recommendation: Without recommendation. Signed by Representative Valle, Vice Chair.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2741 Prime Sponsor, Representative Belcher: Changing provisions relating to timber, agriculture, and water conservation. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Hargrove, Raiter and Sayan.

MINORITY recommendation: Do not pass. Signed by Representatives Fuhrman and H. Myers.

Referred to Committee on Appropriations.

February 1, 1990

HB 2746 Prime Sponsor, Representative McLean: Creating a crime of enticement. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner,

Hargrove, Inslee, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2752 Prime Sponsor, Representative Moyer: Pertaining to depictions of minors engaged in sexually explicit conduct. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2760 Prime Sponsor, Representative Day: Concerning the long-term care ombudsman program. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Referred to Committee on Appropriations.

February 2, 1990

HB 2772 Prime Sponsor, Representative Vekich: Revising provisions for disqualification from unemployment compensation benefits. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2773 Prime Sponsor, Representative R. King: Making it an unfair practice to discriminate in employment because of an individual's use of lawful tobacco products during nonworking hours. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14 after "employee" strike all matter through "hours" on page 1, line 18

On page 1, after line 20 insert:

"(4) Nothing in this section shall be interpreted to preclude or discourage an employer from offering financial incentives to its employees designed to encourage its employees to refrain from using lawful tobacco products."

Signed by Representatives Vekich, Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice and Walker.

MINORITY recommendation: Do not pass. Signed by Representative Wolfe.

Absent: Representatives Cole, Vice Chair; and O'Brien.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2775 Prime Sponsor, Representative McLean: Prohibiting the use of voting machines that do not record votes on separate ballots. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris, O'Brien and Silver.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2791 Prime Sponsor, Representative Appelwick: Changing superior court filing fees. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Republican Member; and Tate.

Voting nay: Representatives Crane, Vice Chair; Padden, Ranking Republican Member; P. King and Tate.

Absent: Representatives Belcher, Brough and Locke.

Referred to Committee on Revenue.

February 1, 1990

HB 2792 Prime Sponsor, Representative Day: Regulating podiatric physicians and surgeons. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprengle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2794 Prime Sponsor, Representative Horn: Changing provisions relating to abandoned property held by local governments. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Referred to Committee on Revenue.

February 1, 1990

HB 2796 Prime Sponsor, Representative Brekke: Pertaining to birth certificates. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprengle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2800 Prime Sponsor, Representative Vekich: Allowing self-insured employers to close disability claims after July 1990. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 27 after "1986," strike "and before July 1, 1990," and insert "((and before July 1, 1990))"

On page 3, beginning on line 17 strike all material through "closure" on line 24 and insert "((8) In the case of claims accepted by self-insurers after June 30, 1990, which involve only medical treatment and which do not involve payment of temporary disability compensation under RCW 51.32.090 and which at the time medical treatment is concluded do not involve permanent disability, such claims may be closed by the self-insurers subject to reporting of

~~claims to the department in a manner prescribed by department rules promulgated pursuant to chapter 34-05-REW:)) (e) Upon ((such)) closure of claims involving only medical treatment."~~

Signed by Representatives Vekich, Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representatives Cole, Vice Chair; and O'Brien.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2801 Prime Sponsor, Representative Forner: Clarifying the definition of collection agencies. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representatives Cole, Vice Chair; O'Brien and Walker.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2802 Prime Sponsor, Representative Todd: Enlarging the department of general administration transportation management authority. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris, O'Brien and Silver.

Absent: Representatives R. King and O'Brien.

Referred to Committee on Capital Facilities & Financing.

February 1, 1990

HB 2803 Prime Sponsor, Representative G. Fisher: Changing provisions relating to state employees operating state-owned vehicles. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris and Silver.

Absent: Representatives R. King and O'Brien.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2808 Prime Sponsor, Representative H. Myers: Changing the requirements for appointing court commissioners. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2810 Prime Sponsor, Representative Inslee: Modifying exemptions and penalties for tinting or coloring of motor vehicle windows. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; Schmidt, Ranking Republican Member; Basich, Betozoff, Cooper, Day, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Wood, Assistant Ranking Republican Member; Haugen and Prince.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2813 Prime Sponsor, Representative Locke: Amending the business license center act. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 3, strike lines 11 through 18 and insert:

"(1) The revenue collected for filing annual reports of corporations as required by RCW 23B.16.220 when filed under RCW 23B.01.530 or 23B.01.550 shall be collected by the business license center and shall be deposited in the general fund.

(2) A handling fee shall be imposed on each original master license issued. The amount of the handling fee shall be recommended by the Board of Review established under RCW 19.02-.040. The director shall specify the amount of the handling fee by rule adopted under chapter 34.05 RCW. The fee shall not exceed six dollars for each original master license issued. The handling fees collected under this section shall be deposited in the general fund."

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representatives Kirby and Tate.

Absent: Representative G. Fisher.

Referred to Committee on Appropriations.

February 1, 1990

HB 2815 Prime Sponsor, Representative Spanel: Stopping the conversion of full-time community college faculty positions to part-time positions. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller and Rector.

Absent: Representatives Prince and Wood.

Referred to Committee on Appropriations.

February 1, 1990

HB 2819 Prime Sponsor, Representative Brekke: Creating a children's ombuds. Reported by Committee on Human Services

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Absent: Representative Tate, Assistant Ranking Republican Member.

Referred to Committee on Appropriations.

February 1, 1990

HB 2827 Prime Sponsor, Representative Spanel: Providing for compensatory maintenance and for wage garnishment of maintenance orders. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough, Locke and R. Meyers.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2830 Prime Sponsor, Representative Sayan: Compensating Vietnam veterans. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 15, strike "March 28, 1973" and insert "May 7, 1975"

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris, O'Brien and Silver.

Absent: Representative R. King.

Referred to Committee on Appropriations.

February 1, 1990

HB 2841 Prime Sponsor, Representative R. Fisher: Authorizing regional transportation planning. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Hankins and Smith.

Absent: Representatives Baugher, Vice Chair, Eastern Washington; Wood, Assistant Ranking Republican Member; Haugen and Prince.

Referred to Committee on Appropriations.

February 1, 1990

HB 2842 Prime Sponsor, Representative Hine: Permitting more discretion in granting disabled parking permits. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 21, after "(g)" strike all material through "director" on line 24 and insert "Has a disability resulting from an acute sensitivity to automobile emissions which limits or impairs the ability to walk. The personal physician of the applicant shall document that the disability is comparable in severity to the others listed in this subsection"

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Wood, Assistant Ranking Republican Member; Haugen and Prince.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2850 Prime Sponsor, Representative Raiter: Revising provisions for the Washington economic development finance authority. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 13 strike "seventeen" and insert "eighteen"

On page 2, line 19 strike "nine" and insert "ten"

On page 2, line 20 after "with" insert "one representative of women-owned businesses and one representative of minority-owned businesses and with"

On page 7, line 30, strike section 7

On page 1, line 3 of the title after "43.163.080," strike "43.163.100, and 43.163.120" and insert "and 43.163.100"

On page 2, line 32 strike "three" and insert "four"

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative G. Fisher.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2854 Prime Sponsor, Representative Cooper: Ratifying procedures used by certain counties for contracts for solid waste systems. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2859 Prime Sponsor, Representative Todd: Making changes in county legislative authority. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendment:

On page 3, beginning on line 25 after "reside in" strike all material through "district." on line 26 and insert "a separate commissioner district. Each commissioner shall be nominated from a separate commissioner district by the voters of that district. Each shall be elected by the voters of the entire county."

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris, O'Brien and Silver.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2861 Prime Sponsor, Representative Leonard: Transferring the responsibilities for the regulation of manufactured housing. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Inslee, Padden, Rector and Todd.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2863 Prime Sponsor, Representative R. Meyers: Prohibiting firearms near judicial proceedings and capitol structures. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, D. Sommers, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Hargrove.

Absent: Representatives Belcher and Brough.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2865 Prime Sponsor, Representative Appelwick: Pertaining to parental consent for health care or education. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough and Locke.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2875 Prime Sponsor, Representative Rector: Changing permit requirements for facilities treating, storing, or disposing of hazardous substances. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Referred to Committee on Transportation.

February 1, 1990

HB 2887 Prime Sponsor, Representative Appelwick: Concerning modifying parenting plans. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough and Locke.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2888 Prime Sponsor, Representative Appelwick: Establishing a new child support schedule. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, D. Sommers and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, Chair; Belcher, Forner, Locke, Schmidt, Scott and Wineberry.

Absent: Representative Brough.

Referred to Committee on Appropriations.

February 1, 1990

HB 2890 Prime Sponsor, Representative Belcher: Changing provisions relating to payment of deferred compensation. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Brough.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2892 Prime Sponsor, Representative R. King: Providing for the siting of floating finfish aquaculture facilities. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2900 Prime Sponsor, Representative R. King: Exempting certain commercial fishermen from the business and occupation tax. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

MINORITY recommendation: Do not pass. Signed by Representative Morris, Vice Chair.

Referred to Committee on Revenue.

February 2, 1990

HB 2906 Prime Sponsor, Representative Leonard: Providing for the clean-up or elimination of contaminated properties. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Inslee, Padden, Rector and Todd.

Referred to Committee on Appropriations.

February 1, 1990

HB 2907 Prime Sponsor, Representative Nutley: Concerning mobile home relocation. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Padden, Rector and Todd.

MINORITY recommendation: Do not pass. Signed by Representative Inslee.

Referred to Committee on Appropriations.

February 1, 1990

HB 2911 Prime Sponsor, Representative Nutley: Exempting school districts and associated students of school districts from certain contract prohibitions. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris, O'Brien and Silver.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2912 Prime Sponsor, Representative Braddock: Making technical corrections in department of health statutes. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprengle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2915 Prime Sponsor, Representative Jacobsen: Changing provisions relating to vocational education. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller and Rector.

Absent: Representatives Jesernig, Prince and Wood.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2916 Prime Sponsor, Representative Prentice: Revising provisions on conditions of employment. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner, Waiker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2917 Prime Sponsor, Representative Braddock: Changing provisions relating to physician assistants. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2921 Prime Sponsor, Representative Inslee: Establishing an industrial growth demonstration pilot project in Yakima county. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative G. Fisher.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2932 Prime Sponsor, Representative K. Wilson: Providing for regional water resource planning. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Referred to Committee on Appropriations.

February 1, 1990

HB 2933 Prime Sponsor, Representative Ferguson: Studying local government self insurance pools. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice

Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2935 Prime Sponsor, Representative Horn: Modifying the provisions for local government elections. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2937 Prime Sponsor, Representative H. Sommers: Providing a definition of "public market." Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Wolfe.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2939 Prime Sponsor, Representative Braddock: Removing population limits at certain correctional institutions. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Chandler, Morris, Prentice, D. Sommers, Vekich and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representative Sprenkle.

Referred to Committee on Appropriations.

February 1, 1990

HB 2951 Prime Sponsor, Representative Braddock: Establishing procedures for siting of correctional facilities. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Prentice, D. Sommers, Vekich and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler, Morris and Sprenkle.

Absent: Representative Cantwell.

Referred to Committee on Capital Facilities & Financing.

February 2, 1990

HB 2956 Prime Sponsor, Representative Nelson: Revising provisions for the management of low-level radioactive waste. Reported by Committee on Energy & Utilities

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representative R. Meyers.

Referred to Committee on Revenue.

February 1, 1990

HB 2962 Prime Sponsor, Representative Appelwick: Making changes to refer-
ences made necessary by child support legislation. Reported by Com-
mittee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick,
Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo,
Fornier, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott,
D. Sommers, Tate and Wineberry.

Absent: Representatives Brough, Locke and Wineberry.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2963 Prime Sponsor, Representative Cantwell: Exempting certain motor
vehicle carrying passenger vessels. Reported by Committee on Trade
& Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and
the substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry,
Vice Chair; Doty, Ranking Republican Member; Kirby, Moyer, Rasmussen, Rector
and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representatives Kremen,
Raiter, Schoon and Tate.

Absent: Representative G. Fisher.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2971 Prime Sponsor, Representative Wineberry: Requiring drug prevention
plans for assisted housing. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and
the substitute bill do pass. Signed by Representatives Nutley, Chair; Leonard, Vice
Chair; Winsley, Ranking Republican Member; Anderson, Ballard, Inslee, Padden,
Rector and Todd.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2972 Prime Sponsor, Representative Wineberry: Creating a committee to
study the costs of mandatory automobile liability insurance. Reported
by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo,
Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson,
Baughner, Beck, Crane, Day, Inslee, P. King, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative Dorn.

Referred to Committee on Appropriations.

February 1, 1990

HB 2979 Prime Sponsor, Representative Appelwick: Regulating forfeited fire-
arms. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and
the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane,
Vice Chair; Padden, Ranking Republican Member; Dellwo, Fornier, Inslee, P. King,
Locke, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and
Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher
and Hargrove.

Absent: Representative Brough.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2982 Prime Sponsor, Representative Vekich: Providing for the protection of public health and safety in the handling of hazardous waste. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Referred to Committee on Appropriations.

February 2, 1990

HB 2983 Prime Sponsor, Representative Wineberry: Establishing the youth career skills pilot project. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, Prentice and Wolfe.

Absent: Representatives O'Brien and Walker.

Referred to Committee on Appropriations.

February 1, 1990

HB 2986 Prime Sponsor, Representative Appelwick: Making technical corrections to the alcohol and controlled substances abuse act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Brough and Locke.

Referred to Committee on Appropriations.

February 1, 1990

HB 2992 Prime Sponsor, Representative Cooper: Changing local government bidding practices. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 3000 Prime Sponsor, Representative Todd: Enacting the voters' rights act of 1990. Reported by Committee on State Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, Morris and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Absent: Representative R. King.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 3001 Prime Sponsor, Representative Zellinsky: Concerning solvency protection for health maintenance organizations. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Beck, Day, Dorn, Inslee, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representatives Baugher, Crane and P. King.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 3002 Prime Sponsor, Representative Zellinsky: Concerning solvency protection for health care service contractors. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Beck, Day, Dorn, Inslee, Nutley, Schmidt and Winsley.

Absent: Representatives Baugher, Crane and P. King.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 3007 Prime Sponsor, Representative Nealey: Relating to notice of employee pension plans provided by third class cities and fourth class municipalities. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe and Zellinsky.

Absent: Representative Wood.

Passed to Committee on Rules for second reading.

February 2, 1990

HJM 4026 Prime Sponsor, Representative Phillips: Requesting Congress to address oil spills and vessel standards and operating procedures. Reported by Committee on Environmental Affairs

MAJORITY recommendation: The substitute memorial be substituted therefor and the substitute memorial do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Sprengle, Van Luven and Walker.

MINORITY recommendation: Without recommendation. Signed by Representative Schoon.

Passed to Committee on Rules for second reading.

February 2, 1990

HJM 4032 Prime Sponsor, Representative R. King: Requesting Congress to pass the Chehalis River Basin Fishery Resources Study and Restoration Act of 1989. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Passed to Committee on Rules for second reading.

February 2, 1990

HJM 4033 Prime Sponsor, Representative Basich: Requesting that Congress and the President work to ban driftnets. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Cole, Haugen, Smith, Spanel and Vekich.

Passed to Committee on Rules for second reading.

February 2, 1990

HJR 4226 Prime Sponsor, Representative Rust: Amending the Constitution to establish environmental rights. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 10, strike "paramount" and insert "vital"

Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Passed to Committee on Rules for second reading.

February 1, 1990

HCR 4431 Prime Sponsor, Representative D. Sommers: Naming the new Division Street Bridge in Spokane the Sam C. Guess Memorial Bridge. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Wood, Assistant Ranking Republican Member; Haugen and Prince.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorials and resolutions listed on today's supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 1791 was referred from the third reading calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2945 was referred from Committee on Local Government to Committee on Revenue.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, February 5, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

TWENTY-NINTH DAY

MORNING SESSION

House Chamber, Olympia, Monday, February 5, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Brekke, Cantwell, Dorn, Ferguson, Fraser, Haugen, P. King, Locke, Prince, Smith, Todd and Vekich. On motion of Ms. Cole, Representatives Appelwick, Cantwell, Dorn, Fraser, Haugen and Todd were excused. On motion of Ms. Miller, Representatives Ferguson, Prince and Smith were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Christopher Sigman and Shauna Morgan. Prayer was offered by Representative Clyde Ballard.

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

MESSAGES FROM THE SENATE

February 2, 1990

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5371,
 SENATE BILL NO. 5431,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5450,
 SENATE BILL NO. 5484,
 ReENGROSSED SUBSTITUTE SENATE BILL NO. 5522,
 SUBSTITUTE SENATE BILL NO. 5533,
 SENATE BILL NO. 5699,
 SECOND SUBSTITUTE SENATE BILL NO. 5872,
 ENGROSSED SENATE BILL NO. 5908,
 SENATE BILL NO. 6354,
 SENATE BILL NO. 6510,
 SENATE BILL NO. 6512,
 SUBSTITUTE SENATE BILL NO. 6526.

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

February 2, 1990

Mr. Speaker:

The President has signed:

SUBSTITUTE HOUSE BILL NO. 2198.

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

ESB 5371 by Senators Gaspard, Bailey and Bauer

Establishing an award for excellence in teacher preparation.

Referred to Committee on Education.

SB 5431 by Senators Bauer, Smith, Sutherland, McDonald and Vognild

Exempting property from the leasehold excise tax.

Referred to Committee on Revenue.

ESSB 5450 by Committee on Education (originally sponsored by Senators Talmadge, Moore, Murray and Bauer)

Providing for education in Pacific Rim languages.

Referred to Committees on Higher Education/Appropriations.

SB 5484 by Senators Thorsness, Bender, McDonald, Madsen, McCaslin, Patterson, Saling, Cantu, Lee and Johnson

Creating Washington national guard day.

Referred to Committee on State Government.

ReESSB 5522 by Committee on Education (originally sponsored by Senators Rinehart, Bailey, Murray and Lee)

Permitting on-site day care for education employees.

Referred to Committees on Education/Appropriations.

SSB 5533 by Committee on Environment & Natural Resources (originally sponsored by Senators Rasmussen, Hansen, Vognild, Patterson, Thorsness, Conner, Metcalf, Benitz, Saling and Nelson)

Protecting salmon and steelhead resources from nonendangered marine mammals.

Referred to Committee on Fisheries & Wildlife.

SB 5699 by Senators Williams, Johnson, Moore, Amondson, Matson, Saling, Wojahn and McCaslin

Extending the historic property tax exemption.

Referred to Committee on Revenue.

2SSB 5872 by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, Smitherman, Lee, Murray, West, McMullen, Benitz, Saling, Barr and Patterson)

Establishing a rural affairs revitalization committee and undertaking rural development projects.

Referred to Committee on Trade & Economic Development.

ESB 5908 by Senators Hansen, Madsen, Bailey, Barr, Gaspard, Newhouse, Anderson and Bauer

Extending food tax exemption to not-for-profit fairs.

Referred to Committee on Revenue.

SB 6354 by Senator Barr; by request of Department of Agriculture

Removing newspaper publication requirements for hearings on apple grades and size standards.

Referred to Committee on Agriculture & Rural Development.

SB 6510 by Senators Benitz, Bluechel and Williams; by request of Utilities and Transportation Commission

Revising provisions for registration of telecommunication companies.

Referred to Committee on Energy & Utilities.

SB 6512 by Senators Benitz, Bluechel and Williams; by request of Utilities and Transportation Commission

Limiting regulation of radio communications services.

Referred to Committee on Energy & Utilities.

SSB 6526 by Committee on Agriculture (originally sponsored by Senators Anderson, Hansen, Gaspard, Barr, Bauer, Benitz, Bailey, Warnke, Sutherland and Newhouse)

Relating to registration of plant protection products for minor crop uses.

Referred to Committee on Agriculture & Rural Development.

MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

February 1, 1990

HB 2372 Prime Sponsor, Representative Jacobsen: Creating the Washington community college exceptional faculty awards program. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Brough, Dorn, Ebersole, Peery and Wineberry.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2378 Prime Sponsor, Representative Leonard: Changing the authority of educational service district boards with regard to the purchase and sale of property used for the operation of the educational service district. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Betrozoff, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Beck.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2390 Prime Sponsor, Representative Rust: Regulating hazardous substances and waste. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass with the following amendments by Committee on Revenue:

On page 6, line 15, after "preparation" strike ", modification, or implementation of the plans required by section 6 of this act" and insert "or modification of a plan, executive summary, or annual progress report, or assistance in the implementation of a plan required by section 6 of this act"

On page 10, after line 15, strike everything through line 34 on page 11 and insert the following:

"(6) Annual progress reports, including a description of the progress made toward achieving the specific performance goals established in the plan, shall be prepared and submitted to the department in accordance with rules developed under this section. Upon the request of two or more users or generators belonging to similar industrial classifications, the department may aggregate data contained in their annual progress reports for the purpose of developing a public record.

(7) Every five years, each plan shall be updated, and a new executive summary shall be submitted to the department."

On page 12, after line 7, strike everything through line 33 on page 12 and insert the following:

"NEW SECTION, Sec. 8. A new section is added to chapter 70.95C RCW to read as follows:

(1) The department may review a plan, executive summary, or an annual progress report to determine whether the plan, executive summary, or annual progress report is adequate pursuant to the rules developed under this section and with the provisions of section 6 of this act. In determining the adequacy of any plan, executive summary, or annual progress report, the department shall base its determination solely on whether the plan, executive summary, or annual progress report is complete and prepared in accordance with the provisions of section 6 of this act.

(2) Plans developed under section 6 of this act shall be retained at the facility of the hazardous substance user or hazardous waste generator preparing a plan. The plan is not a public record under the public disclosure laws of the state of Washington contained in chapter 42.17 RCW. A user or generator required to prepare a plan shall permit the director or a representative of the director to review the plan to determine its adequacy. No visit made by the director or a representative of the director to a facility for the purposes of this subsection may be regarded as an inspection or investigation, and no notices or citations may be issued, nor any civil penalty assessed, upon such a visit.

(3) If a hazardous substance user or hazardous waste generator fails to complete an adequate plan, executive summary, or annual progress report, the department shall notify the user or generator of the inadequacy, identifying specific deficiencies. For the purposes of this section, a deficiency may include failure to develop a plan, failure to submit an executive summary pursuant to the schedule provided in section 6(5) of this act, and failure to submit an annual progress report pursuant to the rules developed under section 6(6) of this act. The department shall specify a reasonable time frame, of not less than ninety days, within which the user or generator shall complete a modified plan, executive summary, or annual progress report addressing the specified deficiencies.

(4) If the department determines that a modified plan, executive summary, or annual progress report is inadequate, the department may, within its discretion, either require further modification or enter an order pursuant to section 6(5)(a) of this act.

(5)(a) If, after having received a list of specified deficiencies from the department, a hazardous substance user or hazardous waste generator required to prepare a plan fails to complete modification of a plan, executive summary, or annual progress report within the time period specified by the department, the department may enter an order pursuant to chapter 34.05 RCW finding the user or generator not in compliance with the requirements of section 6 of this act. When the order is final, the department shall notify the department of revenue to charge a penalty fee. The penalty fee shall be the greater of one thousand dollars or three times the amount of the user's or generator's previous year's fee, in addition to the current year's fee. If no fee was assessed the previous year, the penalty shall be the greater of one thousand dollars or three times the amount of the current year's fee. The penalty assessed under this subsection shall be collected each year after the year for which the penalty was assessed until an adequate plan or executive summary is completed.

(b) If a hazardous substance user or hazardous waste generator required to prepare a plan fails to complete an adequate plan, executive summary, or annual progress report after the department has levied against the user or generator the penalty provided in (a) of this subsection, the user or generator shall be required to pay a surcharge to the department whenever the user or generator disposes of a hazardous waste at any hazardous waste incinerator or hazardous waste landfill facility located in Washington state, until a plan, executive summary, or annual progress report is completed and determined to be adequate by the department. The surcharge shall be equal to three times the fee charged for disposal. The department shall furnish the incinerator and landfill facilities in this state with a list of environmental protection agency/state identification numbers of the hazardous waste generators that are not in compliance with the requirements of section 6 of this act.

NEW SECTION. Sec. 9. A new section is added to chapter 70.95C RCW to read as follows:

(1) The department shall make available for public inspection any executive summary or annual progress report submitted to the department. Any hazardous substance user or hazardous waste generator required to prepare an executive summary or annual progress report who believes that disclosure of any information contained in the executive summary or annual progress report may adversely affect the competitive position of the user or generator may request the department pursuant to RCW 43.21A.160 to delete from the public record those portions of the executive summary or annual progress report that may affect the user's or generator's competitive position. The department shall not disclose any information contained in an executive summary or annual progress report pending a determination of whether the department will delete any information contained in the report from the public record.

(2) Any ten persons residing within ten miles of a hazardous substance user or hazardous waste generator required to prepare a plan may file with the department a petition requesting the department to examine a plan to determine its adequacy. The department shall report its determination of adequacy to the petitioners and to the user or generator within a reasonable time. The department may deny a petition if the department has within the previous year determined the plan of the user or generator named in the petition to be adequate.

(3) The department shall maintain a record of each plan, executive summary, or annual progress report it reviews, and a list of all plans, executive summaries, or annual progress reports the department has determined to be inadequate, including descriptions of corrective actions taken. This information shall be made available to the public."

On page 13, after line 30, strike all of subsection (10) and insert the following:

"(10) 'Potential generators' means all persons whose primary business activities are identified by the department to be likely to generate any quantity of hazardous wastes."

On page 14, line 14, after "revenue," insert "A potential generator shall be exempt from the fee imposed under this section if the potential generator is entitled to the exemption in RCW 82.04.300 in the current calendar year."

On page 14, beginning on line 31, after "year," strike everything through "dollars," on line 33 and insert "Any facility that generates less than two thousand six hundred forty pounds of hazardous waste per waste generation site in the previous calendar year shall be exempt from the fee imposed by this section. The annual fee for a facility generating at least two thousand six hundred forty pounds but not more than four thousand pounds of hazardous waste per waste generation site in the previous calendar year shall not exceed fifty dollars."

On page 15, after line 13, strike everything through "section," on line 20

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust and Silver.

Absent: Representatives Basich, H. Sommers and Van Luven.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2441 Prime Sponsor, Representative Jacobsen: Convening a task force on disabled students in higher education. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. (For committee amendments, see Journal, 10th Day, January 17, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Insee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Valle, Wang and Wineberry.

Absent: Representatives Grant, Vice Chair; Appelwick, Braddock, Brekke, Brough, Dorn, Ebersole, Insee, Peery, Sayan, Sprenkle and Wineberry.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2556 Prime Sponsor, Representative Jacobsen: Providing telecommunications devices for persons unable to use customary telephones. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Energy & Utilities be substituted therefor and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 1, after line 13, insert:

"As used in RCW 43.20A.725-730, unless a different meaning is plainly required by the context:"

On page 2, line 9 after "service," insert "Switched access line" means a telephone service line which connects a subscriber's main telephone(s) or equivalent main telephone(s) to a local exchange company's switching office."

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Insee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Bowman and Padden.

Absent: Representatives Brough, Dorn, Ebersole, Peery, Sayan, Sprenkle, Wang and Wineberry.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2602 Prime Sponsor, Representative Hine: Changing provisions relating to support services for adoptions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Brough, Sprenkle and Wineberry.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2642 Prime Sponsor, Representative Sayan: Changing provisions relating to the department of retirement systems. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Dorn, Doty, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Ferguson.

Absent: Representatives Brough and Dorn.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2643 Prime Sponsor, Representative Hine: Changing survivorship options for members of state retirement systems. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Brough and Dorn.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2644 Prime Sponsor, Representative Silver: Revising provisions relating to retirement systems. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Spanel, Sprenkle, Wang and Wineberry.

Absent: Representatives Brough, Dorn and Sprenkle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2780 Prime Sponsor, Representative Fraser: Changing provisions relating to levies. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust and Silver.

Absent: Representatives Basich, H. Sommers and Van Luven.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2802 Prime Sponsor, Representative Todd: Enlarging the department of general administration transportation management authority. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Betzoff, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representatives Beck and Wang.

Passed to Committee on Rules for second reading.

February 1, 1990

HB 2867 Prime Sponsor, Representative Wang: Eliminating health care double coverage for judges. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendment:
On page 2, line 33, after "applicable," strike "RCW 41.04.180" and insert "RCW 36.32.400"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Braddock, Brekke, Dorn, Doty, Ferguson, Hine, Holland, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Wang and Wineberry.

Absent: Representatives Brough, Dorn and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2914 Prime Sponsor, Representative Betzoff: Revising provisions for school levies for construction, modernization, or remodeling of school facilities. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Betzoff, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Beck.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2956 Prime Sponsor, Representative Nelson: Revising provisions for the management of low-level radioactive waste. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill by Committee on Energy & Utilities be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Fraser, Grant, Haugen, Phillips, Rust and Silver.

Absent: Representatives Basich, H. Sommers and Van Luven.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2988 Prime Sponsor, Representative Locke: Funding low-income housing near the state convention and trade center. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Betrozoff, Bowman, Fraser, Jacobsen, Peery, Rector, Wang and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Braddock.

Absent: Representative Beck.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2996 Prime Sponsor, Representative Leonard: Modifying property tax exemptions for leased homeless shelters. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Appelwick, Brumsickle, Fraser, Fuhrman, Haugen, Morris, Phillips, Rust and Silver.

Absent: Representatives Basich, H. Sommers and Van Luven.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4733, by Representatives Braddock, Kremen and Spanel

WHEREAS, Washington State and Canada have a longstanding relationship of friendship, cooperation and economic interdependence; and

WHEREAS, The Province of British Columbia is one of the most important trading partners of Washington State; and

WHEREAS, More people than ever are traveling between Washington State and Canada, as shown by the twenty-seven percent increase from 1988 to 1989 in the number of people entering Washington State at the five border crossings in Whatcom County; and

WHEREAS, The ports of entry into Washington from Canada should be operated in a way that encourages the movement of people and commerce; and

WHEREAS, The number of staff at the United States government's Customs Service and Immigration and Naturalization Service offices at the border crossings has not been increased to keep pace with the rapidly increasing traffic; and

WHEREAS, Washington State's interests are ill-served by a bureaucratic barrier between the state and provinces at a time when concrete and barbed-wire barriers that prevent people's free movement are falling throughout the world; and

WHEREAS, United States Representative Al Swift and other members of Washington State's Congressional Delegation are attempting to persuade the Bush Administration to increase the size of its Customs and Immigration offices at the Washington State border crossings;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That the Washington State House of Representatives endorses the efforts of Representative Swift and other members of the Washington State Congressional Delegation to obtain sufficient staffing of the international ports of entry in Whatcom County to provide better service to returning Americans and our visiting Canadian friends; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Honorable Al Swift and other members of the Washington State Congressional Delegation.

Mr. Braddock moved adoption of the resolution. Representatives Braddock and Kremen spoke in favor of the resolution.

House Floor Resolution No. 90-4733 was adopted.

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

SECOND READING

HOUSE BILL NO. 2288, by Representatives H. Sommers, Wood, Rasmussen, Schoon and R. King; by request of Department of Community Development

Regarding appropriations for public works projects.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2288, and the bill passed the House by the following vote: Yeas, 85; absent, 4; excused, 9.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Fisher G, Fisher R, Former, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 85.

Absent: Representatives Brekke, King P, Locke, Vekich - 4.

Excused: Representatives Appelwick, Cantwell, Dorn, Ferguson, Fraser, Haugen, Prince, Smith, Todd - 9.

House Bill No. 2288, having received the constitutional majority, was declared passed.

Representatives Brekke and Vekich appeared at the bar of the House.

HOUSE BILL NO. 2303, by Representatives Crane, Locke, Todd, Fraser, Brough and Rayburn

Removing the 40% validation requirement for emergency medical service levies.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2303, and the bill passed the House by the following vote: Yeas, 87; absent, 2; excused, 9.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Fisher G, Fisher R, Former, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 87.

Absent: Representatives King P, Locke - 2.

Excused: Representatives Appelwick, Cantwell, Dorn, Ferguson, Fraser, Haugen, Prince, Smith, Todd - 9.

House Bill No. 2303, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

Representatives Appelwick, Cantwell, Dorn, P. King, Locke and Todd appeared at the bar of the House.

The Speaker declared the House to be at ease until 1:15 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:15 p.m.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2525 on the second reading calendar.

HOUSE BILL NO. 2525, by Representatives Miller, Jacobsen, Nelson and May; by request of Washington Utilities and Transportation Commission

Limiting regulation of radio communications services.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nelson and Miller spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2525, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ferguson, Fraser, Haugen, Prince, Smith - 5.

House Bill No. 2525, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2608, by Representatives Valle, Vekich and Heavey

Requiring posting of liquor applications.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 15th Day, January 22, 1990.)

On motion of Ms. Cole, the committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2608, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Inslee, Jacobsen,

Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ferguson, Fraser, Haugen, Prince, Smith - 5.

Engrossed House Bill No. 2608, having received the constitutional majority, was declared passed.

Representative Haugen appeared at the bar of the House.

HOUSE BILL NO. 2264, by Representative H. Sommers

Correcting double amendments regarding general obligation bonds.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives H. Sommers and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2264, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ferguson, Fraser, Prince, Smith - 4.

House Bill No. 2264, having received the constitutional majority, was declared passed.

Representatives Ferguson and Fraser appeared at the bar of the House.

HOUSE BILL NO. 2289, by Representatives Sayan, R. King, Bowman, Haugen, Morris, Brumsickle, Brooks, Spanel, Basich, Smith, Jacobsen, Wineberry, Anderson, Wang, Vekich, Dellwo and P. King; by request of Department of Fisheries

Increasing the reimbursements for Washington conservation corps members.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 19th Day, January 26, 1990.)

MOTIONS

Mr. Ebersole moved that the House defer further consideration of House Bill No. 2289 and that the bill hold its place on the second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider Engrossed Second Substitute Senate Bill No. 6259 on the second reading calendar. The motion was carried.

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6259, by Committee on Ways & Means (originally sponsored by Senators Nelson, Talmadge, Patrick, Wojahn, Thorsness, Vognild, Bender, Warnke, Bauer, von Reichbauer, Gaspard, Madsen, Murray, Sutherland, Rasmussen, Fleming, Hansen, Conner and Kreidler; by request of Governor)

Changing provisions relating to criminal offenders.

The bill was read the second time.

Mr. Appelwick moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

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PART I

COMMUNITY NOTIFICATION

NEW SECTION. Sec. 101. A new section is added to chapter 13.40 RCW to read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than ten days before discharge, parole, or any other authorized leave or release, or before transfer to a community residential facility, the secretary shall send written notice of the discharge, parole, authorized leave or release, or transfer of a juvenile found to have committed a violent offense or a sex offense, to the following:

(i) The chief of police of the city, if any, in which the juvenile will reside; and

(ii) The sheriff of the county in which the juvenile will reside.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific juvenile:

(i) The victim of the offense for which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the juvenile in any court proceedings involving the offense; and

(iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the juvenile. The notice to the chief of police or the sheriff shall include the identity of the juvenile, the residence where the juvenile will reside, the identity of the person, if any, responsible for supervising the juvenile, and the time period of any authorized leave.

(2)(a) If a juvenile found to have committed a violent offense or a sex offense escapes from a facility of the department, the secretary shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the juvenile resided immediately before the juvenile's arrest. If previously requested, the secretary shall also notify the witnesses and the victim of the offense which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide. If the juvenile is recaptured, the secretary shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(b) The secretary may authorize a leave, for a juvenile found to have committed a violent or sex offense, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a member of the juvenile's family. The secretary may authorize a leave, which shall not exceed the time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. Prior to the commencement of an emergency or medical leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will be during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave. If previously requested, the department shall also notify the witnesses and victim of the offense which the juvenile was found to have committed or the victim's next of kin if the offense was a homicide.

In case of an emergency or medical leave the secretary may waive all or any portion of the requirements for leaves pursuant to RCW 13.40.205 (2)(a), (3), (4), and (5).

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(4) The secretary shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

- (a) 'Violent offense' means a violent offense under RCW 9.94A.030;
- (b) 'Sex offense' means a sex offense under RCW 9.94A.030;
- (c) 'Next of kin' means a person's spouse, parents, siblings, and children.

NEW SECTION. Sec. 102. A new section is added to chapter 13.40 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to sections 116 through 118 of this act, to release relevant information that is necessary to protect the public concerning juveniles adjudicated of sex offenses.

Sec. 103. Section 10, chapter 191, Laws of 1983 and RCW 13.40.205 are each amended to read as follows:

(1) A juvenile sentenced to a term of confinement to be served under the supervision of the department shall not be released from the physical custody of the department prior to the release date established under RCW 13.40.210 except as otherwise provided in this section.

(2) A juvenile serving a term of confinement under the supervision of the department may be released on authorized leave from the physical custody of the department only if consistent with public safety and if:

- (a) Sixty percent of the minimum term of confinement has been served; and
- (b) The purpose of the leave is to enable the juvenile:

(i) To visit the juvenile's family for the purpose of strengthening or preserving family relationships;

(ii) To make plans for parole or release which require the juvenile's personal appearance in the community and which will facilitate the juvenile's reintegration into the community; or

(iii) To make plans for a residential placement out of the juvenile's home which requires the juvenile's personal appearance in the community.

(3) No authorized leave may exceed seven consecutive days. The total of all pre-minimum term authorized leaves granted to a juvenile prior to final discharge from confinement shall not exceed thirty days.

(4) Prior to authorizing a leave, the secretary shall require a written leave plan, which shall detail the purpose of the leave and how it is to be achieved, the address at which the juvenile shall reside, the identity of the person responsible for supervising the juvenile during the leave, and a statement by such person acknowledging familiarity with the leave plan and agreeing to supervise the juvenile and to notify the secretary immediately if the juvenile violates any terms or conditions of the leave. The leave plan shall include such terms and conditions as the secretary deems appropriate and shall be signed by the juvenile.

(5) Upon authorizing a leave, the secretary shall issue to the juvenile an authorized leave order which shall contain the name of the juvenile, the fact that the juvenile is on leave from a designated facility, the time period of the leave, and the identity of an appropriate official of the department to contact when necessary. The authorized leave order shall be carried by the juvenile at all times while on leave.

(6) Prior to the commencement of any authorized leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will reside during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave.

(7) The secretary may authorize a leave, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a member of the juvenile's family. The secretary may authorize a leave, which shall not exceed the period of time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. In cases of emergency or medical leave the secretary may waive all or any portions of subsections (2)(a), (3), (4), (5), and (6) of this section.

(8) If requested by the juvenile's victim or the victim's immediate family (~~prior to confinement~~), the secretary shall give notice of any leave to the victim or the victim's immediate family.

(9) A juvenile who violates any condition of an authorized leave plan may be taken into custody and returned to the department in the same manner as an adult in identical circumstances.

(10) Notwithstanding the provisions of this section, a juvenile placed in minimum security status may participate in work, educational, community service, or treatment programs in the community up to twelve hours a day if approved by the secretary. Such a release shall not be deemed a leave of absence.

(11) Subsections (6), (7), and (8) of this section do not apply to juveniles covered by section 101 of this 1990 act.

NEW SECTION. Sec. 104. A new section is added to chapter 10.77 RCW to read as follows:

(1)(a) At the earliest possible date, and in no event later than ten days before conditional release, final discharge, authorized furlough pursuant to RCW 10.77.163, or transfer to a less-restrictive facility than a state mental hospital, the superintendent shall send written notice of the conditional release, final discharge, authorized furlough, or transfer of a person who has

been found not guilty of a sex or violent offense by reason of insanity and who is now in the custody of the department pursuant to this chapter, to the following:

- (i) The chief of police of the city, if any, in which the person will reside; and
- (ii) The sheriff of the county in which the person will reside.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under this chapter:

- (i) The victim of the crime for which the person was committed or the victim's next of kin if the crime was a homicide;
- (ii) Any witnesses who testified against the person in any court proceedings; and
- (iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter.

(c) In addition to the notice requirements of (a) and (b) of this subsection, the superintendent shall comply with RCW 10.77.163.

(2) If a person who has been found not guilty of a sex or violent offense by reason of insanity and who is committed under this chapter escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person resided immediately before the person's arrest. If previously requested, the superintendent shall also notify the witnesses and the victim, if any, of the crime for which the person was committed or the victim's next of kin if the crime was a homicide. The superintendent shall also notify appropriate persons pursuant to RCW 10.77.165. If the person is recaptured, the secretary shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(4) The department shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

- (a) 'Violent offense' means a violent offense under RCW 9.94A.030;
- (b) 'Sex offense' means a sex offense under RCW 9.94A.030;
- (c) 'Next of kin' means a person's spouse, parents, siblings, and children;
- (d) 'Authorized furlough' means a furlough granted after compliance with RCW 10.77.163.

NEW SECTION. Sec. 105. A new section is added to chapter 10.77 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to sections 116 through 118 of this act, to release relevant information necessary to protect the public concerning a person who was acquitted of a sex offense as defined in RCW 9.94A.030 due to insanity and was subsequently committed to the department pursuant to this chapter.

Sec. 106. Section 2, chapter 122, Laws of 1983 as amended by section 9, chapter 420, Laws of 1989 and RCW 10.77.163 are each amended to read as follows:

(1) Before a person committed under this chapter is permitted temporarily to leave a treatment facility for any period of time without constant accompaniment by facility staff, the superintendent, professional person in charge of a treatment facility, or his or her professional designee shall in writing notify the prosecuting attorney of any county to which the person is released and the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision conditionally to release the person. The notice shall be provided at least thirty days before the anticipated release and shall describe the conditions under which the release is to occur.

(2) In addition to the notice required by subsection (1) of this section, the superintendent of each state institution designated for the custody, care, and treatment of persons committed under this chapter shall notify appropriate law enforcement agencies through the state patrol communications network of the furloughs of persons committed under RCW 10.77.090 or 10.77.110. Notification shall be made at least forty-eight hours before the furlough, and shall include the name of the person, the place to which the person has permission to go, and the dates and times during which the person will be on furlough.

(3) Upon receiving notice that a person committed under this chapter is being temporarily released under subsection (1) of this section, the prosecuting attorney may seek a temporary restraining order to prevent the release of the person on the grounds that the person is dangerous to self or others.

(4) The notice provisions of this section are in addition to those provided in section 104 of this 1990 act.

Sec. 107. Section 3, chapter 122, Laws of 1983 as amended by section 10, chapter 420, Laws of 1989 and RCW 10.77.165 are each amended to read as follows:

In the event of an escape by a person committed under this chapter from a state institution or the disappearance of such a person on conditional release, the superintendent shall notify as appropriate, local law enforcement officers, other governmental agencies, the person's relatives, and any other appropriate persons about information necessary for the public safety or to assist in the apprehension of the person. The notice provisions of this section are in addition to those provided in section 104 of this 1990 act.

Sec. 108. Section 21, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 12, chapter 420, Laws of 1989 and RCW 10.77.210 are each amended to read as follows:

Any person involuntarily detained, hospitalized, or committed pursuant to the provisions of this chapter shall have the right to adequate care and individualized treatment. The person who has custody of the patient or is in charge of treatment shall keep records detailing all medical, expert, and professional care and treatment received by a committed person, and shall keep copies of all reports of periodic examinations of the patient that have been filed with the secretary pursuant to this chapter. Except as provided in sections 104 and 116 through 118 of this 1990 act regarding the release of information concerning insane offenders who are acquitted of sex offenses and subsequently committed pursuant to this chapter, all records and reports made pursuant to this chapter, shall be made available only upon request, to the committed person, to his or her attorney, to his or her personal physician, to the prosecuting attorney, to the court, to the protection and advocacy agency, or other expert or professional persons who, upon proper showing, demonstrates a need for access to such records. All records and reports made pursuant to this chapter shall also be made available, upon request, to the department of corrections or the indeterminate sentence review board if the person was on parole or probation at the time of detention, hospitalization, or commitment or the person is subsequently convicted for the crime for which he or she was detained, hospitalized, or committed pursuant to this chapter.

NEW SECTION. Sec. 109. A new section is added to chapter 71.05 RCW to read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than ten days before conditional release, final discharge, authorized leave under RCW 71.05.325(2), or transfer to a less-restrictive facility than a state mental hospital, the superintendent shall send written notice of conditional release, final discharge, authorized leave, or transfer of a person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex or violent offense pursuant to RCW 10.77.090(3) to the following:

- (i) The chief of police of the city, if any, in which the person will reside; and
- (ii) The sheriff of the county in which the person will reside.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex or violent offense pursuant to RCW 10.77.090(3):

(i) The victim of the sex or violent crime that was dismissed pursuant to RCW 10.77.090(3) preceding commitment under RCW 71.05.280(3) or 71.05.320(2)(c) or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the person in any court proceedings; and

(iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter.

(2) If a person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex or violent offense pursuant to RCW 10.77.090(3) escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person resided immediately before the person's arrest. If previously requested, the superintendent shall also notify the witnesses and the victim of the sex or violent crime that was dismissed pursuant to RCW 10.77.090(3) preceding commitment under RCW 71.05.280(3) or 71.05.320(2) or the victim's next of kin if the crime was a homicide. In addition, the secretary shall also notify appropriate parties pursuant to RCW 71.05.410. If the person is recaptured, the superintendent shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parent or legal guardian of the child.

(4) The superintendent shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

(a) 'Violent offense' means a violent offense under RCW 9.94A.030;

(b) 'Sex offense' means a sex offense under RCW 9.94A.030;

(c) 'Next of kin' means a person's spouse, parents, siblings, and children.

NEW SECTION. Sec. 110. A new section is added to chapter 71.05 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to sections 116 through 118 of this act, to release relevant information that is necessary to protect the public, concerning a specific person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex offense as defined in RCW 9.94A.030.

Sec. 111. Section 2, chapter 67, Laws of 1986 as amended by section 1, chapter 401, Laws of 1989 and RCW 71.05.325 are each amended to read as follows:

(1) Before a person committed under grounds set forth in RCW 71.05.280(3) is released from involuntary treatment because a new petition for involuntary treatment has not been filed under RCW 71.05.320(2), the superintendent, professional person, or designated mental health professional responsible for the decision whether to file a new petition shall in writing notify the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision not to file a new petition for involuntary treatment. Notice shall be provided at least thirty days before the period of commitment expires.

(2) Before a person committed under grounds set forth in RCW 71.05.280(3) is permitted temporarily to leave a treatment facility pursuant to RCW 71.05.270 for any period of time without constant accompaniment by facility staff, the superintendent, professional person in charge of a treatment facility, or his or her professional designee shall in writing notify the prosecuting attorney of any county to which the person is to be released and the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision conditionally to release the person. The notice shall be provided at least thirty days before the anticipated release and shall describe the conditions under which the release is to occur.

(b) The provisions of RCW 71.05.330(2) apply to proposed temporary releases, and either or both prosecuting attorneys receiving notice under this subsection may petition the court under RCW 71.05.330(2).

(3) Nothing in this section shall be construed to authorize detention of a person unless a valid order of commitment is in effect.

(4) The notice provisions of this section are in addition to those provided in section 109 of this 1990 act.

Sec. 112. Section 44, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 67, Laws of 1986 and RCW 71.05.390 are each amended to read as follows:

The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services at public or private agencies shall be confidential.

Information and records may be disclosed only:

(1) In communications between qualified professional persons to meet the requirements of this chapter, in the provision of services or appropriate referrals, or in the course of guardianship proceedings. The consent of the patient, or his guardian, must be obtained before information or records may be disclosed by a professional person employed by a facility to a professional person, not employed by the facility, who does not have the medical responsibility for the patient's care or who is not a designated county mental health professional or who is not involved in providing services under the community mental health services act, chapter 71.24 RCW.

(2) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing outpatient services to the operator of a care facility in which the patient resides.

(3) When the person receiving services, or his guardian, designates persons to whom information or records may be released, or if the person is a minor, when his parents make such designation.

(4) To the extent necessary for a recipient to make a claim, or for a claim to be made on behalf of a recipient for aid, insurance, or medical assistance to which he may be entitled.

(5) For program evaluation and/or research: PROVIDED, That the secretary of social and health services adopts rules for the conduct of such evaluation and/or research. Such rules shall include, but need not be limited to, the requirement that all evaluators and researchers must sign an oath of confidentiality substantially as follows:

'As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, _____, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/ _____

(6) To the courts as necessary to the administration of this chapter.

(7) To law enforcement officers, public health officers, or personnel of the department of corrections or the indefinite sentence review board ((of prison terms and paroles)) for persons who are the subject of the records and who are committed to the custody of the department of corrections or indefinite sentence review board ((of prison terms and paroles)) which information or records are necessary to carry out the responsibilities of their office: (PROVIDED, That), Except for dissemination of information released pursuant to sections 109 and 116 through 118 of this 1990 act, regarding persons committed under this chapter under RCW 71.05.280(3) and 71.05.320(2)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, the extent of information that may be released is limited as follows:

(a) Only the fact, place, and date of involuntary admission, the fact and date of discharge, and the last known address shall be disclosed upon request; and

(b) The law enforcement and public health officers or personnel of the department of corrections or indefinite sentence review board ((of prison terms and paroles)) shall be obligated to keep such information confidential in accordance with this chapter; and

(c) Additional information shall be disclosed only after giving notice to said person and his counsel and upon a showing of clear, cogent and convincing evidence that such information is necessary and that appropriate safeguards for strict confidentiality are and will be maintained: PROVIDED HOWEVER, That in the event the said person has escaped from custody, said notice prior to disclosure is not necessary and that the facility from which the person escaped shall include an evaluation as to whether the person is of danger to persons or property and has a propensity toward violence.

(8) To the attorney of the detained person.

(9) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2) and 71.05.340(1)(b) and 71.05.335. The prosecutor shall be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information shall be disclosed only after giving notice to the committed person and the person's counsel.

(10) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure shall be made by the professional person in charge of the public or private agency or his or her designee and shall include the dates of admission, discharge, authorized or unauthorized absence from the agency's facility, and only such other information that is pertinent to the threat or harassment. The decision to disclose or not shall not result in civil liability for the agency or its employees so long as the decision was reached in good faith and without gross negligence.

(11) To the persons designated in section 109 of this 1990 act for the purposes described in that section.

(12) Civil liability and immunity for the release of information about a particular person who is committed to the department under RCW 71.05.280(3) and 71.05.320(2)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by sections 116 through 118 of this 1990 act.

The fact of admission, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to this chapter shall not be admissible as evidence in any legal proceeding outside this chapter without the written consent of the person who was the subject of the proceeding except in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(2)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial or in a civil commitment proceeding pursuant to sections 901 through 912 of this 1990 act. The records and files maintained in any court proceeding pursuant to this chapter shall be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

Sec. 113. Section 47, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.420 are each amended to read as follows:

Except as provided in section 109 of this 1990 act, when any disclosure of information or records is made as authorized by RCW 71.05.390 through 71.05.410, the physician in charge of the patient or the professional person in charge of the facility shall promptly cause to be entered into the patient's medical record the date and circumstances under which said disclosure was made, the names and relationships to the patient, if any, of the persons or agencies to whom such disclosure was made, and the information disclosed.

Sec. 114. Section 49, chapter 142, Laws of 1973 1st ex. sess. as amended by section 28, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.440 are each amended to read as follows:

Except as provided in section 117 of this 1990 act, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this chapter, for the greater of the following amounts:

(1) One thousand dollars; or

(2) Three times the amount of actual damages sustained, if any. It shall not be a prerequisite to recovery under this section that the plaintiff shall have suffered or be threatened with special, as contrasted with general, damages.

Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this chapter, and may in the same action seek damages as provided in this section.

The court may award to the plaintiff, should he or she prevail in an action authorized by this section, reasonable attorney fees in addition to those otherwise provided by law.

Sec. 115. Section 17, chapter 205, Laws of 1989 and RCW 71.05.670 are each amended to read as follows:

Except as provided in sections 116 through 118 of this 1990 act, any person, including the state or any political subdivision of the state, violating RCW 71.05.610 through 71.05.690 shall be subject to the provisions of RCW 71.05.440.

NEW SECTION. Sec. 116. The legislature finds that sex offenders pose a high risk of engaging in sex offenses even after being released from incarceration or commitment and that protection of the public from sex offenders is a paramount governmental interest. The legislature further finds that the penal and mental health components of our justice system are largely hidden from public view and that lack of information from either may result in failure of both systems to meet this paramount concern of public safety. Overly restrictive confidentiality and liability laws governing the release of information about sexual predators have reduced willingness to release information that could be appropriately released under the public disclosure laws, and have increased risks to public safety. Persons found to have committed a sex offense have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Release of information about sexual predators to public agencies and under limited circumstances, the general public, will further the governmental interests of public safety and public scrutiny of the criminal and mental health systems so long as the information released is rationally related to the furtherance of those goals.

Therefore, this state's policy as expressed in sections 117 and 118 of this act is to require the exchange of relevant information about sexual predators among public agencies and officials and to authorize the release of necessary and relevant information about sexual predators to members of the general public.

NEW SECTION. Sec. 117. A new section is added to chapter 4.24 RCW to read as follows:

(1) An elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune as provided for in this section from civil liability for damages for any discretionary decision to release information regarding: (a) a person convicted of, or juvenile found to have committed, a sex offense as defined by RCW 9.94A.030; (b) a person found not guilty of a sex offense by reason of insanity under chapter 10.77 RCW; (c) a person found incompetent to stand trial for a sex offense and subsequently committed under chapter 71.05 or 71.34 RCW; (d) a person committed as a sexual psychopath under chapter 71.06 RCW; or (e) a person committed as a sexually violent predator under sections 901 through 912 of this act. The immunity provided under this section applies to the release of information to other employees or officials or to the general public when the agency, official, or employee who releases the information acts without gross negligence and believes in good faith that the release is necessary for the protection of the public. When determining what information is necessary to release and to whom it should be released in order to protect the public, the agency, official, or employee shall consider the factors designated in section 118 of this act.

(2) Except as otherwise provided by statute, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information as provided in subsection (1) of this section.

(3) Nothing in this section implies that information regarding persons designated in subsection (1) of this section is confidential except as otherwise provided by statute.

NEW SECTION. Sec. 118. Public agencies are authorized to release relevant information regarding sex offenders to the public when the release of the information is necessary for public protection.

When the agency considers what information is relevant and necessary for release, the agency shall consider factors including but not limited to the following: (1) The seriousness of the sex offense for which the offender was adjudicated, convicted, or committed; (2) the offender's criminal history, commitment history for sex offenses, or court-ordered treatment for sexual deviancy; (3) whether any of the offender's known victims were nonfamily members; (4) whether any of the offender's known victims were children, the developmentally disabled, or the elderly; (5) observations of the offender's postconviction or postcommitment behavior, including but not limited to any overt indications such as oral, written, or drawn threats, plans, depictions, or statements regarding the future commission of sex offenses; (6) the most recent risk assessment reports prepared by the department in control or care of the offender; (7) whether the information sought to be released can be released without restrictions or with certain restrictions pursuant to chapter 10.97, 10.98, 43.43, or 42.17 RCW or, as applicable, chapter 13.40, 13.50, 9.94A, 9.95, 71.05, 71.06, 71.34, 10.77, or 70.48 RCW, or sections 901 through 912 of

this act; and (8) the length of time, if any, the offender has been in the community without being arrested, charged, or convicted of another sex offense.

The information released must be based in fact and limited in scope to protect the public.

An offender's pending appeal, petition for personal restraint, or writ of habeas corpus shall not restrict the agency's, official's, or employee's authority to release relevant information concerning an offender's prior criminal history. However, the agency must release the latest dispositions of the charges as provided in chapter 10.97 RCW, the Washington state criminal records privacy act.

NEW SECTION, Sec. 119. The governor shall cause a study of federal and state statutes and regulations governing the confidentiality and disclosure of information about dangerous offenders in the criminal justice, juvenile justice, and mental health systems. The governor shall report to the legislature no later than November 1, 1990 with recommendations for a comprehensive policy approach to confidentiality and dissemination of information about offenders who pose a danger to the public and recommendations regarding the immunity and liability of public agencies, officials, and employees when releasing or failing to release that information.

NEW SECTION, Sec. 120. A new section is added to chapter 71.06 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to sections 116 through 118 of this act, to release relevant information that is necessary to protect the public, concerning a specific sexual psychopath committed under this chapter.

Sec. 121. Section 1, chapter 346, Laws of 1985 as amended by section 1, chapter 30, Laws of 1989 and RCW 9.94A.155 are each amended to read as follows:

(1) At the earliest possible date, and in no event later than ten days before release except in the event of escape or emergency furloughs as defined in RCW 72.66.010, the department of corrections shall send written notice of parole, community placement, work release placement, furlough, or escape ~~((if such notice has been requested in writing))~~ about a specific inmate convicted of a violent offense or a sex offense as defined by RCW 9.94A.030, to all of the following:

(a) The chief of police of the city, if any, in which the inmate will reside ~~((if known))~~ or in which placement will be made in a work release program; and

(b) The sheriff of the county in which the inmate will reside ~~((if known))~~ or in which placement will be made in a work release program ~~((;))~~.

~~((c))~~ (2) The same notice as required by subsection (1) of this section shall be sent to the following if such notice has been requested in writing about a specific inmate convicted of a violent offense or a sex offense as defined by RCW 9.94A.030:

(a) The victim ~~((if any))~~ of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide;

~~((b))~~ (b) Any witnesses who testified against the inmate in any court proceedings involving the violent offense; and

~~((c))~~ (c) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the inmate.

~~((d))~~ (3) If an inmate convicted of a violent offense or a sex offense as defined by RCW 9.94A.030 escapes from a correctional facility, the department of corrections shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the inmate resided immediately before the inmate's arrest and conviction. If previously requested, the department shall also notify the witnesses and the victim ~~((if any))~~ of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide. If the inmate is recaptured, the department shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

~~((e))~~ (4) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(5) The department of corrections shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

~~((f))~~ (6) For purposes of this section the following terms have the following meanings:

(a) 'Violent offense' means a violent offense under RCW 9.94A.030;

(b) 'Next of kin' means a person's spouse, parents, siblings and children.

~~((g))~~ (7) Nothing in this section shall impose any liability upon a chief of police of a city or sheriff of a county for failing to request in writing a notice as provided in subsection (1) of this section.

NEW SECTION, Sec. 122. A new section is added to chapter 9.94A RCW to read as follows:

Three months before the anticipated release from total confinement of a person convicted of a sex offense as defined in RCW 9.94A.030 that was committed between June 30, 1984, and

July 1, 1988, the department shall notify in writing the prosecuting attorney of the county where the person was convicted. The department shall inform the prosecutor of the following:

- (1) The person's name, identifying factors, anticipated future residence, and offense history;
- (2) A brief narrative describing the person's conduct during confinement and any treatment received; and
- (3) Whether the department recommends that a civil commitment petition be filed under section 903 of this act.

The department, its employees, and officials shall be immune from liability for any good-faith conduct under this section.

NEW SECTION, Sec. 123. A new section is added to chapter 9.94A RCW to read as follows:

The department, its employees, and officials, shall be immune from liability for release of information regarding sex offenders that complies with sections 116 through 118 of this act.

NEW SECTION, Sec. 124. A new section is added to chapter 9.94A RCW to read as follows:

In addition to any other information required to be released under other provisions of this chapter, the department may, pursuant to sections 116 through 118 of this act, release information concerning convicted sex offenders confined to the department of corrections.

Sec. 125. Section 9, chapter 155, Laws of 1979 as last amended by section 8, chapter 450, Laws of 1987 and RCW 13.50.050 are each amended to read as follows:

(1) This section governs records relating to the commission of juvenile offenses, including records relating to diversions.

(2) The official juvenile court file of any alleged or proven juvenile offender shall be open to public inspection, unless sealed pursuant to subsection (1) of this section.

(3) All records other than the official juvenile court file are confidential and may be released only as provided in this section ~~((and))~~, RCW 13.50.010, and sections 101 and 116 through 118 of this 1990 act.

(4) Except as otherwise provided in this section and RCW 13.50.010, records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by the other participant or when that other participant is assigned the responsibility for supervising the juvenile.

(5) Except as provided in sections 116 through 118 of this 1990 act, information not in an official juvenile court file concerning a juvenile or a juvenile's family may be released to the public only when that information could not reasonably be expected to identify the juvenile or the juvenile's family.

(6) Notwithstanding any other provision of this chapter, the release, to the juvenile or his or her attorney, of law enforcement and prosecuting attorneys' records pertaining to investigation, diversion, and prosecution of juvenile offenses shall be governed by the rules of discovery and other rules of law applicable in adult criminal investigations and prosecutions.

(7) The juvenile court and the prosecutor may set up and maintain a central record-keeping system which may receive information on all alleged juvenile offenders against whom a complaint has been filed pursuant to RCW 13.40.070 whether or not their cases are currently pending before the court. The central record-keeping system may be computerized. If a complaint has been referred to a diversion unit, the diversion unit shall promptly report to the juvenile court or the prosecuting attorney when the juvenile has agreed to diversion. An offense shall not be reported as criminal history in any central record-keeping system without notification by the diversion unit of the date on which the offender agreed to diversion.

(8) Upon request of the victim of a crime or the victim's immediate family, the identity of an alleged or proven juvenile offender alleged or found to have committed a crime against the victim and the identity of the alleged or proven juvenile offender's parent, guardian, or custodian and the circumstance of the alleged or proven crime shall be released to the victim of the crime or the victim's immediate family.

(9) Subject to the rules of discovery applicable in adult criminal prosecutions, the juvenile offense records of an adult criminal defendant or witness in an adult criminal proceeding shall be released upon request to prosecution and defense counsel after a charge has actually been filed. The juvenile offense records of any adult convicted of a crime and placed under the supervision of the adult corrections system shall be released upon request to the adult corrections system.

(10) In any case in which an information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any, and, subject to subsection (24) of this section, order the sealing of the official juvenile court file, the social file, and records of the court and of any other agency in the case.

(11) The court shall grant the motion to seal records made pursuant to subsection (10) of this section if it finds that:

(a) Two years have elapsed from the later of: (i) Final discharge of the person from the supervision of any agency charged with supervising juvenile offenders; or (ii) from the entry of a court order relating to the commission of a juvenile offense or a criminal offense;

(b) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense; and

(c) No proceeding is pending seeking the formation of a diversion agreement with that person.

(12) The person making a motion pursuant to subsection (10) of this section shall give reasonable notice of the motion to the prosecution and to any person or agency whose files are sought to be sealed.

(13) If the court grants the motion to seal made pursuant to subsection (10) of this section, it shall, subject to subsection (24) of this section, order sealed the official juvenile court file, the social file, and other records relating to the case as are named in the order. Thereafter, the proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(14) Inspection of the files and records included in the order to seal may thereafter be permitted only by order of the court upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8) and subsection (24) of this section.

(15) Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying the sealing order. Any conviction for any adult felony subsequent to the sealing has the effect of nullifying the sealing order for the purposes of chapter 9.94A RCW for any juvenile adjudication of guilt for a class A offense or a sex offense as defined in RCW 9.94A.030.

(16) In any case in which an information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40-.070, the person who is the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any, and, subject to subsection (24) of this section, order the destruction of the official juvenile court file, the social file, and records of the court and of any other agency in the case.

(17) The court may grant the motion to destroy records made pursuant to subsection (16) of this section if it finds:

(a) The person making the motion is at least twenty-three years of age;

(b) The person has not subsequently been convicted of a felony;

(c) No proceeding is pending against that person seeking the conviction of a criminal offense; and

(d) The person has never been found guilty of a serious offense.

(18) A person eighteen years of age or older whose criminal history consists of only one referral for diversion may request that the court order the records in that case destroyed. The request shall be granted, subject to subsection (24) of this section, if the court finds that two years have elapsed since completion of the diversion agreement.

(19) If the court grants the motion to destroy records made pursuant to subsection (16) or (18) of this section, it shall, subject to subsection (24) of this section, order the official juvenile court file, the social file, and any other records named in the order to be destroyed.

(20) The person making the motion pursuant to subsection (16) or (18) of this section shall give reasonable notice of the motion to the prosecuting attorney and to any agency whose records are sought to be destroyed.

(21) Any juvenile to whom the provisions of this section may apply shall be given written notice of his or her rights under this section at the time of his or her disposition hearing or during the diversion process.

(22) Nothing in this section may be construed to prevent a crime victim or a member of the victim's family from divulging the identity of the alleged or proven juvenile offender or his or her family when necessary in a civil proceeding.

(23) Any juvenile justice or care agency may, subject to the limitations in subsection (24) of this section and subparagraphs (a) and (b) of this subsection, develop procedures for the routine destruction of records relating to juvenile offenses and diversions.

(a) Records may be routinely destroyed only when the person the subject of the information or complaint has attained twenty-three years of age or older, or is eighteen years of age or older and his or her criminal history consists entirely of one diversion agreement and two years have passed since completion of the agreement.

(b) The court may not routinely destroy the official juvenile court file or recordings or transcripts of any proceedings.

(24) No identifying information held by the Washington state patrol in accordance with chapter 43.43 RCW is subject to destruction or sealing under this section. For the purposes of this subsection, identifying information includes photographs, fingerprints, palmprints, soleprints, toeprints and any other data that identifies a person by physical characteristics, name, birth-date or address, but does not include information regarding criminal activity, arrest, charging, diversion, conviction or other information about a person's treatment by the criminal justice system or about the person's behavior.

Sec. 126. Section 15, chapter 133, Laws of 1955 and RCW 9.95.140 are each amended to read as follows:

The board of prison terms and paroles shall cause a complete record to be kept of every prisoner released on parole. Such records shall be organized in accordance with the most modern methods of filing and indexing so that there will be always immediately available complete information about each such prisoner. The board may make rules as to the privacy of such records and their use by others than the board and its staff. In determining the rules regarding dissemination of information regarding convicted sex offenders under the board's jurisdiction, the board shall consider the provisions of sections 116 through 118 of this 1990 act and shall be immune from liability for the release of information concerning sex offenders as provided in section 117 of this 1990 act.

The superintendent of the penitentiary and the reformatory and all officers and employees thereof and all other public officials shall at all times cooperate with the board and furnish to the board, its officers, and employees such information as may be necessary to enable it to perform its functions, and such superintendents and other employees shall at all times give the members of the board, its officers, and employees free access to all prisoners confined in the penal institutions of the state.

NEW SECTION. Sec. 127. A new section is added to chapter 9.95 RCW to read as follows:

In addition to any other information required to be released under this chapter, the indeterminate sentence review board may, pursuant to sections 108 through 118 of this act, release information concerning inmates under the jurisdiction of the indeterminate sentence review board who are convicted of sex offenses as defined in RCW 9.94A.030.

Sec. 128. Section 3, chapter 314, Laws of 1977 ex. sess. as last amended by section 1, chapter 36, Laws of 1979 ex. sess. and RCW 10.97.030 are each amended to read as follows:

For purposes of this chapter, the definitions of terms in this section shall apply.

(1) 'Criminal history record information' means information contained in records collected by criminal justice agencies, other than courts, on individuals, ~~((other than juveniles,))~~ consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including sentences, correctional supervision, and release. The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

(a) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;

(b) Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis;

(c) Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings;

(d) Records of traffic violations which are not punishable by a maximum term of imprisonment of more than ninety days;

(e) Records of any traffic offenses as maintained by the department of licensing for the purpose of regulating the issuance, suspension, revocation, or renewal of drivers' or other operators' licenses and pursuant to RCW 46.52.130 as now existing or hereafter amended;

(f) Records of any aviation violations or offenses as maintained by the department of transportation for the purpose of regulating pilots or other aviation operators, and pursuant to RCW 47.68.330 as now existing or hereafter amended;

(g) Announcements of executive clemency.

(2) 'Nonconviction data' consists of all criminal history record information relating to an incident which has not led to a conviction or other disposition adverse to the subject, and for which proceedings are no longer actively pending. There shall be a rebuttable presumption that proceedings are no longer actively pending if more than one year has elapsed since arrest, citation, or service of warrant and no disposition has been entered.

(3) 'Conviction record' means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the subject.

(4) 'Conviction or other disposition adverse to the subject' means any disposition of charges, except a decision not to prosecute, a dismissal, or acquittal except when the acquittal is due to a finding of not guilty by reason of insanity pursuant to chapter 10.77 RCW and the person was committed pursuant to chapter 10.77 RCW; PROVIDED, HOWEVER, That a dismissal entered after a period of probation, suspension, or deferral of sentence shall be considered a disposition adverse to the subject.

(5) 'Criminal justice agency' means: (a) A court; or (b) a government agency which performs the administration of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice.

(6) 'The administration of criminal justice' means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution,

adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The term also includes criminal identification activities and the collection, storage, dissemination of criminal history record information, and the compensation of victims of crime.

(7) 'Disposition' means the formal conclusion of a criminal proceeding at whatever stage it occurs in the criminal justice system.

(8) 'Dissemination' means disclosing criminal history record information or disclosing the absence of criminal history record information to any person or agency outside the agency possessing the information, subject to the following exceptions:

(a) When criminal justice agencies jointly participate in the maintenance of a single record keeping department as an alternative to maintaining separate records, the furnishing of information by that department to personnel of any participating agency is not a dissemination;

(b) The furnishing of information by any criminal justice agency to another for the purpose of processing a matter through the criminal justice system, such as a police department providing information to a prosecutor for use in preparing a charge, is not a dissemination;

(c) The reporting of an event to a record keeping agency for the purpose of maintaining the record is not a dissemination.

Sec. 129, Section 5, chapter 314, Laws of 1977 ex. sess. and RCW 10.97.050 are each amended to read as follows:

(1) Conviction records may be disseminated without restriction.

(2) Any criminal history record information which pertains to an incident for which a person is currently being processed by the criminal justice system, including the entire period of correctional supervision extending through final discharge from parole, when applicable, may be disseminated without restriction.

(3) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to another criminal justice agency for any purpose associated with the administration of criminal justice, or in connection with the employment of the subject of the record by a criminal justice or juvenile justice agency. A criminal justice agency may respond to any inquiry from another criminal justice agency without any obligation to ascertain the purpose for which the information is to be used by the agency making the inquiry.

(4) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data and authorizes or directs that it be available or accessible for a specific purpose.

(5) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice. Such contract must specifically authorize access to criminal history record information, but need not specifically state that access to nonconviction data is included. The agreement must limit the use of the criminal history record information to stated purposes and insure the confidentiality and security of the information consistent with state law and any applicable federal statutes and regulations.

(6) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. Such agreement must authorize the access to nonconviction data, limit the use of that information which identifies specific individuals to research, evaluative, or statistical purposes, and contain provisions giving notice to the person or organization to which the records are disseminated that the use of information obtained therefrom and further dissemination of such information are subject to the provisions of this chapter and applicable federal statutes and regulations, which shall be cited with express reference to the penalties provided for a violation thereof.

(7) Every criminal justice agency that maintains and disseminates criminal history record information must maintain information pertaining to every dissemination of criminal history record information except a dissemination to the effect that the agency has no record concerning an individual. Information pertaining to disseminations shall include:

(a) An indication of to whom (agency or person) criminal history record information was disseminated;

(b) The date on which the information was disseminated;

(c) The individual to whom the information relates; and

(d) A brief description of the information disseminated.

The information pertaining to dissemination required to be maintained shall be retained for a period of not less than one year.

(8) In addition to the other provisions in this section allowing dissemination of criminal history record information, sections 116 through 118 of this 1990 act govern dissemination of information concerning offenders who commit sex offenses as defined by RCW 9.94A.030. Criminal justice agencies, their employees, and officials shall be immune from civil liability for dissemination on criminal history record information concerning sex offenders as provided in sections 116 through 118 of this 1990 act.

Sec. 130. Section 10, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.100 are each amended to read as follows:

(1) A department of corrections or chief law enforcement officer responsible for the operation of a jail shall maintain a jail register, open to the public, into which shall be entered in a timely basis:

(a) The name of each person confined in the jail with the hour, date and cause of the confinement; and

(b) The hour, date and manner of each person's discharge.

(2) Except as provided in subsection (3) of this section the records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies as defined in RCW 43.43.705; or

(a) For use in inspections made pursuant to RCW 70.48.070;

(b) In jail certification proceedings;

(c) For use in court proceedings upon the written order of the court in which the proceedings are conducted; or

(d) Upon the written permission of the person.

(3) (a) Law enforcement may use booking photographs of a person arrested or confined in a local or state penal institution to assist them in conducting investigations of crimes.

(b) Photographs and information concerning a person convicted of a sex offense as defined in RCW 9.94A.030 may be disseminated as provided in sections 401 through 409 and 116 through 118 of this 1990 act.

Sec. 131. Section 14, chapter 152, Laws of 1972 ex. sess. as amended by section 108, chapter 3, Laws of 1983 and RCW 43.43.765 are each amended to read as follows:

The principal officers of the jails, correctional institutions, state mental institutions and all places of detention to which a person is committed under chapter 10.77 RCW ~~((or))~~, chapter 71.06 RCW, or sections 901 through 912 of this 1990 act for treatment or under a sentence of imprisonment for any crime as provided for in RCW 43.43.735 shall within seventy-two hours, report to the section, any interinstitutional transfer, release or change of release status of any person held in custody pursuant to the rules promulgated by the chief.

The principal officers of all state mental institutions to which a person has been committed under chapter 10.77 RCW ~~((or))~~, chapter 71.06 RCW, or sections 901 through 912 of this 1990 act shall keep a record of the photographs, description, fingerprints, and other identification data as may be obtainable from the appropriate criminal justice agency.

PART II

EARNED EARLY RELEASE

Sec. 201. Section 1, chapter 248, Laws of 1989 and RCW 9.92.151 are each amended to read as follows:

The sentence of a prisoner confined in a county jail facility for a felony, gross misdemeanor, or misdemeanor conviction may be reduced by earned release credits in accordance with procedures that shall be developed and promulgated by the ~~((facility))~~ correctional agency having jurisdiction. The earned early release time shall be for good behavior and good performance as determined by the ~~((facility))~~ correctional agency having jurisdiction. Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. The correctional agency shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case may the aggregate earned early release time exceed one-third of the total sentence.

Sec. 202. Section 2, chapter 248, Laws of 1989 and RCW 9.94A.150 are each amended to read as follows:

No person serving a sentence imposed pursuant to this chapter and committed to the custody of the department shall leave the confines of the correctional facility or be released prior to the expiration of the sentence except as follows:

(1) ~~Except ((for persons convicted of a sex offense or an offense categorized as a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW))~~ as otherwise provided for in subsection (2) of this section, the term~~((s))~~ of the sentence of an offender committed to a ~~((county jail facility, or a))~~ correctional facility operated by the department, may be reduced by earned early release time in accordance with procedures that shall be developed and promulgated by the correctional ~~((facility))~~ agency having jurisdiction in which the offender is confined. The earned early release time shall be for good behavior and good performance, as determined by the correctional ~~((facility))~~ agency having jurisdiction. The correctional agency shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. If an offender is transferred from a county jail to the department of corrections, the

county jail facility shall certify to the department the amount of time spent in custody at the facility and the amount of earned early release time. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case shall the aggregate earned early release time exceed one-third of the total sentence~~((Persons convicted of a sex offense or an offense categorized as a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW may become eligible for community custody in lieu of earned early release time in accordance with the program developed by the department))~~:

(2) ~~((When))~~ A person convicted of a sex offense or an offense categorized as a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW ~~((ts))~~ may become eligible, in accordance with a program developed by the department, for transfer to community custody status in lieu of earned early release time pursuant to subsection (1) of this section~~((as computed by the department of corrections, the offender shall be transferred to community custody))~~:

(3) An offender may leave a correctional facility pursuant to an authorized furlough or leave of absence. In addition, offenders may leave a correctional facility when in the custody of a corrections officer or officers;

(4) The governor, upon recommendation from the clemency and pardons board, may grant an extraordinary release for reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances;

(5) No more than the final six months of the sentence may be served in partial confinement designed to aid the offender in finding work and reestablishing him or herself in the community;

(6) The governor may pardon any offender;

(7) The department of corrections may release an offender from confinement any time within ten days before a release date calculated under this section; and

(8) An offender may leave a correctional facility prior to completion of his sentence if the sentence has been reduced as provided in RCW 9.94A.160.

Sec. 203. Section 17, chapter 232, Laws of 1979 ex. sess. as last amended by section 3, chapter 248, Laws of 1989 and RCW 70.48.210 are each amended to read as follows:

(1) All cities and counties are authorized to establish and maintain farms, camps, and work release programs and facilities, as well as special detention facilities. The facilities shall meet the requirements of chapter 70.48 RCW and any rules adopted thereunder.

(2) Farms and camps may be established either inside or outside the territorial limits of a city or county. A sentence of confinement in a city or county jail may include placement in a farm or camp. Unless directed otherwise by court order, the chief law enforcement officer or department of corrections, may transfer the prisoner to a farm or camp. The sentencing court, chief law enforcement officer, or department of corrections may not transfer to a farm or camp a greater number of prisoners than can be furnished with constructive employment and can be reasonably accommodated.

(3) The city or county may establish a city or county work release program and housing facilities for the prisoners in the program. In such regard, factors such as employment conditions and the condition of jail facilities should be considered. When a work release program is established the following provisions apply:

(a) A person convicted of a felony and placed in a city or county jail is eligible for the work release program. A person sentenced to a city or county jail is eligible for the work release program. The program may be used as a condition of probation for a criminal offense. Good conduct is a condition of participation in the program.

(b) The court may permit a person who is currently, regularly employed to continue his or her employment. The chief law enforcement officer or department of corrections shall make all necessary arrangements if possible. The court may authorize the person to seek suitable employment and may authorize the chief law enforcement officer or department of corrections to make reasonable efforts to find suitable employment for the person. A person participating in the work release program may not work in an establishment where there is a labor dispute.

(c) The work release prisoner shall be confined in a work release facility or jail unless authorized to be absent from the facility for program-related purposes, unless the court directs otherwise.

(d) Each work release prisoner's earnings may be collected by the chief law enforcement officer or a designee. The chief law enforcement officer or a designee may deduct from the earnings moneys for the payments for the prisoner's board, personal expenses inside and outside the jail, a share of the administrative expenses of this section, court-ordered victim compensation, and court-ordered restitution. Support payments for the prisoner's dependents, if any, shall be made as directed by the court. With the prisoner's consent, the remaining funds

may be used to pay the prisoner's preexisting debts. Any remaining balance shall be returned to the prisoner.

(e) The prisoner's sentence may be reduced by earned early release time in accordance with procedures that shall be developed and promulgated by the work release facility. The earned early release time shall be for good behavior and good performance as determined by the facility. The facility shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case may the aggregate earned early release time exceed one-third of the total sentence.

(f) If the work release prisoner violates the conditions of custody or employment, the prisoner shall be returned to the sentencing court. The sentencing court may require the prisoner to spend the remainder of the sentence in actual confinement and may cancel any earned reduction of the sentence.

(4) A special detention facility may be operated by a noncorrectional agency or by non-correctional personnel by contract with the governing unit. The employees shall meet the standards of training and education established by the criminal justice training commission as authorized by RCW 43.101.080. The special detention facility may use combinations of features including, but not limited to, low-security or honor prisoner status, work farm, work release, community review, prisoner facility maintenance and food preparation, training programs, or alcohol or drug rehabilitation programs. Special detention facilities may establish a reasonable fee schedule to cover the cost of facility housing and programs. The schedule shall be on a sliding basis that reflects the person's ability to pay.

PART III

JUVENILE JUSTICE ACT AMENDMENTS

Sec. 301. Section 56, chapter 291, Laws of 1977 ex. sess. as last amended by section 1, chapter 407, Laws of 1989 and RCW 13.40.020 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Serious offender' means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

(a) A class A felony, or an attempt to commit a class A felony;

(b) Manslaughter in the first degree (~~or rape in the second degree~~); or

(c) Assault in the second degree, extortion in the first degree, child molestation in the ~~(first or)~~ second degree, ~~(rape of a child in the second degree)~~ kidnapping in the second degree, robbery in the second degree, residential burglary, or burglary in the second degree, where such offenses include the infliction of bodily harm upon another or where during the commission of or immediate withdrawal from such an offense the perpetrator is armed with a deadly weapon or firearm as defined in RCW 9A.04.110;

(2) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense;

(3) 'Community supervision' means an order of disposition by the court of an adjudicated youth. A community supervision order for a single offense may be for a period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses and include one or more of the following:

(a) A fine, not to exceed one hundred dollars;

(b) Community service not to exceed one hundred fifty hours of service;

(c) Attendance of information classes;

(d) Counseling; or

(e) Such other services to the extent funds are available for such services, conditions, or limitations as the court may require which may not include confinement;

(4) 'Confinement' means physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a facility operated by or pursuant to a contract with any county. Confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

(5) 'Court', when used without further qualification, means the juvenile court judge(s) or commissioner(s);

(6) 'Criminal history' includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history;

(7) 'Department' means the department of social and health services;

(8) 'Diversion unit' means any probation counselor who enters into a diversion agreement with an alleged youthful offender or any other person or entity with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW 13.04.040, as now or hereafter amended, or any person or entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter;

(9) 'Institution' means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(10) 'Juvenile,' 'youth,' and 'child' mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court;

(11) 'Juvenile offender' means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

(12) 'Manifest injustice' means a disposition that would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

(13) 'Middle offender' means a person who has committed an offense and who is neither a minor or first offender nor a serious offender;

(14) 'Minor or first offender' means a person sixteen years of age or younger whose current offense(s) and criminal history fall entirely within one of the following categories:

(a) Four misdemeanors;

(b) Two misdemeanors and one gross misdemeanor;

(c) One misdemeanor and two gross misdemeanors;

(d) Three gross misdemeanors;

(e) One class C felony except manslaughter in the second degree and one misdemeanor or gross misdemeanor;

(f) One class B felony except: Any felony which constitutes an attempt to commit a class A felony; manslaughter in the first degree; (~~rape in the second degree~~); assault in the second degree; extortion in the first degree; indecent liberties; kidnapping in the second degree; robbery in the second degree; burglary in the second degree; (~~rape of a child in the second degree~~); residential burglary; vehicular homicide; (~~child molestation in the first degree~~); or arson in the second degree.

For purposes of this definition, current violations shall be counted as misdemeanors;

(15) 'Offense' means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(16) 'Respondent' means a juvenile who is alleged or proven to have committed an offense;

(17) 'Restitution' means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, (~~and~~) lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense if the offense is a sex offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(18) 'Secretary' means the secretary of the department of social and health services;

(19) 'Services' mean services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

(20) 'Sex offense' means an offense defined as a sex offense in RCW 9.94A.030;

(21) 'Sexual motivation' means the respondent committed the offense for the purpose of his or her sexual gratification;

(22) 'Foster care' means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

(~~(21)~~) (23) 'Violation' means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration.

Sec. 302. Section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 407, Laws of 1989 and RCW 13.40.160 are each amended to read as follows:

(1) When the respondent is found to be a serious offender, the court shall commit the offender to the department for the standard range of disposition for the offense, as indicated in option A of schedule D-3, RCW 13.40.0357 except as provided in subsection (5) of this section.

If the court concludes, and enters reasons for its conclusion, that disposition within the standard range would effectuate a manifest injustice the court shall impose a disposition outside the standard range, as indicated in option B of schedule D-3, RCW 13.40.0357. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

A disposition outside the standard range shall be determinate and shall be comprised of confinement or community supervision, or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030((5))(2), as now or hereafter amended, shall be used to determine the range. A disposition outside the standard range is appealable under RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition within the standard range is not appealable under RCW 13.40.230 as now or hereafter amended.

(2) Where the respondent is found to be a minor or first offender, the court shall order that the respondent serve a term of community supervision as indicated in option A or option B of schedule D-1, RCW 13.40.0357 except as provided in subsection (5) of this section. If the court determines that a disposition of community supervision would effectuate a manifest injustice the court may impose another disposition under option C of schedule D-1, RCW 13.40.0357. Except as provided in subsection (5) of this section, a disposition other than a community supervision may be imposed only after the court enters reasons upon which it bases its conclusions that imposition of community supervision would effectuate a manifest injustice. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030((5))(2), as now or hereafter amended, shall be used to determine the range. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

((Any)) Except for disposition ((other than)) of community supervision or a disposition imposed pursuant to subsection (5) of this section, a disposition may be appealed as provided in RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition of community supervision or a disposition imposed pursuant to subsection (5) of this section may not be appealed under RCW 13.40.230 as now or hereafter amended.

(3) Where a respondent is found to have committed an offense for which the respondent declined to enter into a diversion agreement, the court shall impose a term of community supervision limited to the conditions allowed in a diversion agreement as provided in RCW 13.40.080(2) as now or hereafter amended.

(4) If a respondent is found to be a middle offender:

(a) The court shall impose a determinate disposition within the standard range(s) for such offense, as indicated in option A of schedule D-2, RCW 13.40.0357 except as provided in subsection (5) of this section: PROVIDED, That if the standard range includes a term of confinement exceeding thirty days, commitment shall be to the department for the standard range of confinement; or

(b) The court shall impose a determinate disposition of community supervision and/or up to thirty days confinement, as indicated in option B of schedule D-2, RCW 13.40.0357 in which case, if confinement has been imposed, the court shall state either aggravating or mitigating factors as set forth in RCW 13.40.150 as now or hereafter amended.

(c) Only if the court concludes, and enters reasons for its conclusions, that disposition as provided in subsection (4) (a) or (b) of this section would effectuate a manifest injustice, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030((5))(2), as now or hereafter amended, shall be used to determine the range. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

(d) A disposition pursuant to subsection (4)(c) of this section is appealable under RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition pursuant to subsection (4) (a) or (b) of this section is not appealable under RCW 13.40.230 as now or hereafter amended.

(5) When a serious, middle, or minor first offender is found to have committed a sex offense, other than a sex offense that is also a serious violent offense as defined by RCW 9.94A.030, and has no history of a prior sex offense, the court, on its own motion or the motion of the state or the respondent, may order an examination to determine whether the respondent is amenable to treatment.

The report of the examination shall include at a minimum the following: The respondent's version of the facts and the official version of the facts, the respondent's offense history, an assessment of problems in addition to alleged deviant behaviors, the respondent's social, educational, and employment situation, and other evaluation measures used. The report shall set forth the sources of the evaluator's information.

The examiner shall assess and report regarding the respondent's amenability to treatment and relative risk to the community. A proposed treatment plan shall be provided and shall include, at a minimum:

(a) (i) Frequency and type of contact between the offender and therapist;

(ii) Specific issues to be addressed in the treatment and description of planned treatment modalities;

(iii) Monitoring plans, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members, legal guardians, or others;

(iv) Anticipated length of treatment; and

(v) Recommended crime-related prohibitions.

The court on its own motion may order, or on a motion by the state shall order, a second examination regarding the offender's amenability to treatment. The evaluator shall be selected by the party making the motion.

After receipt of reports of the examination, the court shall then consider whether the offender and the community will benefit from use of this special sex offender disposition alternative and consider the victim's opinion whether the offender should receive a treatment disposition under this section. If the court determines that this special sex offender disposition alternative is appropriate, then the court shall impose a determinate disposition within the standard range for the offense, and the court may suspend the execution of the disposition and place the offender on community supervision for up to two years. As a condition of the suspended disposition, the court may impose the conditions of community supervision and other conditions, including up to thirty days of confinement and requirements that the offender do any one or more of the following:

(b) (i) Devote time to a specific education, employment, or occupation;

(ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment. The respondent shall not change sex offender treatment providers or treatment conditions without first notifying the prosecutor, the community corrections officer, and the court, and shall not change providers without court approval after a hearing if the prosecutor or community corrections officer object to the change;

(iii) Remain within prescribed geographical boundaries and notify the court or the probation counselor prior to any change in the offender's address, educational program, or employment;

(iv) Report to the prosecutor and the probation counselor prior to any change in a sex offender treatment provider. This change shall have prior approval by the court;

(v) Report as directed to the court and a probation counselor;

(vi) Pay all court-ordered legal financial obligations, perform community service, or any combination thereof; or

(vii) Make restitution to the victim for the cost of any counseling reasonably related to the offense.

The sex offender treatment provider shall submit quarterly reports on the respondent's progress in treatment to the court and the parties. The reports shall reference the treatment plan and include at a minimum the following: Dates of attendance, respondent's compliance with requirements, treatment activities, the respondent's relative progress in treatment, and any other material specified by the court at the time of the disposition.

At the time of the disposition, the court may set treatment review hearings as the court considers appropriate.

After July 1, 1991, examinations and treatment ordered pursuant to this subsection shall only be conducted by sex offender treatment providers certified by the department of health pursuant to sections 709 through 716 of this 1990 act.

If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the sentence. The court shall give credit for any confinement time previously served if that confinement was for the offense for which the suspension is being revoked.

For purposes of this section, 'victim' means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged. 'Victim' may also include a known parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

(6) Whenever a juvenile offender is entitled to credit for time spent in detention prior to a dispositional order, the dispositional order shall specifically state the number of days of credit for time served.

((6) in its dispositional order) (7) Except as provided for in subsection (5) of this section, the court shall not suspend or defer the imposition or the execution of the disposition.

((7)) (8) In no case shall the term of confinement imposed by the court at disposition exceed that to which an adult could be subjected for the same offense.

Sec. 303. Section 65, chapter 291, Laws of 1977 ex. sess. as last amended by section 18, chapter 145, Laws of 1988 and RCW 13.40.110 are each amended to read as follows:

(1) The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a hearing on the question of declining jurisdiction. Unless waived by the court, the parties, and their counsel, a decline hearing shall be held where:

(a) The respondent is fifteen, sixteen, or seventeen years of age and the information alleges a class A felony or an attempt, solicitation, or conspiracy to commit a class A felony; or

(b) The respondent is sixteen or seventeen years of age and the information alleges assault in the second degree, extortion in the first degree, indecent liberties, ~~((rape of a child in the second degree))~~ child molestation in the ~~((first or))~~ second degree, kidnapping in the second degree, ~~((rape in the second degree))~~ or robbery in the second degree.

(2) The court after a mandatory decline hearing shall order the case be transferred for adult prosecution unless the respondent establishes by a preponderance of the evidence that retaining juvenile court jurisdiction over the juvenile would be in the best interest of the juvenile and the public. After nonmandatory decline hearings the court may order the case transferred for adult criminal prosecution upon a finding that the declination would be in the best interest of the juvenile or the public. The court shall consider the relevant reports, facts, opinions, and arguments presented by the parties and their counsel.

(3) When the respondent is transferred for criminal prosecution or retained for prosecution in juvenile court, the court shall set forth in writing its finding which shall be supported by relevant facts and opinions produced at the hearing.

Sec. 304. Section 75, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 505, Laws of 1987 and RCW 13.40.210 are each amended to read as follows:

(1) The secretary shall, except in the case of a juvenile committed by a court to a term of confinement in a state institution outside the appropriate standard range for the offense(s) for which the juvenile was found to be guilty established pursuant to RCW 13.40.030, as now or hereafter amended, set a release or discharge date for each juvenile committed to its custody which shall be within the prescribed range to which a juvenile has been committed. Such dates shall be determined prior to the expiration of sixty percent of a juvenile's minimum term of confinement included within the prescribed range to which the juvenile has been committed. The secretary shall release any juvenile committed to the custody of the department within four calendar days prior to the juvenile's release date or on the release date set under this chapter: PROVIDED, That days spent in the custody of the department shall be tolled by any period of time during which a juvenile has absented himself or herself from the department's supervision without the prior approval of the secretary or the secretary's designee.

(2) The secretary shall monitor the average daily population of the state's juvenile residential facilities. When the secretary concludes that in-residence population of residential facilities exceeds one hundred five percent of the rated bed capacity specified in statute, or in absence of such specification, as specified by the department in rule, the secretary may recommend reductions to the governor. On certification by the governor that the recommended reductions are necessary, the secretary has authority to administratively release a sufficient number of offenders to reduce in-residence population to one hundred percent of rated bed capacity. The secretary shall release those offenders who have served the greatest proportion of their sentence. However, the secretary may deny release in a particular case at the request of an offender, or if the secretary finds that there is no responsible custodian, as determined by the department, to whom to release the offender, or if the release of the offender would pose a clear danger to society. The department shall notify the committing court of the release at the end of each calendar year if any such early releases have occurred during that year as a result of excessive in-residence population. In no event shall a serious offender, as defined in RCW 13.40.020(1) be granted release under the provisions of this subsection.

(3) Following the juvenile's release pursuant to subsection (1) of this section, the secretary may require the juvenile to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eighteen months, except that in the case of a juvenile sentenced for rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, or indecent liberties with forcible compulsion, the period of parole shall be twenty-four months. ~~((Such))~~ A parole program ~~((shall be))~~ is mandatory for offenders released under subsection (2) of this section. The secretary shall, for the period of parole, facilitate the juvenile's reintegration into his or her community and to further this goal may require the juvenile to: (a) Undergo available medical or psychiatric treatment; (b) report as directed to a parole officer; (c) pursue a course of study or vocational training; (d) remain within prescribed geographical boundaries and notify the department of any change in his or her address; and (e) refrain from committing new offenses. After termination of the parole period, the juvenile shall be discharged from the department's supervision.

(4) The department may also modify parole for violation thereof. If, after affording a juvenile all of the due process rights to which he or she would be entitled if the juvenile were an adult, the secretary finds that a juvenile has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (a) Continued supervision under the same conditions previously imposed; (b) intensified supervision with increased reporting requirements; (c) additional conditions of supervision authorized by this chapter; ~~((and))~~ (d) except as provided in (e) of this subsection, imposition of a period of confinement not to exceed thirty days in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days or weeks spent under supervision; and (e) the secretary may order any of the conditions or may

return the offender to confinement in an institution for the remainder of the sentence range if the offense for which the offender was sentenced is rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, indecent liberties with forcible compulsion, or a sex offense that is also a serious violent offense as defined by RCW 9.94A.030.

(5) A parole officer of the department of social and health services shall have the power to arrest a juvenile under his or her supervision on the same grounds as a law enforcement officer would be authorized to arrest such person.

(6) If so requested and approved under chapter 13.06 RCW, the secretary shall permit a county or group of counties to perform functions under subsections (3) through (5) of this section.

PART IV

REGISTRATION OF SEX OFFENDERS

NEW SECTION. Sec. 401. The legislature finds that sex offenders often pose a high risk of reoffense, and that law enforcement's efforts to protect their communities, conduct investigations, and quickly apprehend offenders who commit sex offenses, are impaired by the lack of information available to law enforcement agencies about convicted sex offenders who live within the law enforcement agency's jurisdiction. Therefore, this state's policy is to assist local law enforcement agencies' efforts to protect their communities by regulating sex offenders by requiring sex offenders to register with local law enforcement agencies as provided in section 402 of this act.

NEW SECTION. Sec. 402. A new section is added to chapter 9A.44 RCW to read as follows:

(1) Any adult or juvenile residing in this state who: (a) Has been found to have committed or has been convicted of any sex offense committed on or after the effective date of this section; or (b) is released from jail or prison after the effective date of this section following incarceration for a sex offense, shall register with the county sheriff for the county of the person's residence.

(2) The person shall, within forty-five days of establishing residence in Washington, or if a current resident within thirty days of release from confinement, if any, provide the county sheriff with the following information: (a) Name; (b) address; (c) place of employment; (d) crime for which convicted; (e) date and place of conviction; (f) aliases used; and (g) social security number.

(3) If any person required to register pursuant to this section changes his or her residence address within the same county, the person must send written notice of the change of address to the county sheriff within ten days of establishing the new residence. If any person required to register pursuant to this section moves to a new county, the person must register with the county sheriff in the new county within ten days of establishing the new residence. The person must also send written notice within ten days of the change of address in the new county to the county sheriff with whom the person last registered.

(4) The county sheriff shall obtain a photograph of the individual and shall obtain a copy of the individual's fingerprints.

(5) 'Sex offense' for the purposes of sections 402 through 408 of this act means any offense defined as a sex offense by RCW 9.94A.030.

(6) A person who knowingly fails to register as required by this section is guilty of a class C felony if the crime for which the individual was convicted was a class A felony or a federal or out-of-state conviction for an offense that under the laws of this state would be a class A felony. If the crime was other than a class A felony or a federal or out-of-state conviction for an offense that under the laws of this state would be a class A felony, violation of this section is a gross misdemeanor.

NEW SECTION. Sec. 403. A new section is added to chapter 43.43 RCW to read as follows:

The county sheriff shall forward the information and fingerprints obtained pursuant to section 402 of this act to the Washington state patrol within five working days. The state patrol shall maintain a central registry of sex offenders required to register under section 402 of this act and shall adopt rules consistent with chapters 10.97, 10.98, and 43.43 RCW as are necessary to carry out the purposes of sections 402 through 408 of this act. The Washington state patrol shall reimburse the counties for the costs of processing the sex offender registration, including taking the fingerprints and the photographs.

NEW SECTION. Sec. 404. A new section is added to chapter 10.01 RCW to read as follows:

The court shall provide written notification to any defendant charged with a sex offense of the registration requirements of section 402 of this act. Such notice shall be included on any guilty plea forms and judgment and sentence forms provided to the defendant.

NEW SECTION. Sec. 405. A new section is added to chapter 72.09 RCW to read as follows:

(1) The department shall provide written notification to an inmate convicted of a sex offense of the registration requirements of section 402 of this act at the time of the inmate's release from confinement and shall receive and retain a signed acknowledgement of receipt.

(2) The department shall provide written notification to an individual convicted of a sex offense from another state of the registration requirements of section 402 of this act at the time

the department accepts supervision and has legal authority of the individual under the terms and conditions of the interstate compact agreement under RCW 9.95.270.

NEW SECTION. Sec. 406. A new section is added to chapter 70.48 RCW to read as follows:

A person having charge of a jail shall notify in writing any confined person who is in the custody of the jail for a conviction of a sexual offense as defined in RCW 9.94A.030 of the registration requirements of section 402 of this act at the time of the inmate's release from confinement, and shall obtain written acknowledgment of such notification.

NEW SECTION. Sec. 407. A new section is added to chapter 46.20 RCW to read as follows:

The department, at the time a person renews his or her driver's license or identicard, or surrenders a driver's license from another jurisdiction pursuant to RCW 46.20.021 and makes an application for a driver's license or an identicard, shall provide the applicant with written information on the registration requirements of section 402 of this act.

NEW SECTION. Sec. 408. A new section is added to chapter 9A.44 RCW to read as follows:

(1) The duty to register under section 402 of this act shall end:

(a) For a person convicted of a class A felony: Such person may only be relieved of the duty to register under subsection (2) of this section.

(b) For a person convicted of a class B felony: Fifteen years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent fifteen consecutive years in the community without being convicted of any new offenses.

(c) For a person convicted of a class C felony: Ten years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent ten consecutive years in the community without being convicted of any new offenses.

(2) Any person having a duty to register under section 402 of this act may petition the superior court to be relieved of that duty. The petition shall be made to the court in which the petitioner was convicted of the offense that subjects him or her to the duty to register, or, in the case of convictions in other states, to the court in Thurston county. The prosecuting attorney of the county shall be named and served as the respondent in any such petition. The court shall consider the nature of the registerable offense committed, and the criminal and relevant non-criminal behavior of the petitioner both before and after conviction, and may consider other factors. The court may relieve the petitioner of the duty to register only if the petitioner shows, with clear and convincing evidence, that future registration of the petitioner will not serve the purposes of sections 402 through 408 of this act.

(3) Unless relieved of the duty to register pursuant to this section, a violation of section 402 of this act is an ongoing offense for purposes of the statute of limitations under RCW 9A.04.080.

(4) Nothing in RCW 9.94A.220 relating to discharge of an offender shall be construed as operating to relieve the offender of his or her duty to register pursuant to section 402 of this act.

Sec. 409. Section 10, chapter 152, Laws of 1972 ex. sess. as last amended by section 6, chapter 346, Laws of 1985 and RCW 43.43.745 are each amended to read as follows:

(1) It shall be the duty of the sheriff or director of public safety of every county, of the chief of police of each city or town, or of every chief officer of other law enforcement agencies operating within this state, to record the fingerprints of all persons held in or remanded to their custody when convicted of any crime as provided for in RCW 43.43.735 for which the penalty of imprisonment might be imposed and to disseminate and file such fingerprints in the same manner as those recorded upon arrest pursuant to RCW 43.43.735 and 43.43.740.

(2) Every time the secretary authorizes a furlough as provided for in RCW 72.66.012 the department of corrections shall notify, forty-eight hours prior to the beginning of such furlough, the section that the named prisoner has been granted a furlough, the place to which furloughed, and the dates and times during which the prisoner will be on furlough status. In the case of an emergency furlough the forty-eight hour time period shall not be required but notification shall be made as promptly as possible and before the prisoner is released on furlough. Upon receipt of furlough information pursuant to the provisions of this subsection the section shall notify the sheriff or director of public safety of the county to which the prisoner is being furloughed, the nearest attachment of the Washington state patrol in the county wherein the furloughed prisoner shall be residing and such other criminal justice agencies as the section may determine should be so notified.

(3) Disposition of the charge for which the arrest was made shall be reported to the section at whatever stage in the proceedings a final disposition occurs by the arresting law enforcement agency, county prosecutor, city attorney, or court having jurisdiction over the offense: PROVIDED, That the chief shall promulgate rules pursuant to chapter 34.05 RCW to carry out the provisions of this subsection.

(4) Whenever a person serving a sentence for a term of confinement in a state correctional facility for convicted felons, pursuant to court commitment, is released on an order of the state indeterminate sentence review board (~~(of prison terms and paroles)~~), or is discharged from custody on expiration of sentence, the department of corrections shall promptly notify the section that the named person has been released or discharged, the place to which such person has been released or discharged, and the conditions of his release or discharge, and shall

additionally notify the section of change in residence or conditions of release or discharge of persons on active parole supervision, and shall notify the section when persons are discharged from active parole supervision.

~~((No city, town, county, or local law enforcement authority or other agency thereof may require that a convicted felon entering, sojourning, visiting, in transit, or residing in such city, town, county, or local area report or make himself known as a convicted felon or make application for and/or carry on his person a felon identification card or other registration document)) Local law enforcement agencies may identify persons convicted of sex offenses to register pursuant to section 402 of this 1990 act. In addition, nothing ((herein)) in this section shall ((-however-)) be construed to prevent any local law enforcement authority from recording the residency and other information concerning any convicted felon or other person convicted of a criminal offense when such information is obtained from a source other than from ((such requirement)) registration pursuant to section 402 of this 1990 act which source may include any officer or other agency or subdivision of the state.~~

PART V

CRIME VICTIMS' COMPENSATION

Sec. 501. Section 6, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 98, Laws of 1986 and RCW 7.68.060 are each amended to read as follows:

(1) For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(a) An application for benefits is not received by the department within one year after the date the criminal act was reported to a local police department or sheriff's office or the date the rights of dependents or beneficiaries accrued; or

(b) The criminal act is not reported by the victim or someone on his or her behalf to a local police department or sheriff's office within ~~((seventy-two hours))~~ twelve months of its occurrence or, if it could not reasonably have been reported within that period, within ~~((seventy-two hours))~~ twelve months of the time when a report could reasonably have been made. In making determinations as to reasonable time limits, the department shall give greatest weight to the needs of the victims.

(2) This section shall apply only to criminal acts reported after December 31, 1985.

(3) Because victims of childhood criminal acts may repress conscious memory of such criminal acts far beyond the age of eighteen, the rights of adult victims of childhood criminal acts shall accrue at the time the victim discovers or reasonably should have discovered the elements of the crime. In making determinations as to reasonable time limits, the department shall give greatest weight to the needs of the victim.

Sec. 502. Section 3, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.085 are each amended to read as follows:

The director of labor and industries shall institute a cap on medical benefits of one hundred fifty thousand dollars per ~~((victim))~~ injury or death. Payment for medical services in excess of the cap shall be made available to any innocent victim under the same conditions as other medical services, if the medical services are:

(1) Necessary to treat a previously accepted condition;

(2) Necessary to protect the victim's life, or prevent deterioration of the victim's previously accepted condition; and

(3) Not available from an alternative source.

For the purposes of this section, an individual shall not be required to use his or her assets, other than funds recovered as a result of a civil action or criminal restitution, for medical expenses or pain and suffering, in order to qualify for an alternative source of payment.

The director shall, in cooperation with the department of social and health services, establish by October 1, 1989, a process to aid crime victims in identifying and applying for appropriate alternative benefit programs, if any, administered by the department of social and health services.

PART VI

SEXUAL MOTIVATION IN CRIMINAL OFFENSES

NEW SECTION. Sec. 601. A new section is added to chapter 9.94A RCW to read as follows:

(1) The prosecuting attorney shall file a special allegation of sexual motivation in every criminal case other than sex offenses as defined in RCW 9.94A.030(29) (a) or (c) when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify a finding of sexual motivation by a reasonable and objective fact finder.

(2) In a criminal case wherein there has been a special allegation the state shall prove beyond a reasonable doubt that the accused committed the crime with a sexual motivation. The court shall make a finding of fact of whether or not a sexual motivation was present at the time of the commission of the crime, or if a jury trial is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to whether or not the defendant committed the crime

with a sexual motivation. This finding shall not be applied to sex offenses as defined in RCW 9.94A.030(29) (a) or (c).

(3) The prosecuting attorney shall not withdraw the special allegation of sexual motivation without approval of the court through an order of dismissal of the special allegation. The court shall not dismiss this special allegation unless it finds that such an order is necessary to correct an error in the initial charging decision or unless there are evidentiary problems which make proving the special allegation doubtful.

Sec. 602. Section 2, chapter 252, Laws of 1989 and section 1, chapter 394, Laws of 1989 and RCW 9.94A.030 are each reenacted and amended to read as follows:

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

(1) 'Collect,' or any derivative thereof, 'collect and remit,' or 'collect and deliver,' when used with reference to the department of corrections, means that the department is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(2) 'Commission' means the sentencing guidelines commission.

(3) 'Community corrections officer' means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(4) 'Community custody' means that portion of an inmate's sentence of confinement in lieu of earned early release time served in the community subject to controls placed on the inmate's movement and activities by the department of corrections.

(5) 'Community placement' means ~~((a one-year))~~ that period during which the offender is subject to the conditions of community custody and/or postrelease supervision, which begins either upon completion of the term of confinement (postrelease supervision) or at such time as the offender is transferred to community custody in lieu of earned early release. Community placement may consist of entirely community custody, entirely postrelease supervision, or a combination of the two.

(6) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender.

(7) 'Community supervision' means a period of time during which a convicted offender is subject to crime-related prohibitions and other sentence conditions imposed pursuant to this chapter by a court. For first-time offenders, the supervision may include crime-related prohibitions and other conditions imposed pursuant to RCW 9.94A.120(5). For purposes of the interstate compact for out-of-state supervision of parolees and probationers, RCW 9.95.270, community supervision is the functional equivalent of probation and should be considered the same as probation by other states.

(8) 'Confinement' means total or partial confinement as defined in this section.

(9) 'Conviction' means an adjudication of guilt pursuant to Titles 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) 'Court-ordered legal financial obligation' means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction.

(11) 'Crime-related prohibition' means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct.

(12) (a) 'Criminal history' means the list of a defendant's prior convictions, whether in this state, in federal court, or elsewhere. The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) 'Criminal history' shall always include juvenile convictions for sex offenses and shall also include(s) a defendant's other prior convictions in juvenile court if: (i) The conviction was for an offense which is a felony or a serious traffic offense and is criminal history as defined in RCW 13.40.020(6)(a); (ii) the defendant was fifteen years of age or older at the time the offense was committed; and (iii) with respect to prior juvenile class B and C felonies or serious traffic offenses, the defendant was less than twenty-three years of age at the time the offense for which he or she is being sentenced was committed.

(13) 'Department' means the department of corrections.

(14) 'Determinate sentence' means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community supervision, the number of actual hours or days of community service work, or dollars or terms of a legal financial obligation. The fact that an offender through 'earned early release' can reduce

the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(15) 'Disposable earnings' means that part of the earnings of an individual remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, 'earnings' means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(16) 'Drug offense' means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.401(d)) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(17) 'Escape' means:

(a) Escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to comply with any limitations on the inmate's movements while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(18) 'Felony traffic offense' means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), or felony hit-and-run injury-accident (RCW 46.52.020(4)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(19) 'Fines' means the requirement that the offender pay a specific sum of money over a specific period of time to the court.

(20) (a) 'First-time offender' means any person who is convicted of a felony (i) not classified as a violent offense or a sex offense under this chapter, or (ii) that is not the manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance classified in schedule I or II that is a narcotic drug, and except as provided in (b) of this subsection, who previously has never been convicted of a felony in this state, federal court, or another state, and who has never participated in a program of deferred prosecution for a felony offense.

(b) For purposes of (a) of this subsection, a juvenile adjudication for an offense committed before the age of fifteen years is not a previous felony conviction except for adjudications of sex offenses.

(21) 'Nonviolent offense' means an offense which is not a violent offense.

(22) 'Offender' means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. Throughout this chapter, the terms 'offender' and 'defendant' are used interchangeably.

(23) 'Partial confinement' means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention has been ordered by the court, in the residence of either the defendant or a member of the defendant's immediate family, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release and home detention as defined in this section.

(24) 'Postrelease supervision' is that portion of an offender's community placement that is not community custody.

(25) 'Restitution' means the requirement that the offender pay a specific sum of money over a specific period of time to the court as payment of damages. The sum may include both public and private costs. The imposition of a restitution order does not preclude civil redress.

(26) 'Serious traffic offense' means:

(a) Driving while intoxicated (RCW 46.61.502), actual physical control while intoxicated (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(27) 'Serious violent offense' is a subcategory of violent offense and means:

(a) Murder in the first degree, homicide by abuse, murder in the second degree, assault in the first degree, kidnapping in the first degree, or rape in the first degree, or an attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(28) 'Sentence range' means the sentencing court's discretionary range in imposing a non-appealable sentence.

(29) 'Sex offense' means:

(a) A felony that is a violation of chapter 9A.44 RCW or RCW 9A.64.020 or 9.68A.090 or that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes: ((or))

(b) A felony with a finding of sexual motivation under section 601 of this 1990 act; or

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(30) 'Sexual motivation' means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(31) 'Total confinement' means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

(((31))) (32) 'Victim' means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

(((32))) (33) 'Violent offense' means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, ~~((child molestation in the first degree, rape in the second degree;))~~ kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, robbery in the second degree, vehicular assault, and vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

(((33))) (34) 'Work release' means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school. Participation in work release shall be conditioned upon the offender attending work or school at regularly defined hours and abiding by the rules of the work release facility.

(((34))) (35) 'Home detention' means a program of partial confinement available to offenders wherein the offender is confined in a private residence subject to electronic surveillance. Home detention may not be imposed for offenders convicted of a violent offense, any sex offense, any drug offense, reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050, assault in the third degree as defined in RCW 9A.36.031, unlawful imprisonment as defined in RCW 9A.40.040, or harassment as defined in RCW 9A.46.020. Home detention may be imposed for offenders convicted of possession of a controlled substance (RCW 69.50.401(d)) or forged prescription for a controlled substance (RCW 69.50.403) if the offender fulfills the participation conditions set forth in this subsection and is monitored for drug use by treatment alternatives to street crime (TASC) or a comparable court or agency-referred program. Home detention may be imposed for offenders convicted of burglary in the second degree as defined in RCW 9A.52.030 or residential burglary conditioned upon the offender: (a) Successfully completing twenty-one days in a work release program, (b) having no convictions for burglary in the second degree or residential burglary during the preceding two years and not more than two prior convictions for burglary or residential burglary, (c) having no convictions for a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense, (d) having no prior charges of escape, and (e) fulfilling the other conditions of the home detention program. Participation in a home detention program shall be conditioned upon: (a) The offender obtaining or maintaining current employment or attending a regular course of school study at regularly defined hours, or the offender performing parental duties to offspring or minors normally in the custody of the offender, (b) abiding by the rules of the home detention program, and (c) compliance with court-ordered legal financial obligations. The home detention program may also be made available to offenders whose charges and convictions do not otherwise disqualify them if medical or health-related conditions, concerns or treatment would be better addressed under the home detention program, or where the health and welfare of the offender, other inmates, or staff would be jeopardized by the offender's incarceration. Participation in the home detention program for medical or health-related reasons is conditioned on the offender abiding by the rules of the home detention program and complying with court-ordered restitution.

Sec. 603. Section 10, chapter 115, Laws of 1983 as last amended by section 1, chapter 408, Laws of 1989 and RCW 9.94A.390 are each amended to read as follows:

If the sentencing court finds that an exceptional sentence outside the standard range should be imposed in accordance with RCW 9.94A.120(2), the sentence is subject to review only as provided for in RCW 9.94A.210(4).

The following are illustrative factors which the court may consider in the exercise of its discretion to impose an exceptional sentence. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(1) Mitigating Circumstances

(a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(e) The defendant's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law, was significantly impaired (voluntary use of drugs or alcohol is excluded).

(f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(g) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(h) The defendant or the defendant's children suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(2) Aggravating Circumstances

(a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

(b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance due to extreme youth, advanced age, disability, or ill health.

(c) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

(i) The current offense involved multiple victims or multiple incidents per victim;

(ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;

(iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time;

(iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.

(d) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition. The presence of ANY of the following may identify a current offense as a major VUCSA:

(i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so; or

(ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use; or

(iii) The current offense involved the manufacture of controlled substances for use by other parties; or

(iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy; or

(v) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time or involved a broad geographic area of disbursement; or

(vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional); or

(e) The current offense included a finding of sexual motivation pursuant to section 601 of this 1990 act:

(f) The offense was part of an ongoing pattern of sexual abuse of the same victim under the age of eighteen years manifested by multiple incidents over a prolonged period of time; or

((f)) (g) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

NEW SECTION. Sec. 604. A new section is added to chapter 13.40 RCW to read as follows:

(1) The prosecuting attorney shall file a special allegation of sexual motivation in every juvenile offense other than sex offenses as defined in RCW 9.94A.030(29) (a) or (c) when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably

consistent defense that could be raised under the evidence, would justify a finding of sexual motivation by a reasonable and objective fact finder.

(2) In a juvenile case wherein there has been a special allegation the state shall prove beyond a reasonable doubt that the juvenile committed the offense with a sexual motivation. The court shall make a finding of fact of whether or not the sexual motivation was present at the time of the commission of the offense. This finding shall not be applied to sex offenses as defined in RCW 9.94A.030(29) (a) or (c).

(3) The prosecuting attorney shall not withdraw the special allegation of 'sexual motivation' without approval of the court through an order of dismissal. The court shall not dismiss the special allegation unless it finds that such an order is necessary to correct an error in the initial charging decision or unless there are evidentiary problems which make proving the special allegation doubtful.

Sec. 605. Section 69, chapter 291, Laws of 1977 ex. sess. as last amended by section 12, chapter 299, Laws of 1981 and RCW 13.40.150 are each amended to read as follows:

(1) In disposition hearings all relevant and material evidence, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though such evidence may not be admissible in a hearing on the information. The youth or the youth's counsel and the prosecuting attorney shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when such individuals are reasonably available, but sources of confidential information need not be disclosed. The prosecutor and counsel for the juvenile may submit recommendations for disposition.

(2) For purposes of disposition:

(a) Violations which are current offenses count as misdemeanors;

(b) Violations may not count as part of the offender's criminal history;

(c) In no event may a disposition for a violation include confinement.

(3) Before entering a dispositional order as to a respondent found to have committed an offense, the court shall hold a disposition hearing, at which the court shall:

(a) Consider the facts supporting the allegations of criminal conduct by the respondent;

(b) Consider information and arguments offered by parties and their counsel;

(c) Consider any predisposition reports;

(d) Afford the respondent and the respondent's parent, guardian, or custodian an opportunity to speak in the respondent's behalf;

(e) Allow the victim or a representative of the victim and an investigative law enforcement officer to speak;

(f) Determine the amount of restitution owing to the victim, if any;

(g) Determine whether the respondent is a serious offender, a middle offender, or a minor or first offender;

(h) Consider whether or not any of the following mitigating factors exist:

(i) The respondent's conduct neither caused nor threatened serious bodily injury or the respondent did not contemplate that his or her conduct would cause or threaten serious bodily injury;

(ii) The respondent acted under strong and immediate provocation;

(iii) The respondent was suffering from a mental or physical condition that significantly reduced his or her culpability for the offense though failing to establish a defense;

(iv) Prior to his or her detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and

(v) There has been at least one year between the respondent's current offense and any prior criminal offense;

(i) Consider whether or not any of the following aggravating factors exist:

(i) In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;

(ii) The offense was committed in an especially heinous, cruel, or depraved manner;

(iii) The victim or victims were particularly vulnerable;

(iv) The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement;

(v) The current offense included a finding of sexual motivation pursuant to section 601 of this 1990 act;

(vi) The respondent was the leader of a criminal enterprise involving several persons; and

((v)) (vii) There are other complaints which have resulted in diversion or a finding or plea of guilty but which are not included as criminal history.

(4) The following factors may not be considered in determining the punishment to be imposed:

(a) The sex of the respondent;

(b) The race or color of the respondent or the respondent's family;

(c) The creed or religion of the respondent or the respondent's family;

(d) The economic or social class of the respondent or the respondent's family; and

(e) Factors indicating that the respondent may be or is a dependent child within the meaning of this chapter.

(5) A court may not commit a juvenile to a state institution solely because of the lack of facilities, including treatment facilities, existing in the community.

PART VII

CRIMINAL SENTENCING

Sec. 701. Section 2, chapter 115, Laws of 1983 as last amended by section 1, chapter 124, Laws of 1989 and by section 101, chapter 271, Laws of 1989 and RCW 9.94A.310 are each re-enacted and amended to read as follows:

(1)

TABLE 1
Sentencing Grid

SERIOUSNESS SCORE	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
(XIV)										
XV	Life Sentence without Parole/Death Penalty									
(XIII)										
XIV	23y4m 240- 320	24y4m 250- 333	25y4m 261- 347	26y4m 271- 361	27y4m 281- 374	28y4m 291- 388	30y4m 312- 416	32y10m 338- 450	36y 370- 493	40y 411- 548
(XIII)										
XIII	12y 123- 164	13y 134- 178	14y 144- 192	15y 154- 205	16y 165- 219	17y 175- 233	19y 195- 260	21y 216- 288	25y 257- 342	29y 298- 397
(XII)										
XII	6y 62- 82	6y9m 69- 92	7y6m 77- 102	8y3m 85- 113	9y 93- 123	9y9m 100- 133	12y6m 129- 171	13y6m 139- 185	15y6m 159- 212	17y6m 180- 240)
XII	9y 93- 123	9y11m 102- 136	10y9m 111- 147	11y8m 120- 160	12y6m 129- 171	13y5m 138- 184	15y9m 162- 216	17y3m 178- 236	20y3m 209- 277	23y3m 240- 318
(XI)										
XI	7y6m 78- 102	8y4m 86- 114	9y2m 95- 125	9y11m 102- 136	10y9m 111- 147	11y7m 120- 158	14y2m 146- 194	15y5m 159- 211	17y11m 185- 245	20y5m 210- 280
X	5y 51- 68	5y6m 57- 75	6y 62- 82	6y6m 67- 89	7y 72- 96	7y6m 77- 102	9y6m 98- 130	10y6m 108- 144	12y6m 129- 171	14y6m 149- 198
IX	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	5y 51- 68	5y6m 57- 75	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144	12y6m 129- 171
VIII	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y 41- 54	4y6m 46- 61	6y6m 67- 89	7y6m 77- 102	8y6m 87- 116	10y6m 108- 144
VII	18m 15- 20	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y 41- 54	5y6m 57- 89	6y6m 67- 89	7y6m 77- 102	8y6m 87- 116
VI	13m 12+- 14	18m 15- 20	2y 21- 27	2y6m 26- 34	3y 31- 41	3y6m 36- 48	4y6m 46- 61	5y6m 57- 75	6y6m 67- 89	7y6m 77- 102
V	9m 6- 12	13m 12+- 14	15m 13- 17	18m 15- 20	2y2m 22- 29	3y2m 33- 43	4y 41- 54	5y 51- 68	6y 62- 82	7y 72- 96
IV	6m 3- 9	9m 6- 12	13m 12+- 14	15m 13- 17	18m 15- 20	2y2m 22- 29	3y2m 33- 43	4y2m 43- 57	5y2m 53- 70	6y2m 63- 84

SERIOUSNESS SCORE

OFFENDER SCORE

	0	1	2	3	4	5	6	7	8	9 or more
III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
	1-3	3-8	4-12	9-12	12+-16	17-22	22-29	33-43	43-57	51-68
II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
	0-90 Days	2-6	3-9	4-12	12+-14	14-18	17-22	22-29	33-43	43-57
I			3m	4m	5m	8m	13m	16m	20m	2y2m
	0-60 Days	0-90 Days	2-5	2-6	3-8	4-12	12+-14	14-18	17-22	22-29

NOTE: Numbers in the first horizontal row of each seriousness category represent sentencing midpoints in years(y) and months(m). Numbers in the second and third rows represent presumptive sentencing ranges in months, or in days if so designated. 12+ equals one year and one day.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the presumptive sentence is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by 75 percent.

(3) The following additional times shall be added to the presumptive sentence if the offender or an accomplice was armed with a deadly weapon as defined in this chapter and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice was armed with a deadly weapon and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following times shall be added to the presumptive range determined under subsection (2) of this section:

- (a) 24 months for Rape 1 (RCW 9A.44.040), Robbery 1 (RCW 9A.56.200), or Kidnapping 1 (RCW 9A.40.020)
- (b) 18 months for Burglary 1 (RCW 9A.52.020)
- (c) 12 months for Assault 2 (RCW 9A.36.020 or 9A.36.021), Escape 1 (RCW 9A.76.110), Kidnapping 2 (RCW 9A.40.030), Burglary 2 of a building other than a dwelling (RCW 9A.52.030), Theft of Livestock 1 or 2 (RCW 9A.56.080), or any drug offense.

(4) The following additional times shall be added to the presumptive sentence if the offender or an accomplice committed the offense while in a county jail or state correctional facility as that term is defined in this chapter and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility as that term is defined in this chapter, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following times shall be added to the presumptive sentence range determined under subsection (2) of this section:

- (a) Eighteen months for offenses committed under RCW 69.50.401(a)(1)(i);
- (b) Fifteen months for offenses committed under RCW 69.50.401(a)(1)(ii), (iii), and (iv);
- (c) Twelve months for offenses committed under RCW 69.50.401(d).

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(5) An additional twenty-four months shall be added to the presumptive sentence for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435.

Sec. 702, Section 1, chapter 99, Laws of 1989, section 102, chapter 271, Laws of 1989, section 1, chapter 405, Laws of 1989, section 3, chapter 412, Laws of 1989, section 3, chapter 1, Laws of 1989 2nd ex. sess. and RCW 9.94A.320 are each reenacted and amended to read as follows:

TABLE 2
CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

(XIV)	
XV	Aggravated Murder 1 (RCW 10.95.020)
(XIII)	
XIV	Murder 1 (RCW 9A.32.030)
	Homicide by abuse (RCW 9A.32.055)
(XII)	
XIII	Murder 2 (RCW 9A.32.050)
(XI)	
XII	Assault 1 (RCW 9A.36.011)

- XI Rape 1 (RCW 9A.44.040)
Rape of a Child 1 (RCW 9A.44.073)
- X Kidnapping 1 (RCW 9A.40.020)
~~((Rape 1 (RCW 9A.44.040)~~
~~Rape of a Child 1 (RCW 9A.44.073)))~~
Rape 2 (RCW 9A.44.050)
Rape of a Child 2 (RCW 9A.44.076)
Child Molestation 1 (RCW 9A.44.083)
Damaging building, etc., by explosion with threat to human being (RCW 70.74.280(1))
Over 18 and deliver heroin or narcotic from Schedule I or II to someone under 18 (RCW 69.50.406)
Leading Organized Crime (RCW 9A.82.060(1)(a))
- IX Robbery 1 (RCW 9A.56.200)
Manslaughter 1 (RCW 9A.32.060)
Explosive devices prohibited (RCW 70.74.180)
Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
Endangering life and property by explosives with threat to human being (RCW 70.74.270)
Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406)
Controlled Substance Homicide (RCW 69.50.415)
Sexual Exploitation~~((Under 16))~~ (RCW 9.68A.040~~((2)(a)))~~)
Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
- VIII Arson 1 (RCW 9A.48.020)
~~((Rape 2 (RCW 9A.44.050)~~
~~Rape of a Child 2 (RCW 9A.44.076)~~
~~Child Molestation 1 (RCW 9A.44.083)))~~
Promoting Prostitution 1 (RCW 9A.88.070)
Selling heroin for profit (RCW 69.50.410)
Manufacture, deliver, or possess with intent to deliver heroin or cocaine (RCW 69.50.401(a)(1)(i))
Manufacture, deliver, or possess with intent to deliver methamphetamine (RCW 69.50.401(a)(1)(ii))
Vehicular Homicide, by being under the influence of intoxicating liquor or any drug or by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
Introducing Contraband 1 (RCW 9A.76.140)
Indecent Liberties ~~((with))~~ without forcible compulsion (RCW 9A.44.100(1)~~((a))~~) (b) and (c)
~~((Sexual Exploitation, Under 18 (RCW 9.68A.040(2)(b))))~~
Child Molestation 2 (RCW 9A.44.086)
Dealing in depictions of minor engaged in sexually explicit conduct (RCW 9.68A.050)
Sending, bringing into state depictions of minor engaged in sexually explicit conduct (RCW 9.68A.060)
Involving a minor in drug dealing (RCW 69.50.401(f))
- VI Bribery (RCW 9A.68.010)
Manslaughter 2 (RCW 9A.32.070)
~~((Child Molestation 2 (RCW 9A.44.086)))~~
Rape of a Child 3 (RCW 9A.44.079)
Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Damaging building, etc., by explosion with no threat to human being (RCW 70.74.280(2))
Endangering life and property by explosives with no threat to human being (RCW 70.74.270)
~~((Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))))~~
Incest 1 (RCW 9A.64.020(1))
Selling for profit (controlled or counterfeit) any controlled substance (except heroin) (RCW 69.50.410)
Manufacture, deliver, or possess with intent to deliver narcotics from Schedule I or II (except heroin or cocaine) (RCW 69.50.401(a)(1)(i))
Intimidating a Judge (RCW 9A.72.160)
Bail Jumping with Murder 1 (RCW 9A.76.170(2)(a))
- V Criminal Mistreatment 1 (RCW 9A.42.020)
Rape 3 (RCW 9A.44.060)
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)

- Child Molestation 3 (RCW 9A.44.089)
Kidnapping 2 (RCW 9A.40.030)
 Extortion 1 (RCW 9A.56.120)
 Incest 2 (RCW 9A.64.020(2))
 Perjury 1 (RCW 9A.72.020)
 Extortionate Extension of Credit (RCW 9A.82.020)
 Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
 Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
 Rendering Criminal Assistance 1 (RCW 9A.76.070)
 Bail Jumping with class A Felony (RCW 9A.76.170(2)(b))
 Delivery of imitation controlled substance by person eighteen or over to person under eighteen (RCW 69.52.030(2))
- IV
- Residential Burglary (RCW 9A.52.025)
 Theft of Livestock 1 (RCW 9A.56.080)
 Robbery 2 (RCW 9A.56.210)
 Assault 2 (RCW 9A.36.021)
 Escape 1 (RCW 9A.76.110)
 Arson 2 (RCW 9A.48.030)
~~((Rape of a Child 3 (RCW 9A.44.079))~~
 Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
 Malicious Harassment (RCW 9A.36.080)
 Threats to Bomb (RCW 9.61.160)
 Willful Failure to Return from Furlough (RCW 72.66.060)
 Hit and Run -- Injury Accident (RCW 46.52.020(4))
 Vehicular Assault (RCW 46.61.522)
 Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except marijuana or methamphetamines) (RCW 69.50.401(a)(1)(i) through (iv))
 Influencing Outcome of Sporting Event (RCW 9A.82.070)
 Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
 Knowingly Trafficking in Stolen Property (RCW 9A.82.050(2))
- III
- Criminal mistreatment 2 (RCW 9A.42.030)
~~((Sexual Misconduct with a Minor 1 (RCW 9A.44.093)~~
~~Child Molestation 3 (RCW 9A.44.089))~~
 Extortion 2 (RCW 9A.56.130)
 Unlawful Imprisonment (RCW 9A.40.040)
 Assault 3 (RCW 9A.36.031)
 Custodial Assault (RCW 9A.36.100)
 Unlawful possession of firearm or pistol by felon (RCW 9.41.040)
 Harassment (RCW 9A.46.020)
 Promoting Prostitution 2 (RCW 9A.88.080)
 Willful Failure to Return from Work Release (RCW 72.65.070)
 Burglary 2 (RCW 9A.52.030)
 Introducing Contraband 2 (RCW 9A.76.150)
 Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
 Patronizing a Juvenile Prostitute (RCW 9.68A.100)
 Escape 2 (RCW 9A.76.120)
 Perjury 2 (RCW 9A.72.030)
 Bail Jumping with class B or C Felony (RCW 9A.76.170(2)(c))
 Intimidating a Public Servant (RCW 9A.76.180)
 Tampering with a Witness (RCW 9A.72.120)
 Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(a)(1)(ii))
 Delivery of a material in lieu of a controlled substance (RCW 69.50.401(c))
 Manufacture, distribute, or possess with intent to distribute an imitation controlled substance (RCW 69.52.030(1))
 Recklessly Trafficking in Stolen Property (RCW 9A.82.050(1))
 Theft of livestock 2 (RCW 9A.56.080)
 Securities Act violation (RCW 21.20.400)
- II
- Malicious Mischief 1 (RCW 9A.48.070)
 Possession of Stolen Property 1 (RCW 9A.56.150)
 Theft 1 (RCW 9A.56.030)
 Possession of controlled substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.401(d))
 Possession of phencyclidine (PCP) (RCW 69.50.401(d))
 Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.401(b))
 Computer Trespass 1 (RCW 9A.52.110)
 Reckless Endangerment 1 (RCW 9A.36.045)

- I Theft 2 (RCW 9A.56.040)
 Possession of Stolen Property 2 (RCW 9A.56.160)
 Forgery (RCW 9A.60.020)
 Taking Motor Vehicle Without Permission (RCW 9A.56.070)
 Vehicle Prowl 1 (RCW 9A.52.095)
 Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
 Malicious Mischief 2 (RCW 9A.48.080)
 Reckless Burning 1 (RCW 9A.48.040)
 Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
 Unlawful Use of Food Stamps (RCW 9.91.140 (2) and (3))
 False Verification for Welfare (RCW 74.08.055)
 Forged Prescription (RCW 69.41.020)
 Forged Prescription for a Controlled Substance (RCW 69.50.403)
 Possess Controlled Substance that is a Narcotic from Schedule III, IV, or V or Non-narcotic from Schedule I-V (except phencyclidine) (RCW 69.50.401(d))

Sec. 703. Section 6, chapter 115, Laws of 1983 and RCW 9.94A.350 are each amended to read as follows:

The offense seriousness level is determined by the offense of conviction. (~~Felony offenses are divided into fourteen levels of seriousness, ranging from low (seriousness level I) to high (seriousness level XIV — see RCW 9.94A.320 (Table 2))~~)

Sec. 704. Section 11, chapter 115, Laws of 1983 as last amended by section 24, chapter 143, Laws of 1988 and by section 5, chapter 157, Laws of 1988 and RCW 9.94A.400 are each reenacted and amended to read as follows:

(1) (a) Except as provided in (b) of this subsection, whenever a person is to be sentenced for two or more current offenses, the sentence range for each current offense shall be determined by using all other current and prior convictions as if they were prior convictions for the purpose of the offender score: PROVIDED, That if the court enters a finding that some or all of the current offenses encompass the same criminal conduct then those current offenses shall be counted as one crime. Sentences imposed under this subsection shall be served concurrently. Consecutive sentences may only be imposed under the exceptional sentence provisions of RCW 9.94A.120 and 9.94A.390(2)(~~(e)~~)(f) or any other provision of RCW 9.94A.390. 'Same criminal conduct,' as used in this subsection, means two or more crimes that require the same criminal intent, are committed at the same time and place, and involve the same victim. This definition does not apply in cases involving vehicular assault or vehicular homicide if the victims occupied the same vehicle. However, the sentencing judge may consider multiple victims in such instances as an aggravating circumstance under RCW 9.94A.390.

(b) Whenever a person is convicted of (~~(three)~~) two or more serious violent offenses, as defined in RCW 9.94A.030, arising from separate and distinct criminal conduct, the sentence range for the offense with the highest seriousness level under RCW 9.94A.320 shall be determined using the offender's prior convictions and other current convictions that are not serious violent offenses in the offender score and the sentence range for other serious violent offenses shall be determined by using an offender score of zero. The sentence range for any offenses that are not serious violent offenses shall be determined according to (a) of this subsection. All sentences imposed under (b) of this subsection shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection.

(2) Whenever a person while under sentence of felony commits another felony and is sentenced to another term of confinement, the latter term shall not begin until expiration of all prior terms.

(3) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence of a felony, the sentence shall run concurrently with any felony sentence which has been imposed by any court in this or another state or by a federal court subsequent to the commission of the crime being sentenced unless the court pronouncing the current sentence expressly orders that they be served consecutively.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, that sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) However, in the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community service, community supervision, or any other requirement or conditions of any of the sentences. Except for exceptional sentences as authorized under RCW 9.94A.120(2), if two or more sentences that run consecutively include periods of community supervision, the aggregate of the community supervision period shall not exceed twenty-four months.

Sec. 705. Section 4, chapter 252, Laws of 1989 and RCW 9.94A.120 are each amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2), (5), and (7) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than three years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum three year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

(a) Devote time to a specific employment or occupation;

(b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;

(c) Pursue a prescribed, secular course of study or vocational training;

(d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;

(e) Report as directed to the court and a community corrections officer; or

(f) Pay all court-ordered legal financial obligations as provided in RCW 9.94A.030 and/or perform community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, a term of community supervision not to exceed one year, and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7)(a) (i) When an offender is convicted of a sex offense other than a violation of (~~RCW 9A.44.040 or~~) RCW 9A.44.050 or a sex offense that is also a serious violent offense and has no prior convictions for a sex offense or any other felony (~~sexual~~) sex offenses in this or any other state, the sentencing court, on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

The report of the examination shall include at a minimum the following: The defendant's version of the facts and the official version of the facts, the defendant's offense history, an assessment of problems in addition to alleged deviant behaviors, the offender's social and employment situation, and other evaluation measures used. The report shall set forth the sources of the evaluator's information.

The examiner shall assess and report regarding the defendant's amenability to treatment and relative risk to the community. A proposed treatment plan shall be provided and shall include, at a minimum:

(A) Frequency and type of contact between offender and therapist;

(B) Specific issues to be addressed in the treatment and description of planned treatment modalities;

(C) Monitoring plans, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members and others;

(D) Anticipated length of treatment; and

(E) Recommended crime-related prohibitions.

The court on its own motion may order, or on a motion by the state shall order, a second examination regarding the offender's amenability to treatment. The evaluator shall be selected by the party making the motion.

(ii) After receipt of the reports, the court shall (~~then determine~~) consider whether the offender and the community will benefit from use of this special sexual offender sentencing alternative and consider the victim's opinion whether the offender should receive a treatment disposition under this subsection. If the court determines that (~~both the offender and the community will benefit from use of this provision~~) this special sex offender sentencing alternative is appropriate, the court shall then impose a sentence within the sentence range (~~and~~). If this

sentence is less than ~~((str)) eight~~ years of confinement, the court may suspend the execution of the sentence and impose the following conditions of suspension:

(A) The court shall place the ((offender)) defendant on community supervision for ((up-to two)) the length of the suspended sentence or three years, whichever is greater; and

(B) The court shall order treatment for any period up to three years in duration. The court in its discretion shall order outpatient sex offender treatment or inpatient sex offender treatment, if available. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment. The offender shall not change sex offender treatment providers or treatment conditions without first notifying the prosecutor, the community corrections officer, and the court, and shall not change providers without court approval after a hearing if the prosecutor or community corrections officer object to the change. In addition, as ((σ)) conditions of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

~~((#)) (I) Devote time to a specific employment or occupation;~~

~~((#)) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;~~

~~((#)) (II) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;~~

~~((#)) (III) Report as directed to the court and a community corrections officer;~~

~~((#)) (IV) Pay all court-ordered legal financial obligations as provided in RCW 9.94A.030, perform community service work, or any combination thereof; or~~

~~((#)) (V) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.~~

((ii)) The sex offender therapist shall submit quarterly reports on the defendant's progress in treatment to the court and the parties. The report shall reference the treatment plan and include at a minimum the following: Dates of attendance, defendant's compliance with requirements, treatment activities, the defendant's relative progress in treatment, and any other material as specified by the court at sentencing.

(iv) At the time of sentencing, the court shall set a treatment termination hearing for three months prior to the anticipated date for completion of treatment. Prior to the treatment termination hearing, the treatment professional and community corrections officer shall submit written reports to the court and parties regarding the defendant's compliance with treatment and monitoring requirements, and recommendations regarding termination from treatment, including proposed community supervision conditions. Either party may request and the court may order another evaluation regarding the advisability of termination from treatment. At the treatment termination hearing the court may: (A) Modify conditions of community supervision, and either (B) terminate treatment, or (C) extend treatment for up to the remaining period of community supervision.

(v) The court may revoke the suspended sentence at any time during the period of community supervision and order execution of the sentence if: (A) The ((offender)) defendant violates ((these sentence)) the conditions ((the court may revoke the suspension and order execution of the sentence)) of the suspended sentence, or (B) the court finds that the defendant is failing to make satisfactory progress in treatment. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(vi) After July 1, 1991, examinations and treatment ordered pursuant to this subsection shall only be conducted by sex offender treatment providers certified by the department of health pursuant to sections 709 through 716 of this 1990 act.

For purposes of this subsection, 'victim' means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a result of the crime charged. 'Victim' also means a parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

(b) When an offender is convicted of any felony ((sexual)) sex offense committed before July 1, 1987, and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of social and health services for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment program at the location determined by the secretary of social and health services or the secretary's designee, only if the report indicates that the offender is

amenable to the treatment program provided at these facilities. The offender shall be transferred to the state pending placement in the treatment program. Any offender who has escaped from the treatment program shall be referred back to the sentencing court.

If the offender does not comply with the conditions of the treatment program, the secretary of social and health services may refer the matter to the sentencing court. The sentencing court shall commit the offender to the department of corrections to serve the balance of the term of confinement.

If the offender successfully completes the treatment program before the expiration of the term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of community supervision, the court may order the offender to serve out the balance of the community supervision term in confinement in the custody of the department of corrections.

After June 30, 1993, this subsection (b) shall cease to have effect.

(c) When an offender commits any felony (~~(sexual)~~ sex offense on or after July 1, 1987, and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, request the department of corrections to evaluate whether the offender is amenable to treatment and the department may place the offender in a treatment program within a correctional facility operated by the department.

Except for an offender who has been convicted of a violation of RCW 9A.44.040 or 9A.44.050, if the offender completes the treatment program before the expiration of his term of confinement, the department of corrections may request the court to convert the balance of confinement to community supervision and to place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

Nothing in (c) of this subsection shall confer eligibility for such programs for offenders convicted and sentenced for a (~~(sexual)~~ sex offense committed prior to July 1, 1987. This subsection (c) does not apply to any crime committed after the effective date of this section.

(8) (a) When a court sentences a person to a term of total confinement to the custody of the department of corrections for an offense categorized as a sex offense(;) or a serious violent offense committed after July 1, 1988, but before July 1, 1990, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW, committed on or after July 1, 1988, the court shall in addition to the other terms of the sentence, sentence the offender to a one-year term of community placement beginning either upon completion of the term of confinement or at such time as the offender is transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.150 (1) and (2). When the court sentences an offender under this (~~(section)~~ subsection) to the statutory maximum period of confinement then the community placement portion of the sentence shall consist entirely of such community custody to which the offender may become eligible, in accordance with RCW 9.94A.150 (1) and (2). Any period of community custody actually served shall be credited against the community placement portion of the sentence.

(b) (~~When a court sentences a person to a term of total confinement to the custody of the department of corrections for an offense categorized as a sex offense, a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW, committed on or after July 1, 1988;)~~ When a court sentences a person to a term of total confinement to the custody of the department of corrections for an offense categorized as a sex offense or serious violent offense committed on or after July 1, 1990, the court shall in addition to other terms of the sentence, sentence the offender to community placement for two years or up

to the period of earned early release awarded pursuant to RCW 9.94A.150 (1) and (2), whichever is longer. The community placement shall begin either upon completion of the term of confinement or at such time as the offender is transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.150 (1) and (2). When the court sentences an offender under this subsection to the statutory maximum period of confinement then the community placement portion of the sentence shall consist entirely of the community custody to which the offender may become eligible, in accordance with RCW 9.94A.150 (1) and (2). Any period of community custody actually served shall be credited against the community placement portion of the sentence. Unless a condition is waived by the court, ~~((the sentence shall include, in addition to the other terms of the sentence, a one-year))~~ the terms of community placement ~~((on))~~ for offenders sentenced pursuant to this section shall include the following conditions:

(i) The offender shall report to and be available for contact with the assigned community corrections officer as directed;

(ii) The offender shall work at department of corrections-approved education, employment, and/or community service;

(iii) The offender shall not consume controlled substances except pursuant to lawfully issued prescriptions;

(iv) An offender in community custody shall not unlawfully possess controlled substances; and

(v) The offender shall pay supervision fees as determined by the department of corrections.

(c) The court may also order any of the following special conditions:

(i) The offender shall remain within, or outside of, a specified geographical boundary;

(ii) The offender shall not have direct or indirect contact with the victim of the crime or a specified class of individuals;

(iii) The offender shall participate in crime-related treatment or counseling services;

(iv) The offender shall not consume alcohol;

(v) The residence location and living arrangements of a sex offender shall be subject to the prior approval of the department of corrections; or

(vi) The offender shall comply with any crime-related prohibitions.

(d) Prior to transfer to, or during, community placement, any conditions of community placement may be removed or modified so as not to be more restrictive by the sentencing court, upon recommendation of the department of corrections.

(9) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(10) If a sentence imposed includes payment of a legal financial obligation, the sentence shall specify the total amount of the legal financial obligation owed, and shall require the offender to pay a specified monthly sum toward that legal financial obligation. Restitution to victims shall be paid prior to any other payments of monetary obligations. Any legal financial obligation that is imposed by the court may be collected by the department, which shall deliver the amount paid to the county clerk for credit. The offender's compliance with payment of legal financial obligations shall be supervised by the department. All monetary payments ordered shall be paid no later than ten years after the last date of release from confinement pursuant to a felony conviction or the date the sentence was entered. Independent of the department, the party or entity to whom the legal financial obligation is owed shall have the authority to utilize any other remedies available to the party or entity to collect the legal financial obligation. Nothing in this section makes the department, the state, or any of its employees, agents, or other persons acting on their behalf liable under any circumstances for the payment of these legal financial obligations. If an order includes restitution as one of the monetary assessments, the county clerk shall make disbursements to victims named in the order.

(11) Except as provided under RCW 9.94A.140(1) and 9.94A.142(1), a court may not impose a sentence providing for a term of confinement or community supervision or community placement which exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(12) All offenders sentenced to terms involving community supervision, community service, community placement, or legal financial obligation shall be under the supervision of the secretary of the department of corrections or such person as the secretary may designate and shall follow explicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(13) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(14) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

(15) The court shall order restitution whenever the offender is convicted of a felony that results in injury to any person or damage to or loss of property, whether the offender is sentenced to confinement or placed under community supervision, unless extraordinary circumstances exist that make restitution inappropriate in the court's judgment. The court shall set forth the extraordinary circumstances in the record if it does not order restitution.

(16) As a part of any sentence, the court may impose and enforce an order that relates directly to the circumstances of the crime for which the offender has been convicted, prohibiting the offender from having any contact with other specified individuals or a specific class of individuals for a period not to exceed the maximum allowable sentence for the crime, regardless of the expiration of the offender's term of community supervision or community placement.

(17) In any sentence of partial confinement, the court may require the defendant to serve the partial confinement in work release or in a program of home detention.

(18) All court-ordered legal financial obligations collected by the department and remitted to the county clerk shall be credited and paid where restitution is ordered. Restitution shall be paid prior to any other payments of monetary obligations.

Sec. 706. Section 103, chapter 271, Laws of 1989 and RCW 9.94A.360 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are as follows:

The offender score is the sum of points accrued under this section rounded down to the nearest whole number.

(1) A prior conviction is a conviction which exists before the date of sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed shall be deemed 'other current offenses' within the meaning of RCW 9.94A.400.

(2) Except as provided in subsection (4) of this section, class A and sex prior felony convictions shall always be included in the offender score. Class B prior felony convictions other than sex offenses shall not be included in the offender score, if since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent ten consecutive years in the community without being convicted of any felonies. Class C prior felony convictions other than sex offenses shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent five consecutive years in the community without being convicted of any felonies. Serious traffic convictions shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender spent five years in the community without being convicted of any serious traffic or felony traffic offenses. This subsection applies to both adult and juvenile prior convictions.

(3) Out-of-state convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law.

(4) Always include juvenile convictions for sex offenses. Include other class A juvenile felonies only if the offender was 15 or older at the time the juvenile offense was committed. Include other class B and C juvenile felony convictions only if the offender was 15 or older at the time the juvenile offense was committed and the offender was less than 23 at the time the offense for which he or she is being sentenced was committed.

(5) Score prior convictions for felony anticipatory offenses (attempts, criminal solicitations, and criminal conspiracies) the same as if they were convictions for completed offenses.

(6) In the case of multiple prior convictions, for the purpose of computing the offender score, count all convictions separately, except:

(a) Prior adult offenses which were found, under RCW 9.94A.400(1)(a), to encompass the same criminal conduct, shall be counted as one offense, the offense that yields the highest offender score. The current sentencing court shall determine with respect to other prior adult offenses for which sentences were served concurrently whether those offenses shall be counted as one offense or as separate offenses, and if the court finds that they shall be counted as one offense, then the offense that yields the highest offender score shall be used;

(b) Juvenile prior convictions entered or sentenced on the same date shall count as one offense, the offense that yields the highest offender score, except for juvenile prior convictions for violent offenses with separate victims, which shall count as separate offenses; and

(c) In the case of multiple prior convictions for offenses committed before July 1, 1986, for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. Use the conviction for the offense that yields the highest offender score.

(7) If the present conviction is one of the anticipatory offenses of criminal attempt, solicitation, or conspiracy, count each prior conviction as if the present conviction were for a completed offense.

(8) If the present conviction is for a nonviolent offense and not covered by subsection (12) ~~((or))~~, (13), or (17) of this section, count one point for each adult prior felony conviction and one point for each juvenile prior violent felony conviction and 1/2 point for each juvenile prior nonviolent felony conviction.

(9) If the present conviction is for a violent offense and not covered in subsection (10), (11), (12), ~~((or))~~ (13), or (17) of this section, count two points for each prior adult and juvenile violent felony conviction, one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(10) If the present conviction is for Murder 1 or 2, Assault 1, Kidnaping 1, Homicide by Abuse, or Rape 1, count three points for prior adult and juvenile convictions for crimes in these categories, two points for each prior adult and juvenile violent conviction (not already counted), one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(11) If the present conviction is for Burglary 1, count prior convictions as in subsection (9) of this section; however count two points for each prior adult Burglary 2 or residential burglary conviction, and one point for each prior juvenile Burglary 2 or residential burglary conviction.

(12) If the present conviction is for a felony traffic offense count two points for each adult or juvenile prior conviction for Vehicular Homicide or Vehicular Assault; for each felony offense or serious traffic offense, count one point for each adult and 1/2 point for each juvenile prior conviction.

(13) If the present conviction is for a drug offense count three points for each adult prior felony drug offense conviction and two points for each juvenile drug offense. All other adult and juvenile felonies are scored as in subsection (9) of this section if the current drug offense is violent, or as in subsection (8) of this section if the current drug offense is nonviolent.

(14) If the present conviction is for Willful Failure to Return from Furlough, RCW 72.66.060, or Willful Failure to Return from Work Release, RCW 72.65.070, count only prior escape convictions in the offender score. Count adult prior escape convictions as one point and juvenile prior escape convictions as 1/2 point.

(15) If the present conviction is for Escape 1, RCW 9A.76.110, or Escape 2, RCW 9A.76.120, count adult prior convictions as one point and juvenile prior convictions as 1/2 point.

(16) If the present conviction is for Burglary 2 or residential burglary, count priors as in subsection (8) of this section; however, count two points for each adult and juvenile prior Burglary 1 conviction, two points for each adult prior Burglary 2 or residential burglary conviction, and one point for each juvenile prior Burglary 2 or residential burglary conviction.

(17) If the present conviction is for a sex offense, count three points for each adult and juvenile prior sex offense conviction.

(18) If the present conviction is for an offense committed while the offender was under community placement, add one point.

Sec. 707. Section 24, chapter 137, Laws of 1981 as last amended by section 1, chapter 259, Laws of 1989 and RCW 9.95.009 are each amended to read as follows:

(1) On July 1, 1986, the board of prison terms and paroles shall be redesignated as the indeterminate ~~(sentencing)~~ sentencing review board. The board's membership shall be reduced as follows: On July 1, 1986, and on July 1st of each year until 1998, the number of board members shall be reduced in a manner commensurate with the board's remaining workload as determined by the office of financial management based upon its population forecast for the indeterminate sentencing system and in conjunction with the budget process. To meet the statutory obligations of the indeterminate sentencing review board, the number of board members shall not be reduced to fewer than three members, although the office of financial management may designate some or all members as part-time members and specify the extent to which they shall be less than full-time members. Any reduction shall take place by the expiration, on that date, of the term or terms having the least time left to serve.

(2) After July 1, 1984, the board shall continue its functions with respect to persons convicted of crimes committed prior to July 1, 1984, and committed to the department of corrections. When making decisions on duration of confinement, including those relating to persons committed under a mandatory life sentence, and parole release under RCW 9.95.100 and 9.95.110, the board shall consider the purposes, standards, and sentencing ranges adopted pursuant to RCW 9.94A.040 and the minimum term recommendations of the sentencing judge and prosecuting attorney, and shall attempt to make decisions reasonably consistent with those ranges, standards, purposes, and recommendations: PROVIDED, That the board and its successors shall give adequate written reasons whenever a minimum term or parole release decision is made which is outside the sentencing ranges adopted pursuant to RCW 9.94A.040. In making such decisions, the board and its successors shall consider the different charging and disposition practices under the indeterminate sentencing system.

(3) Notwithstanding the provisions of subsection (2) of this section, the indeterminate sentencing review board shall give public safety considerations the highest priority when making

all discretionary decisions on the remaining indeterminate population regarding the ability for parole, parole release, and conditions of parole.

NEW SECTION. Sec. 708. A new section is added to chapter 72.09 RCW to read as follows:

In making all discretionary decisions regarding supervision of sexually violent offenders, the department of corrections shall set priorities and make decisions based on an assessment of public safety risks rather than the legal category of the sentences.

NEW SECTION. Sec. 709. The legislature finds that sex offender therapists who examine and treat sex offenders pursuant to the special sexual offender sentencing alternative under RCW 9.94A.120(7)(a) and who may treat juvenile sex offenders pursuant to section 302 of this act, play a vital role in protecting the public from sex offenders who remain in the community following conviction. The legislature finds that the qualifications, practices, techniques, and effectiveness of sex offender treatment providers vary widely and that the court's ability to effectively determine the appropriateness of granting the sentencing alternative and monitoring the offender to ensure continued protection of the community is undermined by a lack of regulated practices. The legislature recognizes the right of sex offender therapists to practice, consistent with the paramount requirements of public safety. Public safety is best served by regulating sex offender therapists whose clients are being evaluated and being treated pursuant to RCW 9.94A.120(7)(a) and section 302 of this act. This chapter shall be construed to require only those sex offender therapists who examine and treat sex offenders pursuant to RCW 9.94A.120(7)(a) and section 302 of this act to obtain a sexual offender treatment certification as provided in this chapter.

NEW SECTION. Sec. 710. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Certified sex offender treatment provider' means a licensed, certified, or registered health professional who is certified to examine and treat sex offenders pursuant to RCW 9.94A.120(7)(a) and section 302 of this act.

(2) 'Department' means the department of health.

(3) 'Secretary' means the secretary of health.

(4) 'Sex offender treatment provider' means a person who counsels or treats sex offenders accused of or convicted of a sex offense as defined by RCW 9.94A.030.

NEW SECTION. Sec. 711. (1) No person shall represent himself or herself as a certified sex offender treatment provider without first applying for and receiving a certificate pursuant to this chapter.

(2) Only a certified sex offender treatment provider may perform or provide the following services:

(a) Evaluations conducted for the purposes of and pursuant to RCW 9.94A.120(7)(a) and section 302 of this act;

(b) Treatment of convicted sex offenders who are sentenced and ordered into treatment pursuant to RCW 9.94A.120(7)(a) and adjudicated juvenile sex offenders who are ordered into treatment pursuant to section 302 of this act.

NEW SECTION. Sec. 712. In addition to any other authority provided by law, the secretary shall have the following authority:

(1) To set all fees required in this chapter in accordance with RCW 43.70.250;

(2) To establish forms necessary to administer this chapter;

(3) To issue a certificate to any applicant who has met the education, training, and examination requirements for certification and deny a certificate to applicants who do not meet the minimum qualifications for certification. Proceedings concerning the denial of certificates based on unprofessional conduct or impaired practice shall be governed by the uniform disciplinary act, chapter 18.130 RCW;

(4) To hire clerical, administrative, and investigative staff as needed to implement and administer this chapter and to hire individuals including those certified under this chapter to serve as examiners or consultants as necessary to implement and administer this chapter;

(5) To maintain the official department record of all applicants and certifications;

(6) To conduct a hearing on an appeal of a denial of a certificate on the applicant's failure to meet the minimum qualifications for certification. The hearing shall be conducted pursuant to chapter 34.05 RCW;

(7) To issue subpoenas, statements of charges, statements of intent to deny certificates, and orders and to delegate in writing to a designee the authority to issue subpoenas, statements of charges, and statements of intent to deny certificates;

(8) To determine the minimum education, work experience, and training requirements for certification, including but not limited to approval of educational programs;

(9) To prepare and administer or approve the preparation and administration of examinations for certification;

(10) To establish by rule the procedure for appeal of an examination failure;

(11) To adopt rules implementing a continuing competency program;

(12) To adopt rules in accordance with chapter 34.05 RCW as necessary to implement this chapter.

NEW SECTION. Sec. 713. (1) The sexual offender treatment providers advisory committee is established to advise the secretary concerning the administration of this chapter.

(2) The secretary shall appoint the members of the advisory committee who shall consist of the following persons:

- (a) One superior court judge;
- (b) Three sexual offender treatment providers;
- (c) One mental health practitioner who specializes in treating victims of sexual assault;
- (d) One defense attorney with experience in representing persons charged with sexual offenses;

- (e) One representative from the Washington association of prosecuting attorneys;
- (f) The secretary of the department of social and health services or his or her designee;
- (g) The secretary of the department of corrections or his or her designee.

The secretary shall develop and implement the certification procedures with the advice of the committee by July 1, 1991. Following implementation of these procedures by the secretary, the committee shall be a permanent body. The members shall serve staggered six-year terms, to be set by the secretary. No person other than the members representing the departments of social and health services and corrections may serve more than two consecutive terms.

The secretary may remove any member of the advisory committee for cause as specified by rule. In a case of a vacancy, the secretary shall appoint a person to serve for the remainder of the unexpired term.

(3) Committee members shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(4) The committee shall elect officers as deemed necessary to administer its duties. A simple majority of the committee members currently serving shall constitute a quorum of the committee.

(5) Members of the advisory committee shall be residents of this state. The members who are sex offender treatment providers must have a minimum of three years of extensive work experience in treating sex offenders to qualify for appointment to the initial committee, which shall develop and implement the certification program. After July 1, 1991, the sex offender treatment providers on the committee must be certified pursuant to this chapter.

(6) The committee shall meet at times as necessary to conduct committee business.

NEW SECTION. Sec. 714. The secretary, members of the committee, and individuals acting on their behalf are immune from suit in any action, civil or criminal, based on any acts performed in the course of their duties.

NEW SECTION. Sec. 715. The department shall issue a certificate to any applicant who meets the following requirements:

- (1) Successful completion of an educational program approved by the secretary or successful completion of alternate training which meets the criteria of the secretary;
- (2) Successful completion of any experience requirement established by the secretary;
- (3) Successful completion of an examination administered or approved by the secretary;
- (4) Not having engaged in unprofessional conduct or being unable to practice with reasonable skill and safety as a result of a physical or mental impairment;
- (5) Other requirements as may be established by the secretary that impact the competence of the sex offender treatment provider.

NEW SECTION. Sec. 716. The secretary shall establish by rule standards and procedures for approval of the following:

- (1) Educational programs and alternate training;
- (2) Examination procedures;
- (3) Certifying applicants who have a comparable certification in another jurisdiction;
- (4) Application method and forms;
- (5) Requirements for renewals of certificates;
- (6) Requirements of certified sex offender treatment providers who seek inactive status;
- (7) Other rules as appropriate to carry out the purposes of this chapter.

NEW SECTION. Sec. 717. Sections 709 through 716 of this act shall constitute a new chapter in Title 18 RCW.

PART VIII ENHANCED PENALTIES

Sec. 801. Section 5, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 146, Laws of 1988 and RCW 9A.44.050 are each amended to read as follows:

(1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person:

- (a) By forcible compulsion;
- (b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; or
- (c) When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

(2) Rape in the second degree is a class (B) A felony.

Sec. 802. Section 5, chapter 145, Laws of 1988 and RCW 9A.44.083 are each amended to read as follows:

(1) A person is guilty of child molestation in the first degree when the person has sexual contact with another who is less than twelve years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

(2) Child molestation in the first degree is a class (B) A felony.

Sec. 803. Section 3, chapter 145, Laws of 1988 and RCW 9A.44.076 are each amended to read as follows:

(1) A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

(2) Rape of a child in the second degree is a class (B) A felony.

Sec. 804. Section 9A.88.010, chapter 260, Laws of 1975 1st ex. sess. as amended by section 1, chapter 277, Laws of 1987 and RCW 9A.88.010 are each amended to read as follows:

(1) A person is guilty of indecent exposure if he intentionally makes any open and obscene exposure of his person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm.

(2) Indecent exposure is a misdemeanor unless such person exposes himself to a person under the age of fourteen years in which case indecent exposure is a gross misdemeanor on the first offense and, if such person has previously been convicted under this subsection or of a sex offense as defined in RCW 9.94A.030, then such person is guilty of a class C felony punishable under chapter 9A.20 RCW.

PART IX CIVIL COMMITMENT

NEW SECTION. Sec. 901. The legislature finds that a small but extremely dangerous group of sexually violent predators exist who do not have a mental disease or defect that renders them appropriate for the existing involuntary treatment act, chapter 71.05 RCW, which is intended to be a short-term civil commitment system that is primarily designed to provide short-term treatment to individuals with serious mental disorders and then return them to the community. In contrast to persons appropriate for civil commitment under chapter 71.05 RCW, sexually violent predators generally have antisocial personality features which are unamenable to existing mental illness treatment modalities and those features render them likely to engage in sexually violent behavior. The legislature further finds that sex offenders' likelihood of engaging in repeat acts of predatory sexual violence is high. The existing involuntary commitment act, chapter 71.05 RCW, is inadequate to address the risk to reoffend because during confinement these offenders do not have access to potential victims and therefore they will not engage in an overt act during confinement as required by the involuntary treatment act for continued confinement. The legislature further finds that the prognosis for curing sexually violent offenders is poor, the treatment needs of this population are very long term, and the treatment modalities for this population are very different than the traditional treatment modalities for people appropriate for commitment under the involuntary treatment act.

NEW SECTION. Sec. 902. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Sexually violent predator' means any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality which makes the person likely to engage in predatory acts of sexual violence.

(2) 'Mental abnormality' means a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to the commission of criminal sexual acts in a degree constituting such person a menace to the health and safety of others.

(3) 'Predatory' means acts directed towards strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization.

(4) 'Sexually violent offense' means: (a) An act defined in Title 9A RCW as rape in the first degree, rape in the second degree by forcible compulsion, rape of a child in the first or second degree, statutory rape in the first or second degree, indecent liberties by forcible compulsion, indecent liberties against a child under age fourteen, incest against a child under age fourteen, or child molestation in the first or second degree; (b) any conviction for a felony offense in effect at any time prior to the effective date of this section, that is comparable to a sexually violent offense as defined in subsection (4)(a) of this section, or any federal or out-of-state conviction for a felony offense that under the laws of this state would be a sexually violent offense as defined in this subsection; or (c) any act of murder in the first or second degree, assault in the first or second degree, kidnapping in the first or second degree, burglary in the first degree, residential burglary, or unlawful imprisonment, which act, either at the time of sentencing for the offense or subsequently during civil commitment proceedings pursuant to this section, has been determined beyond a reasonable doubt to have been sexually motivated, as that term is defined in section 602 of this act; or, as described in chapter 9A.28 RCW, is an attempt, criminal solicitation, or criminal conspiracy to commit one of the felonies designated in (a), (b), or (c) of this subsection.

NEW SECTION. Sec. 903. When it appears that: (1) The sentence of a person who has been convicted of a sexually violent offense is about to or has expired at any time in the past; (2) the term of confinement of a person found to have committed a sexually violent offense as a juvenile is about to or has expired; (3) a person who has been charged with a sexually violent offense and has been determined to be incompetent to stand trial is about to be or has been released pursuant to RCW 10.77.090(3); or (4) a person who has been found not guilty by reason of insanity of a sexually violent offense is about to be released pursuant to RCW 10.77.020(3); and it appears that the person may be a sexually violent predator, the prosecuting attorney of the county where the person was convicted or charged or the attorney general if requested by the prosecuting attorney may file a petition alleging that the person is a 'sexually violent predator' and stating sufficient facts to support such allegation.

NEW SECTION. Sec. 904. Upon the filing of a petition under section 903 of this act, the judge shall determine whether probable cause exists to believe that the person named in the petition is a sexually violent predator. If such determination is made the judge shall direct that the person be taken into custody and the person shall be transferred to an appropriate facility for an evaluation as to whether the person is a sexually violent predator. The evaluation shall be conducted by a person deemed to be professionally qualified to conduct such an examination pursuant to rules developed by the department of social and health services. In adopting such rules, the department of social and health services shall consult with the department of health and the department of corrections.

NEW SECTION. Sec. 905. Within forty-five days after the filing of a petition pursuant to section 903 of this act, the court shall conduct a trial to determine whether the person is a sexually violent predator. At all stages of the proceedings under this chapter, any person subject to this chapter shall be entitled to the assistance of counsel, and if the person is indigent, the court shall appoint counsel to assist him or her. Whenever any person is subjected to an examination under this chapter, he or she may retain experts or professional persons to perform an examination on their behalf. When the person wishes to be examined by a qualified expert or professional person of his or her own choice, such examiner shall be permitted to have reasonable access to the person for the purpose of such examination, as well as to all relevant medical and psychological records and reports. In the case of a person who is indigent, the court shall, upon the person's request, assist the person in obtaining an expert or professional person to perform an examination or participate in the trial on the person's behalf. The person, the prosecuting attorney or attorney general, or the judge shall have the right to demand that the trial be before a jury. If no demand is made, the trial shall be before the court.

NEW SECTION. Sec. 906. (1) The court or jury shall determine whether, beyond a reasonable doubt, the person is a sexually violent predator. If the state alleges that the prior sexually violent offense that forms the basis for the petition for commitment was an act that was sexually motivated as provided in section 902(3)(c) of this act, the state must prove beyond a reasonable doubt that the alleged sexually violent act was sexually motivated as defined in section 602 of this act. If the court or jury determines that the person is a sexually violent predator, the person shall be committed to the custody of the department of social and health services in a secure facility for control, care, and treatment until such time as the person's mental abnormality or personality disorder has so changed that the person is safe to be at large. Such control, care, and treatment shall be provided at a facility operated by the department of social and health services. If the court or jury is not satisfied beyond a reasonable doubt that the person is a sexually violent predator, the court shall direct the person's release.

(2) If the person charged with a sexually violent offense has been found incompetent to stand trial, and is about to or has been released pursuant to RCW 10.77.090(3), and his or her commitment is sought pursuant to subsection (1) of this section, the court shall first hear evidence and determine whether the person did commit the act or acts charged if the court did not enter a finding prior to dismissal under RCW 10.77.090(3) that the person committed the act or acts charged. The hearing on this issue must comply with all the procedures specified in this section. In addition, the rules of evidence applicable in criminal cases shall apply, and all constitutional rights available to defendants at criminal trials, other than the right not to be tried while incompetent, shall apply. After hearing evidence on this issue, the court shall make specific findings on whether the person did commit the act or acts charged, the extent to which the person's incompetence or developmental disability affected the outcome of the hearing, including its effect on the person's ability to consult with and assist counsel and to testify on his or her own behalf, the extent to which the evidence could be reconstructed without the assistance of the person, and the strength of the prosecution's case. If, after the conclusion of the hearing on this issue, the court finds, beyond a reasonable doubt, that the person did commit the act or acts charged, it shall enter a final order, appealable by the person, on that issue, and may proceed to consider whether the person should be committed pursuant to this section.

(3) The state shall comply with RCW 10.77.220 while confining the person pursuant to this chapter.

NEW SECTION. Sec. 907. Each person committed under this chapter shall have a current examination of his or her mental condition made at least once every year. The person may retain, or if he or she is indigent and so requests, the court may appoint a qualified expert or a

professional person to examine him or her, and such expert or professional person shall have access to all records concerning the person. The periodic report shall be provided to the court that committed the person under this chapter.

NEW SECTION. Sec. 908. Each person involuntarily detained or committed under this chapter shall have the right to adequate care and individualized treatment.

NEW SECTION. Sec. 909. (1) If the secretary of the department of social and health services determines that the person's mental abnormality or personality disorder has so changed that the person is not likely to commit predatory acts of sexual violence if released, the secretary shall authorize the person to petition the court for release. The petition shall be served upon the court and the prosecuting attorney. The court, upon receipt of the petition for release, shall within forty-five days order a hearing. The prosecuting attorney or the attorney general, if requested by the county, shall represent the state, and shall have the right to have the petitioner examined by an expert or professional person of his or her choice. The hearing shall be before a jury if demanded by either the petitioner or the prosecuting attorney or attorney general. The burden of proof shall be upon the prosecuting attorney or attorney general to show beyond a reasonable doubt that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and that if discharged is likely to commit predatory acts of sexual violence.

(2) Nothing contained in this chapter shall prohibit the person from otherwise petitioning the court for discharge without the secretary's approval. The secretary shall provide the committed person with an annual written notice of the person's right to petition the court for release over the secretary's objection. The notice shall contain a waiver of rights. The secretary shall forward the notice and waiver form to the court with the annual report. If the person does not affirmatively waive the right to petition, the court shall set a show cause hearing to determine whether facts exist that warrant a hearing on whether the person's condition has so changed that he or she is safe to be at large. The committed person shall have a right to have an attorney represent him or her at the show cause hearing but the person is not entitled to be present at the show cause hearing. If the court at the show cause hearing determines that probable cause exists to believe that the person's mental abnormality has so changed that the person is safe to be at large and will not engage in acts of sexual violence if discharged, then the court shall set a hearing on the issue. At the hearing, the committed person shall be entitled to be present and to the benefit of all constitutional protections that were afforded to the person at the initial commitment proceeding. The prosecuting attorney or the attorney general if requested by the county shall represent the state and shall have a right to a jury trial and to have the committed person evaluated by experts chosen by the state. The committed person shall also have the right to have experts evaluate him or her on his or her behalf and the court shall appoint an expert if the person is indigent and requests an appointment. The burden of proof at the hearing shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality or personality disorder remains such that the person is not safe to be at large and if released will engage in acts of sexual violence.

NEW SECTION. Sec. 910. Nothing in this chapter shall prohibit a person from filing a petition for discharge pursuant to this chapter. However, if a person has previously filed a petition for discharge without the secretary's approval and the court determined, either upon review of the petition or following a hearing, that the petitioner's petition was frivolous or that the petitioner's condition had not so changed that he or she was safe to be at large, then the court shall deny the subsequent petition unless the petition contains facts upon which a court could find that the condition of the petitioner had so changed that a hearing was warranted. Upon receipt of a first or subsequent petition from committed persons without the secretary's approval, the court shall endeavor whenever possible to review the petition and determine if the petition is based upon frivolous grounds and if so shall deny the petition without a hearing.

NEW SECTION. Sec. 911. The department of social and health services shall be responsible for all costs relating to the evaluation and treatment of persons committed to their custody under any provision of this chapter. Reimbursement may be obtained by the department for the cost of care and treatment of persons committed to its custody pursuant to RCW 43.20B.330 through 43.20B.370.

NEW SECTION. Sec. 912. In addition to any other information required to be released under this chapter, the department is authorized, pursuant to sections 116 through 118 of this act, to release relevant information that is necessary to protect the public, concerning a specific sexually violent predator committed under this chapter.

NEW SECTION. Sec. 913. Sections 901 through 912 of this act shall constitute a new chapter in Title 71 RCW.

PART X BACKGROUND CHECKS

Sec. 1001. Section 1, chapter 486, Laws of 1987 as amended by section 1, chapter 90, Laws of 1989 and by section 1, chapter 334, Laws of 1989 and RCW 43.43.830 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply through RCW 43.43.830 through 43.43.840.

(1) 'Applicant' means (~~either~~):

(a) Any prospective employee who will or may have unsupervised access to children under sixteen years of age or developmentally disabled persons or vulnerable adults during the course of his or her employment or involvement with the business or organization (~~(- However, for school districts and educational service districts, prospective employee includes only noncertificated personnel)~~); or

(b) Any prospective volunteer who will have regularly scheduled unsupervised access to children under sixteen years of age, developmentally disabled persons, or vulnerable adults during the course of his or her employment or involvement with the business or organization under circumstances where such access will or may involve groups of (i) five or fewer children under twelve years of age, (ii) three or fewer children between twelve and sixteen years of age, (iii) developmentally disabled persons, or (iv) vulnerable adults.

(2) 'Business or organization' means a business or organization licensed in this state, any agency of the state, or other governmental entity, that educates, trains, treats, supervises, or provides recreation to developmentally disabled persons, vulnerable adults, or children under sixteen years of age, including school districts and educational service districts.

(3) 'Civil adjudication' means a specific court finding of sexual abuse or exploitation or physical abuse in a dependency action under RCW (~~(13.34.030(2)(b))~~) 13.34.040 or in a domestic relations action under Title 26 RCW. In the case of vulnerable adults, civil adjudication means a specific court finding of abuse or financial exploitation in a protection proceeding under chapter 74.34 RCW. It does not include administrative proceedings. The term 'civil adjudication' is further limited to court findings that identify as the perpetrator of the abuse a named individual, over the age of eighteen years, who was a party to the dependency or dissolution proceeding or was a respondent in a protection proceeding in which the finding was made and who contested the allegation of abuse or exploitation.

(4) 'Conviction record' means 'conviction record' information as defined in RCW 10.97.030(3) relating to a crime against children or other persons committed by either an adult or a juvenile. It does not include a conviction for an offense that has been the subject of an expungement, pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted, or a conviction that has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. It does include convictions for offenses for which the defendant received a deferred or suspended sentence, unless the record has been expunged according to law.

(5) (~~'Disciplinary board final decision' means any final decision issued by the disciplinary board or the director of the department of licensing for the following business or professions:~~

(a) Chiropractic;

(b) Dentistry;

(c) Dental hygiene;

(d) Drugless healing;

(e) Massage;

(f) Midwifery;

(g) Osteopathy;

(h) Physical therapy;

(i) Physicians;

(j) Practical nursing;

(k) Registered nursing;

(l) Psychology; and

(m) Real estate brokers and salesmen;

(6)) 'Crime against children or other persons' means a conviction of any of the following offenses: Aggravated murder; first or second degree murder; first or second degree kidnaping; first, second, or third degree assault; first, second, or third degree rape; first, second, or third degree rape of a child; first or second degree robbery; first degree arson; first degree burglary; first or second degree manslaughter; first or second degree extortion; indecent liberties; incest; vehicular homicide; first degree promoting prostitution; communication with a minor; unlawful imprisonment; simple assault; sexual exploitation of minors; first or second degree criminal mistreatment; child abuse or neglect as defined in RCW 26.44.020; first or second degree custodial interference; malicious harassment; first, second, or third degree child molestation; first or second degree sexual misconduct with a minor; first or second degree rape of a child; patronizing a juvenile prostitute; child abandonment; promoting pornography; selling or distributing erotic material to a minor; custodial assault; violation of child abuse restraining order; child buying or selling; prostitution; felony indecent exposure; or any of these crimes as they may be renamed in the future.

((7)) (6) 'Crimes relating to financial exploitation' means a conviction for first, second, or third degree extortion; first, second, or third degree theft; first or second degree robbery; forgery; or any of these crimes as they may be renamed in the future.

(7) 'Disciplinary board final decision' means any final decision issued by the disciplinary board or the director of the department of licensing for the following businesses or professions:

(a) Chiropractic;

- (b) Dentistry;
- (c) Dental hygiene;
- (d) Massage;
- (e) Midwifery;
- (f) Naturopathy;
- (g) Osteopathy;
- (h) Physical therapy;
- (i) Physicians;
- (j) Practical nursing;
- (k) Registered nursing;
- (l) Psychology; and
- (m) Real estate brokers and salesmen.

(8) 'Unsupervised' means not in the presence of:

(a) Another employee or volunteer from the same business or organization as the applicant; or

(b) Any relative or guardian of any of the children or developmentally disabled persons to which the applicant has access during the course of his or her employment or involvement with the business or organization.

(9) 'Vulnerable adult' means a person sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself or a patient in a state hospital as defined in chapter 72.23 RCW.

(10) 'Financial exploitation' means the illegal or improper use of a vulnerable adult or that adult's resources for another person's profit or advantage.

(11) 'Agency' means any person, firm, partnership, association, corporation, or facility which receives, provides services to, houses or otherwise cares for vulnerable adults.

Sec. 1002. Section 3, chapter 486, Laws of 1987 as amended by section 3, chapter 90, Laws of 1989 and by section 3, chapter 334, Laws of 1989 and RCW 43.43.834 are each reenacted and amended to read as follows:

(1) A business or organization shall not make an inquiry to the Washington state patrol under RCW 43.43.832 or an equivalent inquiry to a federal law enforcement agency unless the business or organization has notified the applicant who has been offered a position as an employee or volunteer, that an inquiry may be made.

(2) A business or organization shall require each applicant to disclose to the business or organization whether the applicant has been:

(a) Convicted of any crime against children or other persons;

(b) Convicted of crimes relating to financial exploitation if the victim was a vulnerable adult;

(c) Found in any dependency action under RCW ((13.34.030(2)(b))) 13.34.040 to have sexually assaulted or exploited any minor or to have physically abused any minor;

(d) Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor;

(e) Found in any disciplinary board final decision to have sexually or physically abused or exploited any minor or developmentally disabled person or to have abused or financially exploited any vulnerable adult; or

(f) Found by a court in a protection proceeding under chapter 74.34 RCW, to have abused or financially exploited a vulnerable adult.

The disclosure shall be made in writing and signed by the applicant and sworn under penalty of perjury. The disclosure sheet shall specify all crimes against children or other persons and all crimes relating to financial exploitation as defined in RCW 43.43.830 in which the victim was a vulnerable adult.

(3) The business or organization shall pay such reasonable fee for the records check as the state patrol may require under RCW 43.43.838.

(4) The business or organization shall notify the applicant of the state patrol's response within ten days after receipt by the business or organization. The employer shall provide a copy of the response to the applicant and shall notify the applicant of such availability.

(5) The business or organization shall use this record only in making the initial employment or engagement decision. Further dissemination or use of the record is prohibited. A business or organization violating this subsection is subject to a civil action for damages.

(6) An insurance company shall not require a business or organization to request background information on any employee before issuing a policy of insurance.

(7) The business and organization shall be immune from civil liability for failure to request background information on a prospective employee or volunteer unless the failure to do so constitutes gross negligence.

Sec. 1003. Section 5, chapter 486, Laws of 1987 as amended by section 4, chapter 90, Laws of 1989 and by section 4, chapter 334, Laws of 1989 and RCW 43.43.838 are each reenacted and amended to read as follows:

(1) After January 1, 1988, and notwithstanding any provision of RCW 43.43.700 through 43.43.810 to the contrary, the state patrol shall furnish a transcript of the conviction record, disciplinary board final decision and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision, or civil adjudication record pertaining to any person for whom the state patrol or the federal bureau of investigation has a record upon the written request of:

(a) The subject of the inquiry;

(b) Any business or organization for the purpose of conducting evaluations under RCW 43.43.832;

(c) The department of social and health services;

(d) Any law enforcement agency, prosecuting authority, or the office of the attorney general; or

(e) The department of social and health services for the purpose of meeting responsibilities set forth in chapter 74.15, 18.51, 18.20, or 72.23 RCW, or any later-enacted statute which purpose is to regulate or license a facility which handles vulnerable adults. However, access to conviction records pursuant to this subsection (1)(e) does not limit or restrict the ability of the department to obtain additional information regarding conviction records and pending charges as set forth in RCW 74.15.030(2)(b).

After processing the request, if the conviction record, disciplinary board final decision and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision, or adjudication record shows no evidence of a crime against children or other persons or, in the case of vulnerable adults, no evidence of crimes relating to financial exploitation in which the victim was a vulnerable adult, an identification declaring the showing of no evidence shall be issued to the applicant by the state patrol and shall be issued within fourteen working days of the request. Possession of such identification shall satisfy future background check requirements for the applicant for a two-year period unless the prospective employee is any current school district employee who has applied for a position in another school district.

(2) The state patrol shall by rule establish fees for disseminating records under this section to recipients identified in subsection (1)(a) and (b) of this section. The state patrol shall also by rule establish fees for disseminating records in the custody of the national crime information center. The revenue from the fees shall cover, as nearly as practicable, the direct and indirect costs to the state patrol of disseminating the records: PROVIDED, That no fee shall be charged to a nonprofit organization, including school districts and educational service districts, for the records check.

(3) No employee of the state, employee of a business or organization, or the business or organization is liable for defamation, invasion of privacy, negligence, or any other claim in connection with any lawful dissemination of information under RCW 43.43.830 through 43.43.840 or RCW 43.43.760.

(4) Before July 26, 1987, the state patrol shall adopt rules and forms to implement this section and to provide for security and privacy of information disseminated under this section, giving first priority to the criminal justice requirements of this chapter. The rules may include requirements for users, audits of users, and other procedures to prevent use of civil adjudication record information or criminal history record information inconsistent with this chapter.

(5) Nothing in RCW 43.43.830 through 43.43.840 shall authorize an employer to make an inquiry not specifically authorized by this chapter, or be construed to affect the policy of the state declared in chapter 9.96A RCW.

PART XI COMMUNITY ACTION

NEW SECTION. Sec. 1101. The legislature recognizes the need to increase the services available to the victims of sex offenders. The legislature also recognizes that these services are most effectively planned and provided at the local level through the combined efforts of concerned community and citizens groups, treatment providers, and local government officials. The legislature further recognizes that adequate treatment for victims is not only a matter of justice for the victim, but also a method by which additional abuse can be prevented.

The legislature intends to enhance the community-based treatment services available to the victims of sex offenders by:

(1) Providing funding support for local treatment programs which provide services to victims of sex offenders.

(2) Providing technical assistance and support to help communities plan for and provide treatment services; and

(3) Providing communities and local treatment providers with opportunities to share information about successful prevention and treatment programs.

NEW SECTION. Sec. 1102. There is established in the department of community development a grant program to enhance the funding for treating the victims of sex offenders. Activities that can be funded through this grant program are limited to those that:

(1) Provide effective treatment to victims of sex offenders;

(2) Increase access to and availability of treatment for victims of sex offenders, particularly if from underserved populations; and

(3) Create or build on efforts by existing community programs, coordinate those efforts, or develop cooperative efforts or other initiatives to make the most effective use of resources to provide treatment services to these victims.

NEW SECTION, Sec. 1103. There is established in the department of community development an office of crime victims' advocacy to administer grant programs authorized in section 1102 of this act, and to provide other advocacy services to crime victims. The director shall appoint an executive administrator for the programs. The position of administrator is exempt from the civil service laws. The salary of the administrator shall be set by the governor in accordance with RCW 43.03.030.

NEW SECTION, Sec. 1104. Applications for funding under this chapter must:

(1) Present evidence demonstrating how the criteria in section 1101 of this act will be met and demonstrating the effectiveness of the proposal.

(2) Contain evidence of active participation of the community and its commitment to providing an effective treatment service for victims of sex offenders through the participation of local governments, tribal governments, human service and health organizations, and treatment entities and through meaningful involvement from others, including citizen groups.

NEW SECTION, Sec. 1105. Local governments, nonprofit community groups, and nonprofit treatment providers including organizations which provide services, such as emergency housing, counseling, and crisis intervention shall, among others, be eligible for grants under the program established in section 1102 of this act.

NEW SECTION, Sec. 1106. At a minimum, grant applications must include the following:

(1) The geographic area from which the victims to be served are expected to come;

(2) A description of the extent and effect of the needs of these victims within the relevant geographic area;

(3) An explanation of how the funds will be used, their relationship to existing services available within the community, and the need that they will fulfill;

(4) An explanation of what organizations were involved in the development of the proposal; and

(5) An evaluation methodology.

NEW SECTION, Sec. 1107. (1) Subject to funds appropriated by the legislature, the department of community development shall make awards under the grant program established by section 1102 of this act.

(2) Awards shall be made competitively based on the purposes of and criteria in this chapter.

(3) To aid the department of community development in making its determination, the department shall form a peer review committee of members who have experience in the treatment of victims of predatory violent sex offenders. The peer review committee shall advise the department on the extent to which each eligible applicant meets the purposes and criteria of this chapter. The department shall consider this advice in making awards.

(4) Activities funded under this section may be considered for funding in future years, but shall be considered under the same terms and criteria as new activities. Funding under this chapter shall not constitute an obligation by the state of Washington to provide ongoing funding.

NEW SECTION, Sec. 1108. The department of community development shall solicit communities for suggestions on state practices, policies, and priorities that would help communities treat victims of sex offenders. The governor or appropriate agency officials shall review and respond to those suggestions, making necessary changes where feasible, making recommendations to the legislature where appropriate, and providing an explanation as to why suggested changes cannot be accomplished, if the suggestions cannot be acted upon.

NEW SECTION, Sec. 1109. The department of community development may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of this chapter and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

NEW SECTION, Sec. 1110. The department of community development shall report to the legislature by January 1, 1991, regarding the operations of the grant program authorized in section 1102 of this act. The report shall include at least the following:

(1) The number of grants awarded and the amount of each grant;

(2) Identification of the recipients of grants, including the communities in which they are based;

(3) The purposes for which the grants were awarded;

(4) The success of the projects in achieving their stated goals and objectives;

(5) An assessment of the effect that the activities of this act had on encouraging and supporting coordinated treatment services;

(6) Recommendations for further funding by the state; and

(7) Recommendations regarding future operations of the program, including criteria for awarding grants.

NEW SECTION. Sec. 1111. Sections 1101 through 1109 of this act shall constitute a new chapter in Title 43 RCW.

PART XII
APPROPRIATIONS

NEW SECTION. Sec. 1201. The sum of one hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services for the purposes of implementing an expanded victim/witness notification program involving sex and violent offenders who are juveniles or who are incompetent to stand trial or were found not guilty by reason of insanity.

NEW SECTION. Sec. 1202. The sum of two million eight hundred fifty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services for the operational costs of the disposition and treatment alternatives for juvenile sex offenders.

NEW SECTION. Sec. 1203. The sum of two hundred fifty-three thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the Washington state patrol for the creation and operation of a central registry of sex offenders and for reimbursement to the counties for the costs of implementing the sex offender registration at the county level.

NEW SECTION. Sec. 1204. The sum of seven hundred sixty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the attorney general for the expansion of the homicide investigation and tracking system of serious violent crimes including sex offenses.

NEW SECTION. Sec. 1205. The sum of nine hundred seventy thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the public safety and education account to the department of labor and industries for the purposes of the crime victims' compensation fund.

NEW SECTION. Sec. 1206. The sum of one million three hundred twenty-eight thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of corrections for the following purposes:

(1) One hundred seventy-two thousand dollars is for operational costs associated with additional prison populations due to the increased penalties prescribed by this act.

(2) One million one hundred seven thousand dollars is for the improvement in sex offender treatment.

(3) Forty-nine thousand dollars is for the improvement in computer systems to allow better access to department of corrections' information by the state patrol and local law enforcement.

NEW SECTION. Sec. 1207. The sum of one million eight hundred seventy-five thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services for the operating expenditures of the civil commitment process established by sections 901 through 912 of this act. The department of social and health services shall reimburse the counties for the costs of any commitment action brought using this authority.

NEW SECTION. Sec. 1208. The sum of one million three hundred ninety-one thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services to provide intensive voluntary supervision or treatment services for individuals who are at risk of committing sexual offenses but who cannot be committed civilly or who are not incarcerated. These funds shall be used primarily for developmentally disabled individuals in need of such services.

NEW SECTION. Sec. 1209. The sum of one million eight hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services to provide intensive treatment and other services to children who have been the victims of sexual offenses. These funds shall be used primarily for juveniles who are at risk of becoming offenders and are in need of residential services or intensive treatment and counseling services.

NEW SECTION. Sec. 1210. The sum of three hundred twenty-seven thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of corrections for the purposes of paying for polygraphs or plethysmographs for indigent individuals who have been convicted of a sex offense and which are required as a condition of their release. Polygraph and plethysmograph testing of sex offenders on supervision shall be conducted with payment reimbursements to the state provided by offenders who are not indigent.

NEW SECTION. Sec. 1211. The sum of six hundred forty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the Washington state institute for public policy for the purpose of beginning a research and evaluation effort to examine the effectiveness of victims' and sex offender programs, including treatment. Decisions regarding the awarding of funds shall be made in consultation with an advisory panel. This advisory panel shall establish criteria to ensure that the funded

projects meet the highest standards of methodological rigor and will be of value to state policy makers. In order to provide timely information to policy makers, a portion of the projects shall cover retrospective studies and another portion shall involve the design of longitudinal studies. The institute shall consider applicants from for-profit and nonprofit organizations in addition to public universities and colleges in making awards pursuant to this section.

The advisory panel shall consist of the following:

- (1) Three academicians from state public and private universities, to be selected by the institute's board of directors;
- (2) The secretary of corrections or his or her designee;
- (3) One legislator appointed by the majority leader of the senate and one appointed by the speaker of the house of representatives;
- (4) A representative of crime victims, to be appointed by the governor; and
- (5) The research director of the sentencing guidelines commission.

One hundred forty thousand dollars of the six hundred forty thousand dollars is appropriated to the Washington state institute for public policy for the purposes of funding the proposed study 'Special Sex Offender Sentencing Alternative: A Study of Recidivism and Community Attitudes' to be conducted through the Harborview Medical Center's special assault center and its subcontractors as designated in the proposed study.

NEW SECTION, Sec. 1212. The sum of one hundred six thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services for the purposes of renovating an institutional cottage to house juvenile sex offenders.

NEW SECTION, Sec. 1213. The sum of nine hundred ninety-one thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services for the purposes of construction of residential facilities to house a capacity of twenty-four juvenile sex offenders.

NEW SECTION, Sec. 1214. The sum of four hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of community development for programs designed to prevent sexual assault. The department shall contract for specific educational and public information programs designed to educate potential victims on personal safety.

NEW SECTION, Sec. 1215. The sum of two million eight hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of social and health services for early identification and treatment of child victims of sexual assault or abuse. The appropriations in this section are subject to the following conditions and limitations:

(1) One hundred thousand dollars is provided solely for a public education campaign encouraging child victims of sexual assault and abuse and their families to seek treatment and informing them of the availability of treatment. The campaign should emphasize the importance of treatment in breaking the cycle of abuse and victimization.

(2) Two hundred thousand dollars is provided solely for the development of a system of early identification and referral to treatment of child victims of sexual assault and abuse. The system should include schools, physicians, sexual assault centers, domestic violence centers, child protective services, and foster parents.

(3) Two million five hundred thousand dollars is provided solely for contracts or direct purchase of specific treatment services from community organizations and private service providers. Service providers may include, but need not be limited to sexual assault centers, domestic violence shelters, school districts, regional support networks, or where no network exists, the local county mental health authority and private physicians.

NEW SECTION, Sec. 1216. The sum of two million eight hundred thirteen thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of community development for the following purposes:

(1) Two million five hundred thousand dollars is provided solely for the purpose of funding the community treatment grants under sections 1101 through 1109 of this act. In making these grants, the department of community development shall ensure that an appropriate portion of these funds is provided to rural areas.

(2) Two hundred thirteen thousand dollars is provided solely to establish an office of victims' programs. This office shall consist of four full-time positions, one of which shall be exempt, and shall be responsible for operating the community treatment grant program under sections 1101 through 1109 of this act, acting as an ombudsman for victims, and serving as a focal point for victims' issues.

(3) One hundred thousand dollars is for the purpose of ensuring crime victims are aware of their rights and the procedures for applying for benefits from the crime victims' compensation fund.

PART XIII
MISCELLANEOUS

NEW SECTION. Sec. 1301. The index and part headings used in this act do not constitute any part of the law.

NEW SECTION. Sec. 1302. 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. 1303. (1) Sections 101 through 131, 401 through 409, 709 through 716, 901 through 912, and 1001 through 1003 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and existing public institutions, and shall take effect immediately.

(2) The remainder of this act shall take effect July 1, 1990, and shall apply to crimes committed on and after July 1, 1990."

The Clerk read the following amendment by Representative Appelwick to the amendment:

On page 18, after line 34, insert the following section:

"NEW SECTION. No person shall be liable for dissemination of information about the persons designated in section 117 of this act if the information was obtained directly from a public official, public employee, or public agency who is authorized to release the information; the official, employee, or agency acted pursuant to sections 117 and 118 of this act when releasing the information; and, the person accurately disseminates the information obtained from the official, employee, or agency."

With consent of the House, Representative Appelwick withdrew the amendment to the amendment.

Representative Tate moved adoption of the following amendment to the amendment:

On page 53, beginning on line 11 of the amendment, after "(1)" strike everything through "(2)" on line 26 and insert "The duty to register shall continue for the duration of the offender's life unless relieved of that duty pursuant to this subsection."

Renumber the remaining subsections consecutively and correct any internal references accordingly.

Representatives Tate and Padden spoke in favor of adoption of the amendment to the amendment, and Representatives Wineberry and R. Meyers opposed it. Mr. Tate again spoke in favor of the amendment to the amendment.

The amendment to the amendment was not adopted.

Mr. Padden moved adoption of the following amendments to the amendment:

On page 55, beginning on line 36 of the amendment, strike all material through "PART VI" on page 57, line 15

Renumber the remaining parts and sections consecutively and correct the index and any internal references accordingly.

On page 113, beginning on line 22 of the amendment, strike all material through "Title 43 RCW." on page 116, line 31 and insert the following:

"CRIME VICTIM SERVICES

NEW SECTION. Sec. 1101. The legislature finds and declares that the state has a moral responsibility to aid innocent victims of crime. It is the intent of the legislature that the state should provide sufficient assistance to victims of crime and their families in order to ease their financial and emotional burden and to maintain their dignity as they go through a difficult and often traumatic period. The legislature also recognizes that although society places a high value on providing services to and advocating for the rights of victims of crime, services are currently scattered throughout state government often creating confusion and inequities and that there exists no one voice advocating for the rights of victims of crime. It is the intent of the legislature to transfer crime victim related programs from the departments of labor and industries and social and health services and to consolidate services to victims of crime in the office of crime victim services as a means of enhancing and improving those services as well as providing a centralized advocate for the rights of victims of crime.

NEW SECTION. Sec. 1102. The attorney general is hereby directed to establish an office of crime victim services. The director of the office of crime victim services shall be appointed by the attorney general and shall be exempt from the provisions of chapter 41.06 RCW. The office shall:

- (1) Administer the crime victim compensation program under chapter 7.68 RCW;
- (2) Administer grants to domestic violence shelters and sexual assault programs as established by chapters 70.123 and 70.125 RCW;
- (3) Conduct state-wide public education and awareness programs regarding victimization, crime prevention, and crime victim services;

(4) Provide training assistance to county victim/witness assistance programs, law enforcement agencies, and others providing direct services to crime victims;

(5) Respond to citizen concerns regarding victim issues;

(6) Coordinate all state crime victim services;

(7) Advocate on behalf of victim services and rights;

(8) Recommend to the legislature additions or modifications to existing crime victim services as needed to enhance or improve services;

(9) Study and report to the legislature by January 1992 on the application of Senate Joint Resolution No. 8200; and

(10) Provide annual reports to the legislature beginning January 1992 through January 1995 regarding the functioning of the office.

NEW SECTION. Sec. 1103. The director shall establish an advisory group consisting of but not limited to representatives of law enforcement, county victim/witness assistance programs, sexual assault programs, domestic violence programs, and other crime victim advocate groups or programs.

Sec. 1104. Section 1, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.015 are each amended to read as follows:

The ~~((department of labor and industries))~~ office of crime victim services shall operate the crime victims' compensation program within the appropriations and the conditions and limitations on the appropriations provided for this program.

Sec. 1105. Section 2, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 6, chapter 281, Laws of 1987 and RCW 7.68.020 are each amended to read as follows:

The following words and phrases as used in this chapter have the meanings set forth in this section unless the context otherwise requires.

(1) ~~((Department))~~ Office means the ~~((department of labor and industries))~~ office of crime victim services.

(2) Director means the director of the office of crime victim services.

(3) Criminal act means an act committed or attempted in this state which is punishable as a felony or gross misdemeanor under the laws of this state, except as follows:

(a) The operation of a motor vehicle, motorcycle, train, boat, or aircraft in violation of law does not constitute a 'criminal act' unless:

(i) The injury or death was intentionally inflicted;

(ii) The operation thereof was part of the commission of another non-vehicular criminal act as defined in this section; or

(iii) The death or injury was the result of the operation of a motor vehicle after July 24, 1983, and a preponderance of the evidence establishes that the death was the result of vehicular homicide under RCW 46.61.520, or a conviction of vehicular assault under RCW 46.61.522, has been obtained: PROVIDED, That in cases where a probable criminal defendant has died in perpetration of vehicular assault or, because of physical or mental infirmity or disability the perpetrator is incapable of standing trial for vehicular assault, the ~~((department))~~ office may, by a preponderance of the evidence, establish that a vehicular assault had been committed and authorize benefits;

(b) Neither an acquittal in a criminal prosecution nor the absence of any such prosecution is admissible in any claim or proceeding under this chapter as evidence of the noncriminal character of the acts giving rise to such claim or proceeding, except as provided for in ~~((sub-section (2)))~~(a)(iii) of this ~~((section))~~ subsection;

(c) Evidence of a criminal conviction arising from acts which are the basis for a claim or proceeding under this chapter is admissible in such claim or proceeding for the limited purpose of proving the criminal character of the acts; and

(d) Acts which, but for the insanity or mental irresponsibility of the perpetrator, would constitute criminal conduct are deemed to be criminal conduct within the meaning of this chapter.

~~((3))~~ (4) 'Victim' means a person who suffers bodily injury or death as a proximate result of a criminal act of another person, the victim's own good faith and reasonable effort to prevent a criminal act, or his or her good faith effort to apprehend a person reasonably suspected of engaging in a criminal act. For the purposes of receiving benefits pursuant to this chapter, 'victim' is interchangeable with 'employee' or ~~((workman))~~ worker as defined in chapter 51.08 RCW as now or hereafter amended.

~~((4))~~ (5) 'Bodily injury' means any harmful or offensive touching, and includes severe emotional distress where no touching takes place when:

(a) Claimant is not the object of the criminal act and:

(i) The distress is intentionally or recklessly inflicted;

(ii) The distress is inflicted by extreme or outrageous conduct;

(iii) The claimant has a reasonable apprehension of imminent bodily harm;

(iv) The claimant is in the immediate vicinity of the criminal act at the time the criminal act takes place.

(b) Claimant is the victim of the criminal act and:

(i) The distress is intentionally inflicted;

(ii) The distress is inflicted by outrageous or extreme conduct; and

(iii) The claimant had a reasonable apprehension of imminent bodily harm.

(6) 'Child,' 'accredited school,' 'dependent,' 'beneficiary,' 'average monthly wage,' 'injury,' 'invalid,' 'permanent partial disability,' and 'permanent total disability' have the meanings assigned to them in chapter 51.08 RCW as now or hereafter amended.

(7) 'Gainfully employed' means engaging on a regular and continuous basis in a lawful activity from which a person derives a livelihood.

(8) 'Private insurance' means any source of recompense provided by contract available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

(9) 'Public insurance' means any source of recompense provided by statute, state or federal, available as a result of the claimed injury or death at the time of such injury or death, or which becomes available any time thereafter.

Sec. 1106. Section 10, chapter 302, Laws of 1977 ex. sess. as last amended by section 29, chapter 252, Laws of 1989 and RCW 7.68.035 are each amended to read as follows:

(1) Whenever any person is found guilty in any superior court of having committed a crime, except as provided in subsection (2) of this section, there shall be imposed by the court upon such convicted person a penalty assessment. The assessment shall be in addition to any other penalty or fine imposed by law and shall be one hundred dollars for each case or cause of action that includes one or more convictions of a felony or gross misdemeanor and seventy-five dollars for any case or cause of action that includes convictions of only one or more misdemeanors.

(2) The assessment imposed by subsection (1) of this section shall not apply to motor vehicle crimes defined in Title 46 RCW except those defined in the following sections: RCW 46.61.520, 46.61.522, 46.61.024, 46.52.090, 46.70.140, 46.65.090, 46.61.502, 46.61.504, 46.52.100, 46.20.410, 46.52.020, 46.10.130, 46.09.130, 46.61.525, 46.61.685, 46.61.530, 46.61.500, 46.61.015, 46.52.010, 46.44.180, 46.10.090(2), and 46.09.120(2).

(3) Whenever any person accused of having committed a crime posts bail in superior court pursuant to the provisions of chapter 10.19 RCW and such bail is forfeited, there shall be deducted from the proceeds of such forfeited bail a penalty assessment, in addition to any other penalty or fine imposed by law, equal to the assessment which would be applicable under subsection (1) of this section if the person had been convicted of the crime.

(4) Such penalty assessments shall be paid by the clerk of the superior court to the county treasurer who shall monthly transmit the money as provided in RCW 10.82.070. Each county shall deposit not less than one and seventy-five one-hundredths percent of the money it retains under RCW 10.82.070 and chapter 3.62 RCW and all money it receives under subsection (8) of this section into a fund maintained exclusively for the support of comprehensive programs to encourage and facilitate testimony by the victims of crimes and witnesses to crimes. A program shall be considered 'comprehensive' only after approval of the office upon application by the county prosecuting attorney. The office shall approve as comprehensive only programs which:

(a) Provide comprehensive services to victims and witnesses of all types of crime with particular emphasis on serious crimes against persons and property. It is the intent of the legislature to make funds available only to programs which do not restrict services to victims or witnesses of a particular type or types of crime and that such funds supplement, not supplant, existing local funding levels;

(b) Are administered by the county prosecuting attorney either directly through the prosecuting attorney's office or by contract between the county and agencies providing services to victims of crime;

(c) Make a reasonable effort to inform the known victim or his or her surviving dependents of the existence of this chapter and the procedure for making application for benefits;

(d) Assist victims in the restitution and adjudication process; and

(e) Assist victims of violent crimes in the preparation and presentation of their claims to the office under this chapter.

Before a program in any county west of the Cascade mountains is submitted to the office for approval, it shall be submitted for review and comment to each city within the county with a population of more than one hundred fifty thousand. The office will consider if the county's proposed comprehensive plan meets the needs of crime victims in cases adjudicated in municipal, district or superior courts and of crime victims located within the city and county.

(5) Upon submission to the office of a letter of intent to adopt a comprehensive program, the prosecuting attorney shall retain the money deposited by the county under subsection (4) of this section until such time as the county prosecuting attorney has obtained approval of a program from the office. Approval of the comprehensive plan by the office must be obtained within one year of the date of the letter of intent to adopt a comprehensive program. The county prosecuting attorney shall not make any expenditures from the money deposited under subsection (4) of this section until approval of a comprehensive plan by the office. If a county prosecuting attorney has failed to obtain approval of a program from the office under subsection (4) of this section

or failed to obtain approval of a comprehensive program within one year after submission of a letter of intent under this section, the county treasurer shall monthly transmit one hundred percent of the money deposited by the county under subsection (4) of this section to the state treasurer for deposit in the public safety and education account established under RCW 43.08.250.

(6) County prosecuting attorneys are responsible to make every reasonable effort to insure that the penalty assessments of this chapter are imposed and collected.

(7) Penalty assessments under this section shall also be imposed in juvenile offense dispositions under Title 13 RCW. Upon motion of a party and a showing of good cause, the court may modify the penalty assessment in the disposition of juvenile offenses under Title 13 RCW.

(8) Every city and town shall transmit monthly one and seventy-five one-hundredths percent of all money, other than money received for parking infractions, retained under RCW 3.46.120, 3.50.100, and 35.20.220 to the county treasurer for deposit as provided in subsection (4) of this section.

Sec. 1107. Section 5, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 3, chapter 156, Laws of 1980 and RCW 7.68.050 are each amended to read as follows:

(1) No right of action at law for damages incurred as a consequence of a criminal act shall be lost as a consequence of being entitled to benefits under the provisions of this chapter. The victim or his or her beneficiary may elect to seek damages from the person or persons liable for the claimed injury or death, and such victim or beneficiary is entitled to the full compensation and benefits provided by this chapter regardless of any election or recovery made pursuant to this section.

(2) For the purposes of this section, the rights, privileges, responsibilities, duties, limitations, and procedures contained in RCW 51.24.050 through 51.24.100 as now existing or hereafter amended apply.

(3) If the recovery involved is against the state, the lien of the ((department)) office includes the interest on the benefits paid by the ((department)) office to or on behalf of such person under this chapter computed at the rate of eight percent per annum from the date of payment.

(4) The 1980 amendments to this section apply only to injuries which occur on or after April 1, 1980.

Sec. 1108. Section 6, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 98, Laws of 1986 and RCW 7.68.060 are each amended to read as follows:

(1) For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(a) An application for benefits is not received by the ((department)) office within one year after the date the criminal act was reported to a local police department ((or)), sheriff's office, or child protective services in the case of child abuse, or the date the rights of dependents or beneficiaries accrued; or

(b) The criminal act is not reported by the victim or someone on his or her behalf to a local police department or sheriff's office within ((seventy-two hours)) ninety days of its occurrence or, if it could not reasonably have been reported within that period, within ((seventy-two hours)) ninety days of the time when a report could reasonably have been made. In making determinations as to reasonable time limits, the office shall give greatest weight to the needs of the victim.

(2) Because victims of childhood criminal acts may repress conscious memory of such criminal acts far beyond the age of majority, the rights of adult victims of childhood criminal acts are deemed to accrue at the time the victim discovers or reasonable should have discovered the elements of the crime. In making determinations as to reasonable time limits, the office shall give greatest weight to the needs of the victim.

(3) This section shall apply only to criminal acts reported after December 31, 1985.

Sec. 1109. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or the victim's family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, subject to the limitations under RCW 7.68.015. The rights, duties, responsibilities, limitations, and procedures applicable to a worker as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person is entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation, or incitement by the victim;

(b) Sustained while the crime victim was engaged in the attempt to commit, or the commission of, a felony; or

(c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a worker and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That benefits for burial expenses shall not exceed the maximum cost used by the department of social and health services for the funeral and burial of a deceased indigent person under chapter 74.08 RCW in any claim: PROVIDED FURTHER, That if the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act:

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived the victim or where such spouse has legal custody of all of his or her children, shall be limited to burial expenses and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits may be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That if a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, the victim shall receive monthly during the period of the disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of the average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of the average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of the average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of the average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of the average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of the average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of the average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of the average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of the average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of the average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of the average monthly wage.

(1) If unmarried with five or more children at the time of the criminal act, forty-three percent of the average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That no person is eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workers contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and 51.32.210 as now or hereafter amended are applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person is entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) In addition to other benefits provided under this chapter, victims of sexual assault are entitled to receive appropriate counseling. Fees for such counseling shall be determined by the ~~((department))~~ office in accordance with RCW 51.04.030, subject to the limitations of RCW 7.68.080. Counseling services may include, if determined appropriate by the ~~((department))~~ office, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(13) Except for medical benefits authorized under RCW 7.68.080, no more than fifteen thousand dollars shall be granted as a result of a single injury or death, except that benefits granted as the result of total permanent disability or death shall not exceed twenty thousand dollars.

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for total temporary disability under subsection (7) of this section, shall be limited to ten thousand dollars.

(15) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

(16) Crime victims' compensation is not available to pay for services covered under chapter 74.09 RCW or Title XIX of the federal social security act, except to the extent that the costs for such services exceed service limits established by the department of social and health services.

Sec. 1110. Section 3, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.085 are each amended to read as follows:

The director ~~((of labor and industries))~~ shall institute a cap on medical benefits of one hundred fifty thousand dollars per ~~((victim))~~ injury or death. Payment for medical services in excess of the cap shall be made available to any innocent victim under the same conditions as other medical services and if the medical services are:

(1) Necessary for a previously accepted condition;

(2) Necessary to protect the victim's life, alleviate continuing pain, or prevent deterioration of the victim's previously accepted condition; and

(3) Not available from an alternative source.

For the purposes of this section, an individual will not be required to use his or her assets other than funds recovered as a result of a civil action or criminal restitution, for medical expenses or pain and suffering, in order to qualify for an alternative source of payment.

The director shall, in cooperation with the department of social and health services, establish by ~~((October 1, 1989))~~ July 1, 1991, a process to aid crime victims in identifying and applying for appropriate alternative benefit programs, if any, administered by the department of social and health services.

Sec. 1111. Section 11, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 40, chapter 175, Laws of 1989 and RCW 7.68.110 are each amended to read as follows:

The provisions contained in chapter 51.52 RCW relating to appeals shall govern appeals under this chapter: PROVIDED, That no provision contained in chapter 51.52 RCW concerning employers as parties to any settlement, appeal, or other action shall apply to this chapter: PROVIDED FURTHER, That appeals taken from a decision of the board of industrial insurance

appeals under this chapter shall be governed by the provisions relating to judicial review of administrative decisions contained in RCW 34.05.510 through 34.05.598, and the ((department)) office shall have the same right of review from a decision of the board of industrial insurance appeals as does the claimant.

Sec. 1112. Section 12, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.120 are each amended to read as follows:

Any person who has committed a criminal act which resulted in injury compensated under this chapter may be required to make reimbursement to the ((department)) office as hereinafter provided.

(1) Any payment of benefits to or on behalf of a victim under this chapter creates a debt due and owing to the ((department)) office by any person found to have committed such criminal act in either a civil or criminal court proceeding in which he or she is a party: PROVIDED, That where there has been a superior or district court order, or an order of the indeterminate sentence review board ((of prison terms and paroles)) or the department of social and health services, as hereinafter provided, the debt shall be limited to the amount provided for in said order. A court order shall prevail over any other order.

(2) Upon being placed on work release pursuant to chapter 72.65 RCW, or upon release from custody of a state correctional facility on parole, any convicted person who owes a debt to the ((department)) office as a consequence of a criminal act may have the schedule or amount of payments therefor set as a condition of work release or parole by the department of social and health services or indeterminate sentence review board ((of prison terms and paroles)) respectively, subject to modification based on change of circumstances. Such action shall be binding on the ((department)) office.

(3) Any requirement for payment due and owing the ((department)) office by a convicted person under this chapter may be waived, modified downward or otherwise adjusted by the ((department)) office in the interest of justice and the rehabilitation of the individual.

Sec. 1113. Section 8, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.125 are each amended to read as follows:

(1) Whenever any payment under this chapter is made because of clerical error, mistake of identity, innocent misrepresentation by or on behalf of the recipient thereof mistakenly acted upon, or any other circumstance of a similar nature, all not induced by fraud, the recipient thereof shall repay it and recoupment may be made from any future payments due to the recipient under this chapter: PROVIDED, That the ((department)) office must make claim for such repayment or recoupment within one year of the making of any such payment or it will be deemed that any claim therefor has been waived: PROVIDED FURTHER, That the ((department)) office may exercise its discretion to waive, in whole or in part, the amount of any such timely claim.

(2) Whenever any payment under this chapter has been made pursuant to an adjudication by the ((department)) office, board, or any court and timely appeal therefrom has been made and the final decision is that any such payment was made pursuant to an erroneous adjudication, the recipient thereof shall repay it and recoupment may be made from any future payments due to the recipient under this chapter: PROVIDED, That the ((department)) office may exercise its discretion to waive, in whole or in part, the amount thereof.

(3) Whenever any payment under this chapter has been induced by fraud the recipient thereof shall repay any such payment together with a penalty of fifty percent of the total of any such payments and the amount of such total sum may be recouped from any future payments due to the recipient under this chapter and the amount of the penalty shall be placed in the fund or funds established pursuant to RCW 7.68.090 as now or hereafter amended.

Sec. 1114. Section 13, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 16, chapter 443, Laws of 1985 and RCW 7.68.130 are each amended to read as follows:

Benefits payable pursuant to this chapter shall be reduced by the amount of any other public or private insurance available. Benefits payable after 1980 to victims injured or killed before 1980 shall be reduced by any other public or private insurance including but not limited to social security. Payment by the ((department)) office under this chapter shall be secondary to such other insurance benefits, notwithstanding the provision of any contract or coverage to the contrary: PROVIDED, That in the case of private life insurance proceeds, the first forty thousand dollars of such proceeds shall not be considered for purposes of any such reduction in benefits.

Sec. 1115. Section 14, chapter 122, Laws of 1973 1st ex. sess. as amended by section 6, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.140 are each amended to read as follows:

Information contained in the claim files and records of victims, under the provisions of this chapter, shall be deemed confidential and shall not be open to public inspection: PROVIDED, That, except as limited by state or federal statutes or regulations, such information may be provided to public employees in the performance of their official duties: PROVIDED FURTHER, That except as otherwise limited by state or federal statutes or regulations a representative of a claimant, be it an individual or an organization, may review a claim file or receive specific information therefrom upon the presentation of the signed authorization of the claimant: PROVIDED FURTHER, That physicians treating or examining victims claiming benefits under this

chapter or physicians giving medical advice to the ((department)) office regarding any claim may, at the discretion of the ((department)) office and as not otherwise limited by state or federal statutes or regulations, inspect the claim files and records of such victims, and other persons may, when rendering assistance to the ((department)) office at any stage of the proceedings on any matter pertaining to the administration of this chapter, inspect the claim files and records of such victims at the discretion of the ((department)) office and as not otherwise limited by state or federal statutes or regulations.

Sec. 1116. Section 7, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.145 are each amended to read as follows:

Notwithstanding any other provision of law, all law enforcement, criminal justice, or other governmental agencies, or hospital; any physician or other practitioner of the healing arts; or any other organization or person having possession or control of any investigative or other information pertaining to any alleged criminal act or victim concerning which a claim for benefits has been filed under this chapter, shall, upon request, make available to and allow the reproduction of any such information by the ((section of the department administering this chapter)) office or other public employees in their performance of their official duties under this chapter.

No person or organization, public or private, shall incur any legal liability by reason of releasing any such information to the ((director of labor and industries or the section of the department which administers this chapter)) office or other public employees in the performance of their official duties under this chapter.

Sec. 1117. Section 15, chapter 122, Laws of 1973 1st ex. sess. and RCW 7.68.150 are each amended to read as follows:

All benefits and payments made, and all administrative costs accrued, pursuant to this chapter shall be funded and accounted for separate from the other operations and responsibilities of the ((department)) attorney general.

Sec. 1118. Section 16, chapter 122, Laws of 1973 1st ex. sess. as amended by section 2, chapter 158, Laws of 1986 and RCW 7.68.160 are each amended to read as follows:

Any person who has been injured as a result of a 'criminal act' as herein defined on or after January 1, 1972 up to the effective date of this 1973 act, who would otherwise be eligible for benefits under this chapter, may for a period of ninety days from the effective date of this 1973 act, file a claim for benefits with the ((department)) office on a form provided by the ((department)) office. The ((department)) office shall investigate and review such claims, and, within two hundred ten days of the effective date of this 1973 act, shall report to the governor its findings and recommendations as to such claims, along with a statement as to what special legislative relief, if any, the ((department)) office recommends should be provided.

Sec. 1119. Section 10, chapter 176, Laws of 1975 1st ex. sess. and RCW 7.68.165 are each amended to read as follows:

The rights, privileges, responsibilities, duties, limitations and procedures contained in this chapter shall apply to those claims filed pursuant to RCW 7.68.160. In respect to such claims, the ((department)) office shall proceed in the same manner and with the same authority as provided in this chapter with respect to those claims filed pursuant to RCW 7.68.060 as now or hereafter amended.

Sec. 1120. Section 13, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.200 are each amended to read as follows:

After hearing, as provided in RCW 7.68.210, every person, firm, corporation, partnership, association or other legal entity contracting with any person or the representative or assignee of any person, accused or convicted of a crime in this state, with respect to the reenactment of such crime, by way of a movie, book, magazine article, tape recording, phonograph record, radio or television presentation, live entertainment of any kind, or from the expression of such accused or convicted person's thoughts, feelings, opinion or emotions regarding such crime, shall submit a copy of such contract to the ((department)) office and pay over to the ((department)) office any moneys which would otherwise, by terms of such contract, be owing to the person so accused or convicted or his or her representatives. The ((department)) office shall deposit such moneys in an escrow account for the benefit of and payable to any victim or the legal representative of any victim of crimes committed by: (i) Such convicted person; or (ii) such accused person, but only if such accused person is eventually convicted of the crime and provided that such victim, within five years of the date of the establishment of such escrow account, brings a civil action in a court of competent jurisdiction and recovers a money judgment for damages against such person or his or her representatives.

Sec. 1121. Section 12, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.210 are each amended to read as follows:

The prosecutor or the ((department)) office may, at any time after the person's arraignment petition any superior court for an order, following notice and hearing, directing that any contract described in RCW 7.68.200 shall be paid in accordance with RCW 7.68.200 through 7.68.280.

Sec. 1122. Section 14, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.220 are each amended to read as follows:

The ~~((department))~~ office, at least once every six months for five years from the date it receives such moneys, shall cause to have published a legal notice in newspapers of general circulation in the county wherein the crime was committed and in counties contiguous to such county advising such victims that such escrow moneys are available to satisfy money judgments pursuant to this section. For crimes committed in a city located within a county having a population of one million or more, the notice provided for in this section shall be in newspapers having general circulation in such city. The ~~((department))~~ office may, in its discretion, provide for such additional notice as it deems necessary.

Sec. 1123. Section 15, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.230 are each amended to read as follows:

Upon dismissal of charges or acquittal of any accused person the ~~((department))~~ office shall immediately pay over to such accused person the moneys in the escrow account established on behalf of such accused person.

Sec. 1124. Section 16, chapter 219, Laws of 1979 ex. sess. as amended by section 4, chapter 155, Laws of 1988 and RCW 7.68.240 are each amended to read as follows:

Upon a showing by any convicted person or the state that five years have elapsed from the establishment of such escrow account and further that no actions are pending against such convicted person pursuant to RCW 7.68.200 through 7.68.280, the ~~((department))~~ office shall immediately pay over fifty percent of any moneys in the escrow account to such person or his or her legal representatives and fifty percent of any moneys in the escrow account to the fund under RCW 7.68.035(4).

Sec. 1125. Section 17, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.250 are each amended to read as follows:

For purposes of ~~((this act))~~ RCW 7.68.200 through 7.68.280, a person found not guilty as a result of the defense of mental disease or defect shall be deemed to be a convicted person.

Sec. 1126. Section 19, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.270 are each amended to read as follows:

Notwithstanding the foregoing provisions of ~~((this act))~~ RCW 7.68.200 through 7.68.280 the ~~((department))~~ office shall make payments from an escrow account to any person accused or convicted of a crime upon the order of a court of competent jurisdiction after a showing by such person that such moneys shall be used for the exclusive purpose of retaining legal representation at any stage of the proceedings against such person, including the appeals process.

Sec. 1127. Section 20, chapter 219, Laws of 1979 ex. sess. and RCW 7.68.280 are each amended to read as follows:

Any action taken by any person accused or convicted of a crime, whether by way of execution of a power of attorney, creation of corporate entities or otherwise, to defeat the purpose of ~~((this act))~~ RCW 7.68.200 through 7.68.280 shall be null and void as against the public policy of this state.

Sec. 1128. Section 2, chapter 245, Laws of 1979 ex. sess. and RCW 70.123.020 are each amended to read as follows:

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

(1) 'Shelter' means a place of temporary refuge, offered on a twenty-four hour, seven day per week basis to victims of domestic violence and their children.

(2) 'Domestic violence' is a categorization of offenses, as defined in RCW 10.99.020, committed by one cohabitant against another.

(3) ~~((Department means the department of social and health services))~~ 'Office' means the office of crime victim services.

(4) 'Victim' means a cohabitant who has been subjected to domestic violence.

(5) 'Cohabitant' means a person who is married or who is cohabiting with a person of the opposite sex like husband and wife at the present or at sometime in the past. Any person who has one or more children in common with another person, regardless of whether they have been married or lived together at any time, shall be treated as a cohabitant.

Sec. 1129. Section 3, chapter 245, Laws of 1979 ex. sess. as amended by section 235, chapter 9, Laws of 1989 1st ex. sess. and RCW 70.123.030 are each amended to read as follows:

The ~~((department of social and health services))~~ office, in consultation with the state department of health, and individuals or groups having experience and knowledge of the problems of victims of domestic violence, shall:

(1) Establish minimum standards for shelters applying for grants from the ~~((department))~~ office under this chapter. Classifications may be made dependent upon size, geographic location, and population needs;

(2) Receive grant applications for the development and establishment of shelters for victims of domestic violence;

(3) Distribute funds, within forty-five days after approval, to those shelters meeting ~~((departmental))~~ office standards;

(4) Evaluate biennially each shelter receiving ~~((departmental))~~ office funds for compliance with the established minimum standards; and

(5) Review the minimum standards each biennium to ensure applicability to community and client needs.

Sec. 1130. Section 4, chapter 245, Laws of 1979 ex. sess. and RCW 70.123.040 are each amended to read as follows:

Minimum standards established by the ((department)) office under RCW 70.123.030 shall ensure that shelters receiving grants under this chapter provide services meeting basic survival needs, where not provided by other means, such as, but not limited to, food, clothing, housing, safety, security, client advocacy, and counseling. These services shall be problem-oriented and designed to provide necessary assistance to the victims of domestic violence and their children.

Sec. 1131. Section 5, chapter 245, Laws of 1979 ex. sess. and RCW 70.123.050 are each amended to read as follows:

The ((department)) office shall contract, where appropriate, with public or private nonprofit groups or organizations with experience and expertise in the field of domestic violence to:

(1) Develop and implement an educational program designed to promote public and professional awareness of the problems of domestic violence and of the availability of services for victims of domestic violence. Particular emphasis should be given to the education needs of law enforcement agencies, the legal system, the medical profession, and other relevant professions that are engaged in the prevention, identification, and treatment of domestic violence;

(2) Maintain a directory of temporary shelters and other direct service facilities for the victims of domestic violence which is current, complete, detailed, and available, as necessary, to provide useful referral services to persons seeking help on an emergency basis;

(3) Create a state-wide toll-free telephone number that would provide information and referral to victims of domestic violence;

(4) Provide opportunities to persons working in the area of domestic violence to exchange information; and

(5) Provide training opportunities for both volunteer workers and staff personnel.

Sec. 1132. Section 8, chapter 245, Laws of 1979 ex. sess. and RCW 70.123.080 are each amended to read as follows:

The ((department)) office shall consult in all phases with persons and organizations having experience and expertise in the field of domestic violence.

Sec. 1133. Section 9, chapter 245, Laws of 1979 ex. sess. and RCW 70.123.090 are each amended to read as follows:

The ((department)) office is authorized, under this chapter and the rules adopted to effectuate its purposes, to make available grants awarded on a contract basis to public or private nonprofit agencies, organizations, or individuals providing shelter services meeting minimum standards established by the ((department)) office. Consideration as to need, geographic location, population ratios, and the extent of existing services shall be made in the award of grants. The ((department)) office shall provide technical assistance to any nonprofit organization desiring to apply for the contracts if the organization does not possess the resources and expertise necessary to develop and transmit an application without assistance.

Sec. 1134. Section 10, chapter 245, Laws of 1979 ex. sess. and RCW 70.123.100 are each amended to read as follows:

Fifty percent of the funding for shelters receiving grants under this chapter must be provided by one or more local, municipal, or county source, either public or private. Contributions in-kind, whether materials, commodities, transportation, office space, other types of facilities, or personal services, may be evaluated and counted as part of the required local funding.

The ((department)) office shall seek, receive, and make use of any funds which may be available from federal or other sources in order to augment state funds appropriated for the purpose of this chapter, and shall make every effort to qualify for federal funding.

Sec. 1135. Section 11, chapter 245, Laws of 1979 ex. sess. and RCW 70.123.110 are each amended to read as follows:

General assistance or aid to families with dependent children payments shall be made to otherwise eligible individuals who are residing in a secure shelter, a housing network or other shelter facility which provides shelter services to persons who are victims of domestic violence. Provisions shall be made by the department of social and health services and the office for the confidentiality of the shelter addresses where victims are residing.

Sec. 1136. Section 3, chapter 219, Laws of 1979 ex. sess. as amended by section 19, chapter 145, Laws of 1988 and RCW 70.125.030 are each amended to read as follows:

As used in this chapter and unless the context indicates otherwise:

(1) (~~'Department'~~ means the department of social and health services) 'Office' means the office of crime victim services.

(2) 'Law enforcement agencies' means police and sheriff's departments of this state.

(3) 'Personal representative' means a friend, relative, attorney, or employee or volunteer from a rape crisis center.

(4) 'Rape crisis center' means a community-based social service agency which provides services to victims of sexual assault.

(5) (~~'Secretary' means the secretary of the department of social and health services~~)
~~'Director' means the director of the office of crime victim services.~~

(6) 'Sexual assault' means one or more of the following:

- (a) Rape or rape of a child;
- (b) Assault with intent to commit rape;
- (c) Incest or indecent liberties; or
- (d) An attempt to commit any of the aforementioned offenses.

(7) 'Victim' means any person who suffers physical and/or mental anguish as a proximate result of a sexual assault.

Sec. 1137. Section 4, chapter 219, Laws of 1979 ex. sess. as amended by section 1, chapter 34, Laws of 1985 and RCW 70.125.040 are each amended to read as follows:

The ~~((department)) office shall (establish a centralized office within the department to)~~ coordinate activities of programs relating to sexual assault and to facilitate coordination and dissemination of information to personnel in fields relating to sexual assault.

The ~~((department)) office~~ shall develop, with the cooperation of the criminal justice training commission, the medical profession, and existing rape crisis centers, a biennial state-wide plan to aid organizations which provide services to victims of sexual assault.

Sec. 1138. Section 5, chapter 219, Laws of 1979 ex. sess. and RCW 70.125.050 are each amended to read as follows:

The state-wide program established under RCW 70.125.040 shall include but not be limited to provision of the following services: PROVIDED, That the ~~((department)) office~~ shall utilize existing rape crisis centers and contract, where appropriate, with these centers to provide the services identified in this section:

(1) Assistance to the criminal justice training commission in developing and offering training and education programs for criminal justice personnel on the scope and nature of the sexual assault problem;

(2) Assistance to health care personnel in training for the sensitive handling and correct legal procedures of sexual assault cases;

(3) Development of public education programs to increase public awareness concerning sexual assault in coordination with the activities of the attorney general's crime prevention efforts; and

(4) Technical assistance and advice to rape crisis centers, including the organization of existing community resources, volunteer training, identification of potential funding sources, evaluation, and education. Assistance shall be given for the development of additional programs in areas of the state where such services do not exist.

Sec. 1139. Section 2, chapter 34, Laws of 1985 and RCW 70.125.055 are each amended to read as follows:

The ~~((department)) office~~ may distribute financial assistance to rape crisis centers to supplement crisis, advocacy, and counseling services provided directly to victims.

NEW SECTION. Sec. 1140. The legislature recognizes the need to increase the services available to sex offense victims. The legislature also recognizes that these services are most effectively planned and provided at the local level through the combined efforts of concerned community and citizens groups, treatment providers, and local government officials. The legislature further recognizes that adequate treatment for victims is not only a matter of justice for the victim, but also a method by which additional abuse can be prevented.

The legislature intends to enhance the community-based treatment services available to sex offense victims by:

(1) Providing funding support for local treatment programs which provide services to sex offense victims;

(2) Providing technical assistance and support to help communities plan for and provide treatment services; and

(3) Providing communities and local treatment providers with opportunities to share information about successful prevention and treatment programs.

NEW SECTION. Sec. 1141. There is established in the office an additional grant program to enhance the funding for treating sex offense victims. Activities which can be funded through this grant program are limited to those which:

(1) Provide effective treatment to sex offense victims;

(2) Increase the access to and availability of treatment to sex offense victims particularly for underserved populations; and

(3) Create or build on efforts by existing community programs, coordinate their efforts, develop cooperative efforts or other initiatives to make the most effective use of resources to provide treatment services to these victims.

NEW SECTION. Sec. 1142. Applications for funding under sections 1140 through 1145 of this act must:

(1) Present evidence demonstrating how the criteria in section 1140 of this act will be met and demonstrating the effectiveness of the proposal.

(2) Contain evidence of active participation of the community and its commitment to providing an effective treatment service for these victims through the participation of local governments, tribal government, human service and health organizations and treatment entities and the opportunity for meaningful involvement from others, including citizen groups.

NEW SECTION, Sec. 1143. This grant program shall be available to local governments of any size, nonprofit community groups, or nonprofit treatment providers.

NEW SECTION, Sec. 1144. At a minimum, grant applications must include the following:

(1) The geographic area from which these victims are expected to come;

(2) A description of the extent and effect of the needs of these victims within the relevant geographic area;

(3) An explanation of how the funds will be used, their effect on existing services available within the community, the need which they will fulfill, and how they will be used to complement existing services;

(4) Explanations of what organizations were involved in the development of the proposal;

(5) How the funds will be used to achieve the criteria in section 1140 of this act; and

(6) An evaluation methodology.

NEW SECTION, Sec. 1145. (1) The office shall make awards, subject to funds appropriations by the legislature.

(2) Awards shall be made competitively based on the purpose of and criteria in sections 1140 through 1145 of this act.

(3) To aid the office in making its determination, the office shall form a peer review committee where members have experience in the treatment of predatory violent sex offense victims. The peer review committee shall advise the office on the extent to which each eligible applicant meets the purposes and criteria of sections 1140 through 1145 of this act. The office shall consider this advice in making awards.

(4) Activities funded under sections 1140 through 1145 of this act may be considered for funding in future years, but shall be considered under the same terms and criteria as new activities. Funding under sections 1140 through 1145 of this act shall not constitute an obligation by the state of Washington to provide ongoing funding.

NEW SECTION, Sec. 1146. The office may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of this chapter and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

NEW SECTION, Sec. 1147. This chapter may be known and cited as the omnibus crime victim act.

NEW SECTION, Sec. 1148. All powers, duties, and functions of the department of labor and industries pertaining to the crime victims compensation program are transferred to the office of crime victim services by July 1, 1991. In order to ensure an orderly transition and continuation of benefits to eligible victims of crime, the transfer of responsibilities from the department of labor and industries to the office of crime victim services shall begin on July 1, 1990, with all powers, duties, functions, and funding related to the crime victims' compensation program fully transferred by July 1, 1991. The department of labor and industries shall assist the office as necessary to ensure an orderly transition.

NEW SECTION, Sec. 1149. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of labor and industries pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the office of crime victim services. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of labor and industries in carrying out the powers, functions, and duties transferred shall be made available to the office of crime victim services. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the office of crime victim services.

Any appropriations made to the department of labor and industries for carrying out the powers, functions, and duties transferred shall, on the effective date of this section, be transferred and credited to the office of crime victim services.

Whenever any question arises as to the transfer of any funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION, Sec. 1150. All rules and all pending business before the department of labor and industries pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the office of crime victim services. All existing contracts and obligations shall remain in full force and shall be performed by the office of crime victim services.

NEW SECTION, Sec. 1151. The transfer of the powers, duties, and functions of the department of labor and industries shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION, Sec. 1152. All powers, duties, and functions of the department of social and health services pertaining to shelters for victims of domestic violence under chapter 70.123

RCW and the victims of sexual assault act under chapter 70.125 RCW are transferred to the office of crime victim services by July 1, 1991. In order to ensure an orderly transition of responsibilities from the department of social and health services to the office of crime victim services, the transfer of responsibilities shall begin on July 1, 1990, with all powers, duties, functions, and funding related to chapters 70.123 and 70.125 RCW fully transferred to the office by July 1, 1991. The department of social and health services shall assist the office as necessary to ensure an orderly transition.

NEW SECTION. Sec. 1153. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the department of social and health services pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the office of crime victim services. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the department of social and health services in carrying out the powers, functions, and duties transferred shall be made available to the office of crime victim services. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the office of crime victim services.

Any appropriations made to the department of social and health services for carrying out the powers, functions, and duties transferred shall, on the effective date of this section, be transferred and credited to the office of crime victim services.

Whenever any question arises as to the transfer of any funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 1154. All rules and all pending business before the department of social and health services pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the office of crime victim services. All existing contracts and obligations shall remain in full force and shall be performed by the office of crime victim services.

NEW SECTION. Sec. 1155. The transfer of the powers, duties, and functions of the department of social and health services shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 1156. If apportionments of budgeted funds are required because of the transfers directed by sections 1148 through 1156 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 1157. Nothing contained in sections 1148 through 1156 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

NEW SECTION. Sec. 1158. Sections 1101 through 1103 and 1140 through 1147 of this act are each added to chapter 7.68 RCW."

Renumber the remaining parts and sections consecutively and correct the index and any internal references accordingly.

On page 121, beginning on line 16 of the amendment, strike all of section 1216 and insert the following:

***NEW SECTION.** Sec. 1216. The sum of two million eight hundred eighty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the attorney general for the office of crime victim services for the following purposes:

(1) Two million five hundred thousand dollars is for the purpose of funding the community treatment grants. In making these grants, the attorney general shall take the necessary steps to ensure an appropriate portion of these funds are provided to rural areas.

(2) One hundred eighty thousand dollars is to establish an office of crime victim services. This office shall consist of three full-time positions, one of which shall be exempt, and is responsible for operating the community treatment grant program, acting as an ombudsman for victims, and serving as a focal point for victims' issues.

(3) One hundred thousand dollars is for the purpose of ensuring crime victims are aware of their rights and the procedures for applying for benefits from the crime victims' compensation fund.

(4) One hundred thousand dollars is provided solely for one time costs associated with transferring administration of the crime victims' compensation program to the office of crime victim services."

Correct the index accordingly.

Mr. Padden spoke in favor of adoption of the amendments to the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Appelwick spoke against adoption of the amendments to the amendment, and Ms. Brough spoke in favor of them. Mr. Padden again spoke in favor of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Padden to the amendment by Representative Appelwick to Engrossed Second Substitute Senate Bill No. 6259, and the amendments to the amendment were not adopted by the following vote: Yeas, 42; nays, 54; excused, 2.

Voting yea: Representatives Ballard, Baugher, Beck, Bennett, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Kirby, Kremen, Locke, May, McLean, Miller, Moyer, Nealey, Padden, Sayan, Schmidt, Schoon, Silver, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 42.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Excused: Representatives Prince, Smith - 2.

Mr. Youngsman moved adoption of the following amendment by Representatives Youngsman, Doty, Betzoff, May and Tate to the amendment:

On page 35, line 5, after "1990," strike "the aggregate earned early release time may not exceed fifteen percent of the sentence." and insert "there shall be no earned early release time."

Representatives Youngsman and Doty spoke in favor of adoption of the amendment to the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Appelwick and Ebersole spoke against adoption of the amendment to the amendment, and Mr. Ballard spoke in favor of it. Mr. Youngsman again spoke in favor of the amendment to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Youngsman and others to the amendment by Representative Appelwick to Engrossed Second Substitute Senate Bill No. 6259, and the amendment to the amendment was not adopted by the following vote: Yeas, 48; nays, 48; excused, 2.

Voting yea: Representatives Anderson, Ballard, Baugher, Beck, Bennett, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Cole, Doty, Ferguson, Fisher G, Forner, Fuhrman, Hankins, Heavey, Holland, Horn, Inslee, Kirby, Kremen, May, McLean, Miller, Morris, Moyer, Nealey, Padden, Rasmussen, Rayburn, Rector, Schmidt, Schoon, Silver, Sommers D, Spanel, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 48.

Voting nay: Representatives Appelwick, Basich, Belcher, Braddock, Brekke, Cantwell, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Hine, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Meyers R, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rust, Sayan, Scott, Sommers H, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, and Mr. Speaker - 48.

Excused: Representatives Prince, Smith - 2.

Mr. Appelwick moved adoption of the following amendments to the amendment:

On page 45, at the beginning of line 28 of the amendment, strike "community corrections officer" and insert "probation counselor"

On page 45, at the beginning of line 30 of the amendment, strike "community corrections officer" and insert "probation counselor"

Representatives Appelwick and Padden spoke in favor of adoption of the amendments to the amendment, and they were adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 50, after line 18 of the amendment, insert the following:

"NEW SECTION. Sec. 305. A new section is added to chapter 74.13 RCW to read as follows:

(1) For the purposes of funds appropriated for the treatment of sexually aggressive youth, 'sexually aggressive youth' means those juveniles in the care and custody of the state who:

- (a) Have been abused;
- (b) Have committed a sexually aggressive or other violent act that is sexual in nature; and
- (c) Cannot be detained under the juvenile justice system.

(2) In expending these funds, the department of social and health services shall establish in each region a case review committee to review all cases for which the funds are used. In determining whether to use these funds in a particular case, the committee shall consider:

- (a) The age of the juvenile;
- (b) The extent and type of abuse to which the juvenile has been subjected;
- (c) The juvenile's past conduct;
- (d) The benefits that can be expected from the treatment; and
- (e) The cost of the treatment."

Correct the index accordingly

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 50, beginning on line 34 of the amendment, strike all material through "9.94A-030." on page 51, line 24 and insert the following:

"(1) Any adult or juvenile residing in this state who has been found to have committed or has been convicted of any sex offense shall register with the county sheriff for the county of the person's residence.

(2) The person shall, within forty-five days of establishing residence in Washington, or if a current resident within thirty days of release from confinement, if any, provide the county sheriff with the following information: (a) Name; (b) address; (c) place of employment; (d) crime for which convicted; (e) date and place of conviction; (f) aliases used; and (g) social security number.

(3) If any person required to register pursuant to this section changes his or her residence address within the same county, the person must send written notice of the change of address to the county sheriff within ten days of establishing the new residence. If any person required to register pursuant to this section moves to a new county, the person must register with the county sheriff in the new county within ten days of establishing the new residence. The person must also send written notice within ten days of the change of address in the new county to the county sheriff with whom the person last registered.

(4) The county sheriff shall obtain a photograph of the individual and shall obtain a copy of the individual's fingerprints.

(5) 'Sex offense' for the purpose of sections 402 through 406 of this act means any offense defined as a sex offense by RCW 9.94A.030:

(a) Committed on or after the effective date of this section; or

(b) Committed prior to the effective date of this section if the person, as a result of the offense, is under the custody or active supervision of the department of corrections or the department of social and health services on or after the effective date of this section."

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 56, beginning on line 30 of the amendment, strike all of section 502 and insert the following:

"Sec. 502. Section 8, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 6, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.080 are each amended to read as follows:

The provisions of chapter 51.36 RCW as now or hereafter amended govern the provision of medical aid under this chapter to victims injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, except that:

(1) The provisions contained in RCW 51.36.030, 51.36.040, and 51.36.080 as now or hereafter amended do not apply to this chapter;

(2) The specific provisions of RCW 51.36.020 as now or hereafter amended relating to supplying emergency transportation do not apply: PROVIDED, That:

(a) When the injury to any victim is so serious as to require the victim's being taken from the place of injury to a place of treatment, reasonable transportation costs to the nearest place of proper treatment shall be reimbursed from the fund established pursuant to RCW 7.68.090; and

(b) In the case of alleged rape or molestation of a child the reasonable costs of a colposcope examination shall be reimbursed from the fund pursuant to RCW 7.68.090. Hospital, clinic, and medical charges along with all related fees under this chapter shall conform to

regulations promulgated by the director. The director shall set these service levels and fees at a level no lower than those established by the department of social and health services under Title 74 RCW. In establishing fees for medical and other health care services, the director shall consider the director's duty to purchase health care in a prudent, cost-effective manner. The director shall establish rules adopted in accordance with chapter 34.05 RCW. Nothing in this chapter may be construed to require the payment of interest on any billing, fee, or charge.

Sec. 503. Section 3, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.085 are each amended to read as follows:

The director of labor and industries shall institute a cap on medical benefits of one hundred fifty thousand dollars per (victim) injury or death. Payment for medical services in excess of the cap shall be made available to any innocent victim under the same conditions as other medical services and if the medical services are:

- (1) Necessary for a previously accepted condition;
- (2) Necessary to protect the victim's life or prevent deterioration of the victim's previously accepted condition; and
- (3) Not available from an alternative source.

The director of financial management and the director of labor and industries shall monitor expenditures from the public safety and education account. Once each fiscal quarter, the director of financial management shall determine if expenditures from the public safety and education account during the prior fiscal quarter exceeded allotments by more than ten percent. Within thirty days of a determination that expenditures exceeded allotments by more than ten percent, the director of financial management shall develop and implement a plan to reduce expenditures from the account to a level that does not exceed the allotments. Such a plan may include across-the-board reductions in allotments from the account to all nonjudicial agencies except for the crime victims compensation program. In implementing the plan, the director of financial management shall seek the cooperation of judicial agencies in reducing their expenditures from the account. The director of financial management shall notify the legislative fiscal committees prior to implementation of the plan.

Development and implementation of the plan is not required if the director of financial management notifies the legislative fiscal committees that increases in the official revenue forecast for the public safety and education account for that fiscal quarter will eliminate the need to reduce expenditures from the account. The official revenue forecast for the public safety and education account shall be prepared by the economic and revenue forecast council pursuant to RCW 82.01.120 and 82.01.130.

For the purposes of this section, an individual will not be required to use his or her assets other than funds recovered as a result of a civil action or criminal restitution, for medical expenses or pain and suffering, in order to qualify for an alternative source of payment.

The director shall, in cooperation with the department of social and health services, establish by October 1, 1989, a process to aid crime victims in identifying and applying for appropriate alternative benefit programs, if any, administered by the department of social and health services."

Correct the index accordingly

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendments to the amendment:

On page 78, line 36 of the amendment, after "less than" strike "three" and insert "((three)) five"

On page 79, line 2 of the amendment, after "minimum" strike "three year" and insert "((three year)) five-year"

Mr. Appelwick spoke in favor of adoption of the amendments to the amendment, and they were adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 85, after line 13 of the amendment, insert:

"(d) Offenders convicted and sentenced for a sex offense committed prior to July 1, 1987, may, subject to available funds, request an evaluation by the department of corrections to determine whether they are amenable to treatment. If the offender is determined to be amenable to treatment, the offender may request placement in a treatment program within a correctional facility operated by the department. Placement in such treatment program is subject to available funds."

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 98, after line 17 of the amendment, insert the following:

"NEW SECTION. Sec. 717. The uniform disciplinary act, chapter 18.130 RCW, governs unauthorized practice, the issuance and denial of certificates, and the discipline of certified sex offender treatment providers under this chapter.

Sec. 718. Section 7, chapter 243, Laws of 1988, section 22, chapter 267, Laws of 1988, and section 13, chapter 277, Laws of 1988 and RCW 18.130.040 are each reenacted and amended to read as follows:

(1) This chapter applies only to the ((director)) secretary and the boards having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2) (a) The ((director)) secretary has authority under this chapter in relation to the following professions:

- (i) Dispensing opticians licensed under chapter 18.34 RCW;
- (ii) Naturopaths licensed under chapter 18.36A RCW;
- (iii) Midwives licensed under chapter 18.50 RCW;
- (iv) Ocularists licensed under chapter 18.55 RCW;
- (v) Massage operators and businesses licensed under chapter 18.108 RCW;
- (vi) Dental hygienists licensed under chapter 18.29 RCW;
- (vii) Acupuncturists certified under chapter 18.06 RCW;
- (viii) Radiologic technologists certified under chapter 18.84 RCW;
- (ix) Respiratory care practitioners certified under chapter 18.89 RCW;
- (x) Persons registered or certified under chapter 18.19 RCW;
- (xi) Persons registered as nursing pool operators;
- (xii) Nursing assistants registered or certified under chapter 18.52B RCW; ((and))
- (xiii) Dietitians and nutritionists certified under chapter 18.138 RCW; and
- (xiv) Sex offender treatment providers certified under sections 1201 through 1209 of this act.

(b) The boards having authority under this chapter are as follows:

- (i) The podiatry board as established in chapter 18.22 RCW;
- (ii) The chiropractic disciplinary board as established in chapter 18.26 RCW governing licenses issued under chapter 18.25 RCW;
- (iii) The dental disciplinary board as established in chapter 18.32 RCW;
- (iv) The council on hearing aids as established in chapter 18.35 RCW;
- (v) The board of funeral directors and embalmers as established in chapter 18.39 RCW;
- (vi) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;
- (vii) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;
- (viii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;
- (ix) The medical disciplinary board as established in chapter 18.72 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;
- (x) The board of physical therapy as established in chapter 18.74 RCW;
- (xi) The board of occupational therapy practice as established in chapter 18.59 RCW;
- (xii) The board of practical nursing as established in chapter 18.78 RCW;
- (xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;
- (xiv) The board of nursing as established in chapter 18.88 RCW; and
- (xv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. However, the board of chiropractic examiners has authority over issuance and denial of licenses provided for in chapter 18.25 RCW, the board of dental examiners has authority over issuance and denial of licenses provided for in RCW 18.32.040, and the board of medical examiners has authority over issuance and denial of licenses and registrations provided for in chapters 18.71 and 18.71A RCW. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160 by the disciplining authority."

Renumber the remaining section of the part consecutively and correct the index and any internal references accordingly.

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 104, line 8 of the amendment, after "chapter," insert "The facility shall not be located at the present Western or Eastern state hospital since these institutions are insufficiently secure for this population."

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 110, after line 11 of the amendment, insert the following:

"Sec. 1002. Section 2, chapter 486, Laws of 1987 as amended by section 2, chapter 90, Laws of 1989 and by section 2, chapter 334, Laws of 1989 and RCW 43.43.832 are each reenacted and amended to read as follows:

(1) The legislature finds that businesses and organizations providing services to children, developmentally disabled persons, and vulnerable adults need adequate information to determine which employees or licensees to hire or engage. Therefore, the Washington state patrol criminal identification system may disclose, upon the request of a business or organization as defined in RCW 43.43.830, ~~((a prospective employee's))~~ an applicant's record for convictions of offenses against children or other persons, convictions for crimes relating to financial exploitation, but only if the victim was a vulnerable adult, adjudications of child abuse in a civil action, the issuance of a protection order against the respondent under chapter 74.34 RCW, and disciplinary board final decisions and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision. When necessary, applicants may be employed on a conditional basis pending completion of such a background investigation.

(2) The legislature also finds that the state board of education may request of the Washington state patrol criminal identification system information regarding a certificate applicant's record for convictions under subsection (1) of this section.

(3) The legislature also finds that law enforcement agencies, the office of the attorney general, prosecuting authorities, and the department of social and health services may request this same information to aid in the investigation and prosecution of child, developmentally disabled person, and vulnerable adult abuse cases and to protect children and adults from further incidents of abuse.

(4) The legislature further finds that the department of social and health services, when considering persons for state positions directly responsible for the care, supervision, or treatment of children, developmentally disabled persons, or vulnerable adults or when licensing or authorizing such persons or agencies pursuant to its authority under chapter 74.15, 18.51, 18.20, or 72.23 RCW, or any later-enacted statute which purpose is to license or regulate a facility which handles vulnerable adults, must consider the information listed in subsection (1) of this section. However, when necessary, persons may be employed on a conditional basis pending completion of the background investigation. The state personnel board shall adopt rules to accomplish the purposes of this subsection as it applies to state employees."

Renumber the remaining sections of the part consecutively and correct the index and any internal references accordingly.

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 111, beginning on line 26 of the amendment, after "information on" strike "a prospective employee or volunteer" and insert "~~((a prospective employee or volunteer))~~ an applicant"

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 121, after line 34 of the amendment, insert the following:

"NEW SECTION. Sec. 1217. The sum of eighty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of health to establish the sexual offender treatment providers advisory committee and to administer the development of a sexual offender treatment providers certification program."

Correct the index accordingly.

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

On motion of Mr. Appelwick, the following amendments to the amendment were adopted:

On page 122, line 9 of the amendment, after "409," insert "501 and 502,"

On page 122, line 9 of the amendment, after "912," strike "and" and after "1003" insert ", and 1101 through 1111"

Mr. Padden moved adoption of the following amendments to the amendment: On page 56, after line 29 of the amendment, insert the following:

***NEW SECTION, Sec. 502.** Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or the victim's family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, subject to the limitations under RCW 7.68.015. The rights, duties, responsibilities, limitations, and procedures applicable to a worker as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person is entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation, or incitement by the victim;

(b) Sustained while the crime victim was engaged in the attempt to commit, or the commission of, a felony; or

(c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a worker and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That benefits for burial expenses shall not exceed the maximum cost used by the department of social and health services for the funeral and burial of a deceased indigent person under chapter 74.08 RCW in any claim: PROVIDED FURTHER, That if the criminal act results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act:

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived the victim or where such spouse has legal custody of all of his or her children, shall be limited to burial expenses and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits may be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That if a victim becomes permanently and totally disabled as a proximate

result of the criminal act and was not gainfully employed at the time of the criminal act, the victim shall receive monthly during the period of the disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of the average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of the average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of the average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of the average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of the average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of the average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of the average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of the average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of the average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of the average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of the average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of the average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That no person is eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workers contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and 51.32.210 as now or hereafter amended are applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person is entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) In addition to other benefits provided under this chapter, victims of sexual assault are entitled to receive appropriate counseling. Fees for such counseling shall be determined by the department in accordance with RCW 51.04.030, subject to the limitations of RCW 7.68.080. Counseling services may include, if determined appropriate by the department, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(13) Except for medical benefits authorized under RCW 7.68.080, no more than ~~((fifteen))~~ seventy thousand dollars shall be granted as a result of a single injury or death, except that benefits granted as the result of total permanent disability or death shall not exceed ~~((twenty))~~ eighty thousand dollars.

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for total temporary disability under subsection (7) of this section, shall be limited to ~~((ten))~~ fifteen thousand dollars.

(15) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

(16) Crime victims' compensation is not available to pay for services covered under chapter 74.09 RCW or Title XIX of the federal social security act, except to the extent that the costs for

such services exceed service limits established by the department of social and health services."

Remember the remaining section and correct any internal references.

On page 117, line 26 of the amendment, strike "nine hundred seventy" and insert "one million, four hundred and thirty"

Mr. Padden spoke in favor of adoption of the amendments to the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Appelwick and Ebersole spoke in favor of adoption of the amendments to the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Padden to the amendment by Representative Appelwick to Engrossed Second Substitute Senate Bill No. 6259, and the amendments to the amendment were adopted by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Prince, Smith - 2.

Mr. Moyer moved adoption of the following amendments to the amendment:

On page 45, line 5 of the amendment, after "motion," insert "The defendant shall pay the cost of any second examination ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost."

On page 80, line 32 of the amendment, after "motion," insert "The defendant shall pay the cost of any second examination ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost."

On page 82, line 24 of the amendment, after "from treatment," insert "The defendant shall pay the cost of any additional evaluations ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost."

Representatives Moyer and Appelwick spoke in favor of adoption of the amendments to the amendment, and they were adopted.

Mr. Appelwick moved adoption of the following amendments to the amendment:

On page 100, line 28 of the amendment, after "abnormality" insert "or personality disorder"

On page 105, line 18 of the amendment, after "abnormality" insert "or personality disorder"

Representatives Appelwick and Brough spoke in favor of adoption of the amendments to the amendment, and they were adopted.

The Clerk read the following amendments by Representative Appelwick to the amendment:

On page 103, line 12 of the amendment, after "abnormality" strike "or personality disorder"

On page 104, line 22 of the amendment, after "abnormality" strike "or personality disorder"

On page 104, line 35 of the amendment, after "abnormality" strike "or personality disorder"

On page 105, beginning on line 31 of the amendment, after "abnormality" strike "or personality disorder"

With consent of the House, Representative Appelwick withdrew the amendments to the amendment.

Ms. Brough moved adoption of the following amendment by Representatives Brough, Padden and R. Meyers to the amendment:

On page 105, beginning on line 30 of the amendment, after "upon" strike all material through "violence," on line 33 and insert "the committed person to prove by a preponderance of the evidence that his or her mental abnormality or personality disorder has changed so that he or she is safe to be at large and if released will not engage in acts of sexual violence."

Ms. Brough spoke in favor of adoption of the amendment to the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Locke spoke against adoption of the amendment to the amendment, and Ms. Brough again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Brough and others to the amendment by Representative Appelwick to Engrossed Second Substitute Senate Bill No. 6259, and the amendment to the amendment was not adopted by the following vote: Yeas, 43; nays, 52; absent, 1; excused, 2.

Voting yea: Representatives Ballard, Baugher, Beck, Bennett, Betzoff, Brooks, Brough, Brumsickle, Chandler, Dorn, Ferguson, Forner, Fuhrman, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Kirby, Kremen, May, McLean, Meyers R, Miller, Moyer, Padden, Rasmussen, Rector, Schmidt, Schoon, Silver, Sommers D, Tate, Van Luven, Walker, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 43.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Bowman, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rayburn, Rust, Sayan, Scott, Sommers H, Sprenkle, Todd, Valle, Vekich, Wang, Wineberry, and Mr. Speaker - 52.

Absent: Representative Spanel - 1.

Excused: Representatives Prince, Smith - 2.

STATEMENT FOR THE JOURNAL

Regarding the amendment by Representative Brough and others to the amendment by Representative Appelwick to Engrossed Second Substitute Senate Bill No. 6259, my vote should have been "yes." I bumped the button before the machine was locked.

ROSE BOWMAN, 20th District.

Ms. Brough moved adoption of the following amendment by Representatives Brough, Padden, Crane and R. Meyers to the amendment:

On page 105, beginning on line 30 of the amendment, after "prove" strike "beyond a reasonable doubt" and insert "by a preponderance of the evidence"

Ms. Brough spoke in favor of adoption of the amendment to the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Locke and Appelwick spoke against adoption of the amendment to the amendment. Ms. Brough again spoke in favor of it, and Mr. Locke again opposed it.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Brough and others to the amendment by Representative Appelwick to Engrossed Second Substitute Senate Bill No. 6259, and the amendment to the amendment was adopted by the following vote: Yeas, 52; nays, 44; excused, 2.

Voting yea: Representatives Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Cooper, Crane, Dellwo, Dorn, Doty, Ferguson, Fisher G, Forner, Fuhrman, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Kirby, Kremen, May, McLean, Meyers R, Miller, Moyer, Nealey, Padden, Rayburn, Rector, Schmidt, Schoon, Silver, Sommers D, Tate, Todd, Van Luven, Walker, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 52.

Voting nay: Representatives Anderson, Appelwick, Belcher, Braddock, Brekke, Cantwell, Cole, Day, Ebersole, Fisher R, Fraser, Gallagher, Grant, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Valle, Vekich, Wang, Wineberry, and Mr. Speaker - 44.

Excused: Representatives Prince, Smith - 2.

Mr. Appelwick moved adoption of the following amendment to the amendment:

On page 114, after line 16 of the amendment, insert "Funding priority shall be given to those applicants that represent well-established existing programs and applicants that represent new programs that are being created in geographic areas where no programs presently exist."

Representative Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendments to the amendment:

On page 122, line 9 of the amendment, after "409," insert "501 through 503,"

On page 122, line 9 of the amendment, after "709 through" strike "716" and insert "718"

On page 122, line 9 of the amendment, after "1001 through" strike "1003" and insert "1004"

On page 122, line 9 of the amendment, after "912," strike "and" and after "1003" insert "and 1101 through 1111"

Representative Appelwick spoke in favor of adoption of the amendments to the amendment, and they were adopted.

The amendment by Representative Appelwick as amended was adopted.

Mr. Appelwick moved adoption of the following amendment to the title:

On page 1, line 1 of the title, after "offenders;" strike the remainder of the title and insert "amending RCW 13.40.205, 10.77.163, 10.77.165, 10.77.210, 71.05.325, 71.05.390, 71.05.420, 71.05.440, 71.05.670, 9.94A.155, 13.50.050, 9.95.140, 10.97.030, 10.97.050, 70.48.100, 43.43.765, 9.92.151, 9.94A.150, 70.48.210, 13.40.020, 13.40.160, 13.40.110, 13.40.210, 43.43.745, 7.68.060, 7.68.085, 9.94A.390, 13.40.150, 9.94A.350, 9.94A.120, 9.94A.360, 9.95.009, 9A.44.050, 9A.44.083, 9A.44.076, and 9A.88.010; reenacting and amending RCW 9.94A.030, 9.94A.310, 9.94A.320, 9.94A.400, 43.43.830, 43.43.834, and 43.43.838; adding a new section to chapter 4.24 RCW; adding new sections to chapter 9.94A RCW; adding a new section to chapter 9.95 RCW; adding new sections to chapter 9A.44 RCW; adding a new section to chapter 10.01 RCW; adding new sections to chapter 10.77 RCW; adding new sections to chapter 13.40 RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 46.20 RCW; adding a new section to chapter 70.48 RCW; adding new sections to chapter 71.05 RCW; adding a new section to chapter 71.06 RCW; adding new sections to chapter 72.09 RCW; adding a new chapter to Title 18 RCW; adding a new chapter to Title 71 RCW; adding a new chapter to Title 43 RCW; creating new sections; prescribing penalties; making appropriations; providing an effective date; and declaring an emergency."

With consent of the House, the following amendment by Representative Padden to the title amendment by Representative Appelwick was adopted:

On page 122, line 23 of the title amendment, after "7.68.060," insert "7.68.070."

With consent of the House, the following amendments by Representative Appelwick to the title amendment by Representative Appelwick were adopted:

On page 122, line 23 of the title amendment, after "7.68.060," insert "7.68.080."

On page 122, line 29 of the title amendment, after "9.95 RCW;" insert "adding a new section to chapter 74.13 RCW;"

With consent of the House, the title amendment by Representative Appelwick as amended was adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Appelwick, Basich, H. Sommers, Tate, Ballard, Braddock and Ebersole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6259 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Bietrozzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslie, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven,

Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Prince, Smith - 2.

Engrossed Second Substitute Senate Bill No. 6259 as amended by the House, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Tuesday, February 6, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTIETH DAY

MORNING SESSION

House Chamber, Olympia, Tuesday, February 6, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Belcher, Cantwell, Dellwo and Mr. Speaker. On motion of Ms. H. Myers, Representatives Appelwick, Belcher, Cantwell, Dellwo and Mr. Speaker were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Richard Brown and Erika Carney. Prayer was offered by The Reverend Peter Mans of the Olympia Christian Reformed Church.

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

MESSAGE FROM THE GOVERNOR

February 5, 1990

To the Honorable, the House
of Representatives of the
State of Washington
Ladies and Gentlemen:

I have the honor to advise you that on February 5, 1990, Governor Gardner approved the following House Bill entitled:

SUBSTITUTE HOUSE BILL NO. 2198: Relating to energy efficiency and conservation.

Sincerely,
Thomas J. Feltnagle, Counsel.

MESSAGE FROM THE SENATE

February 5, 1990

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5300,
SUBSTITUTE SENATE BILL NO. 5340,
SENATE BILL NO. 5424,
SENATE BILL NO. 5487,
SUBSTITUTE SENATE BILL NO. 5503,
SENATE BILL NO. 5555,
SECOND SUBSTITUTE SENATE BILL NO. 5568,
SENATE BILL NO. 6192,
SENATE BILL NO. 6303,
SENATE BILL NO. 6304,
SENATE BILL NO. 6327,
SENATE BILL NO. 6360,
SUBSTITUTE SENATE BILL NO. 6383,
SENATE BILL NO. 6421,
SENATE BILL NO. 6583,
SENATE JOINT MEMORIAL NO. 8017,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOMENT OF SILENCE

At the request of the Speaker (Mr. O'Brien presiding), members of the House of Representatives stood in silence in memory of former Representative S.E. "Sid" Flanagan.

INTRODUCTIONS AND FIRST READING

HB 3018 by Representatives Anderson, Leonard, Raiter, Sayan, Brekke, Winsley, Scott, Moyer, Hargrove and Phillips

AN ACT Relating to juvenile justice; creating new sections; and providing an expiration date.

Referred to Committee on Judiciary.

HB 3019 by Representative O'Brien

AN ACT Relating to gravely disabled persons; and reenacting and amending RCW 71.05.020.

Referred to Committee on Human Services.

HB 3020 by Representative Ballard

AN ACT Relating to emergency response charges; amending RCW 18.73.030; and adding a new section to chapter 18.73 RCW.

Referred to Committee on Health Care.

HB 3021 by Representatives R. King, Gallagher, S. Wilson, Nelson, P. King and R. Fisher

AN ACT Relating to gambling; amending RCW 9.46.285 and 9.46.295; and repealing RCW 9.46.113.

Referred to Committee on Commerce & Labor.

SSB 5300 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Smitherman, Murray, West, Anderson, Johnson and Williams, Rasmussen and McMullen; by request of Department of Labor and Industries)

Updating references to women and minorities in apprenticeship programs statute.

Referred to Committee on Commerce & Labor.

SSB 5340 by Committee on Financial Institutions & Insurance (originally sponsored by Senators Warnke, Smitherman and Johnson)

Regulating disbursements by escrow agents.

Referred to Committee on Financial Institutions & Insurance.

SB 5424 by Senators Metcalf, Amondson, DeJarnatt and Patterson

Providing for landowner liability protection for volunteer projects.

Referred to Committee on Judiciary.

SB 5487 by Senators McCaslin, DeJarnatt and Thorsness

Requiring real estate licensees to disclose certain information in writing.

Referred to Committee on Commerce & Labor.

SSB 5503 by Committee on Higher Education (originally sponsored by Senators Patterson, Vognild, Newhouse, Gaspard, Sellar, Bauer, Craswell, Warnke, Talmadge and Johnson)

Establishing the Cherberg scholarship program.

Referred to Committees on Higher Education/Appropriations.

- SB 5555 by Senators Patterson, Hansen, Madsen and Benitz; by request of Utilities and Transportation Commission
 Modifying railroad crossing inspection fees.
 Referred to Committee on Transportation.
- SSB 5568 by Committee on Transportation (originally sponsored by Senators von Reichbauer, Hansen, Patterson, Madsen, Sellar, DeJarnatt and Conner)
 Adjusting fees charged by county auditors and subagents.
 Referred to Committee on Transportation.
- SB 6192 by Senators West, Stratton, McCaslin and Kreidler
 Revising provisions for substitution of generic drugs.
 Referred to Committee on Health Care.
- SB 6303 by Senators von Reichbauer, Bender, Thorsness, Murray and Talmadge
 Enhancing pedestrian safety.
 Referred to Committee on Transportation.
- SB 6304 by Senators Saling, Bauer, McDonald, Stratton, Bailey, von Reichbauer, Lee, Johnson, McCaslin, Benitz, Thorsness and Amondson
 Requiring that sick leave records be kept for teaching and research faculty at state and regional universities.
 Referred to Committee on Higher Education.
- SB 6327 by Senators McCaslin, Sutherland, Saling and Thorsness; by request of Washington State Patrol
 Exempting certain state patrol from the civil service.
 Referred to Committee on State Government.
- SB 6360 by Senator Thorsness
 Updating the Model Traffic Ordinance.
 Referred to Committee on Transportation.
- SB 6383 by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, Lee, Smitherman and Rasmussen; by request of Department of Labor and Industries)
 Promoting labor-management cooperation on the industrial insurance system.
 Referred to Committee on Commerce & Labor.
- SB 6421 by Senators Rinehart, Bender, Thorsness, Rasmussen, McCaslin, DeJarnatt, Moore, Smitherman and Bauer
 Adding submarine veterans of World War II to the list of organizations represented on the veterans affairs advisory committee.
 Referred to Committee on State Government.
- SB 6583 by Senators McDonald, Metcalf, Sutherland, Barr, Amondson, Benitz, Warnke and Johnson
 Changing provisions relating to air pollution control authorities.
 Referred to Committee on Environmental Affairs.
- SJM 8017 by Senators DeJarnatt, Smith, Sutherland, Bauer, Newhouse, Sellar, Hayner, Benitz, Hansen and Barr
 Resolving to commemorate the 200th anniversary of the discovery of the Columbia river.
 Referred to Committee on Commerce & Labor.

MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

February 3, 1990

ESHB 1663 Prime Sponsor, Committee on Housing: Enacting the farmworker housing act. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill by Committee on Housing be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Ebersole, Hine, Inslee, May, McLean, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Youngsman, Assistant Ranking Republican Member; Doty and Nealey.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

ESHB 2023 Prime Sponsor, Committee on Trade & Economic Development: Providing for technology development and commercialization. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill by Committee on Trade & Economic Development be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representative Rust.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2077 Prime Sponsor, Representative Brooks: Establishing a network for the reporting of cancer cases. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2122 Prime Sponsor, Representative Hargrove: Making changes regarding dependency proceedings. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Braddock, Brekke, Dorn, Doty,

Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Voting nay: Representative Belcher.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2252 Prime Sponsor, Representative Braddock: Establishing the Washington universal health access and containment commission. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Ebersole, Ferguson, Hine, Inslee, Peery, Rust, Sayan, Spanel, Sprenkle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, McLean, Nealey and Padden.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, McLean and Padden.

Absent: Representatives Brough, Dorn, Doty, Hine, Inslee, May, Nealey and Valle.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2267 Prime Sponsor, Representative R. King: Providing a funding mechanism for regional fisheries enhancement groups. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Fisheries & Wildlife be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Wang and Wineberry.

Absent: Representatives Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2270 Prime Sponsor, Representative Heavey: Regulating transport of food items. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Braddock, Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2315 Prime Sponsor, Representative R. Meyers: Creating additional superior court positions in Kitsap and Thurston counties. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member, Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Wang and Wineberry.

Absent: Representatives Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2333 Prime Sponsor, Representative Rasmussen: Disposing of wastes in agricultural areas. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Wang and Wineberry.

Absent: Representatives Brough, Doty, Holland, May, Nealey and Valle.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2342 Prime Sponsor, Representative Vekich: Licensing fire protection sprinkler system contractors. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, Padden, Rust, Spanel, Sprengle and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, McLean and Nealey.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Braddock, Doty, McLean, Nealey and Wang.

Absent: Representatives Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2362 Prime Sponsor, Representative R. King: Providing incentives for state agencies and institutions of higher education to participate in industrial insurance safety programs and return-to-work programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough and Ferguson.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2395 Prime Sponsor, Representative Anderson: Regarding reimbursement of nursing homes authorized to meet the needs of people with AIDS. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock,

Brekke, Dorn, Doty, Ebersole, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Doty and Ferguson.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2405 Prime Sponsor, Representative Rector: Establishing the homelessness prevention program. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, Padden, Peery, Rust, Spanel, Sprenkle, Valle and Wang.

MINORITY recommendation: Do not pass. Signed by Representatives McLean and Nealey.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2413 Prime Sponsor, Representative Wood: Including middle and junior high school students in the mathematics, engineering, and science achievement program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. (For committee amendments, see Journal, 24th Day, January 31, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Wang and Wineberry.

Absent: Representatives Brough, Doty, Holland, May, Nealey, Valle and Wineberry.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2414 Prime Sponsor, Representative Rust: Regulating ozone-depleting substances. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 1, line 10, after "extract and" strike "recycle" and insert "recover"

On page 3, line 6, after "extraction" strike "and recycling"

On page 3, line 32, after "extraction" strike "and recycling"

Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Youngsman, Assistant Ranking Republican Member.

Absent: Representatives H. Sommers, Vice Chair; Brough and Ferguson.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2452 Prime Sponsor, Representative R. King: Providing for safety in Washington navigable waters. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Dorn, Ebersole, Hine, Inslee, May, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, McLean, Nealey and Sayan.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, Ferguson, McLean, Nealey, Padden and Sayan.

Absent: Representatives H. Sommers, Vice Chair; Brough, Holland and May.

Passed to Committee on Rules for second reading.

February 2, 1990

EHB 2489 Prime Sponsor, Representative Rector: Establishing the single parents in higher education assistance program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Higher Education. Signed by Representatives Locke, Chair; Grant, Vice Chair, H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Wang and Wineberry.

Absent: Representatives Bowman, Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2509 Prime Sponsor, Representative Vekich: Revising provisions for industrial insurance death benefits. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough and Ferguson.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2516 Prime Sponsor, Representative Todd: Authorizing building code education and training programs. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Youngsman, Assistant Ranking Republican Member; McLean and Nealey.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2543 Prime Sponsor, Representative Morris: Regarding community violence prevention and public security programs. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2566 Prime Sponsor, Representative Kirby: Expanding rural health care opportunities. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2567 Prime Sponsor, Representative Todd: Changing provisions relating to state employment. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on State Government. (For committee amendments, see Journal, 24th Day, January 31, 1990.) Signed by Representatives Grant, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Dorn, Ebersole, Hine, Inslee, May, McLean, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Locke, Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty and Nealey.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ebersole, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2570 Prime Sponsor, Representative Sprenkle: Requiring the department of ecology to develop a waste reduction, recycling, and procurement plan for state agencies. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Wang and Wineberry.

Absent: Representatives Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2578 Prime Sponsor, Representative Jones: Changing provisions relating to prevailing wage law. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Commerce & Labor be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Dorn, Ebersole, Ferguson, Hine, Inslee, Peery, Rust, Sayan, Spanel, Sprengle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, McLean, Nealey and Padden.

Absent: Representatives Brough, Hine, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2601 Prime Sponsor, Representative Belcher: Creating a comprehensive program for pregnancy prevention and support for women and their partners. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Belcher, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman and Padden.

Voting nay: Representatives Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman and Padden.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2603 Prime Sponsor, Representative Vekich: Enhancing availability of medical care for children. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Health Care be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Holland, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representatives H. Sommers, Vice Chair; Brough and Ferguson.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2610 Prime Sponsor, Representative Sayan: Revising provisions for public assistance. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2618 Prime Sponsor, Representative G. Fisher: Creating the parent-teacher partnership task force. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Education (For committee amendments, see Journal, 26th Day, February 2, 1990.) and with the following amendment by Committee on Appropriations:

On page 1, after line 23, insert:

"(2) Investigate any correlation between parental involvement and student achievement;"
Renumber remaining subsections consecutively and correct internal references.

Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Silver, Ranking Republican Member; and Brough.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2672 Prime Sponsor, Representative Jones: Authorizing medication benefits for former recipients of general assistance. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2706 Prime Sponsor, Representative Locke: Promoting economic diversification for defense-dependent industries and communities. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Trade & Economic Development be substituted therefor and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 5, beginning on line 33, strike section 6

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 1, line 3 of the title, after "RCW" strike "; and making an appropriation."

Signed by Representatives Locke, Chair; Grant, Vice Chair; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Ebersole, Hine, Inslee, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Doty, May, McLean, Nealey and Padden.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2763 Prime Sponsor, Representative Locke: Refunding retirement contributions for certain judges. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 12, after "spouse" strike "may apply to the department for" and insert ", upon application, shall receive from the department"

Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2774 Prime Sponsor, Representative Rasmussen: Providing for economic impact studies of sports events. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Dorn, Doty, Ebersole, Hine, Inslee, McLean, Nealey, Padden, Peery, Spanel, Wang and Wineberry.

MINORITY recommendation: Without recommendation. Signed by Representative Rust.

Voting nay: Representatives Appelwick, Rust and Sayan.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2809 Prime Sponsor, Representative H. Myers: Allowing certain child abuse victims to testify through closed-circuit television. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 5, beginning on line 9, strike section 3

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 1, beginning on line 3 of the title, after "section;" strike "making an appropriation;"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Wang and Wineberry.

Absent: Representatives Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2823 Prime Sponsor, Representative Fraser: Providing for an enhanced 911 system. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Energy & Utilities. (For committee amendments, see Journal, 26th Day, February 2, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2831 Prime Sponsor, Representative Jacobsen: Establishing the American Indian endowed scholarship program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass with the following amendments by Committee on Appropriations:

On page 4, beginning on line 19, strike all of section 9

Renumber sections consecutively and correct internal references accordingly.

On page 1, line 2 of the title, after "scholarships;" strike everything through "appropriation" on line 3 and insert "and adding a new chapter to Title 28B RCW"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Peery, Rust, Sayan, Spanel, Sprenkle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Bowman, Nealey and Padden.

Absent: Representatives Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2907 Prime Sponsor, Representative Nutley: Concerning mobile home relocation. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Housing be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Silver, Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Ebersole, Hine, May, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Youngsman, Assistant Ranking Republican Member; Doty, Inslee, McLean and Nealey.

Voting nay: Representatives Grant, Vice Chair; Youngsman, Assistant Ranking Republican Member; Doty, Inslee, McLean and Nealey.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2910 Prime Sponsor, Representative Sayan: Providing guidelines for establishing grant standards for income assistance programs. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Ebersole, Ferguson, Hine, Holland, May, Padden, Peery, Rust, Sayan, Spanel, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Dorn, Doty, Inslee, McLean, Nealey and Sprenkle.

Voting nay: Representatives Silver, Ranking Republican Member; Braddock, Brough, Dorn, Doty, Inslee, McLean, Nealey and Sprenkle.

Absent: Representative Appelwick.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2925 Prime Sponsor, Representative Wang: Modifying contribution rates to the state retirement systems. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Appelwick, Belcher, Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 2, 1990

HB 2952 Prime Sponsor, Representative Kremen: Extending the organic food certification program to packing sheds and wholesale distributors. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Holland, May and Valle.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 2999 Prime Sponsor, Representative Jacobsen: Revising provisions for compensation for community college officers and employees. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member and Padden.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 3006 Prime Sponsor, Representative Wineberry: Creating the minority justice commission. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Brough, Dorn, Ebersole, Ferguson and Holland.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

SECOND READING

HOUSE BILL NO. 2430, by Representatives P. King, Vekich, Walker, Prentice, Winsley, Jones and Kremen; by request of Attorney General

Revising provisions for motor vehicle warranties.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2430 was substituted for House Bill No. 2430, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2430 was read the second time.

Mr. Sayan moved adoption of the following amendments:

On page 2, line 23, after "46.16.460" strike everything through "vehicles" on line 25, and insert "~~((but does not include vehicles purchased or leased by a business as part of a fleet of ten or more vehicles))~~"

On page 2, line 28, after "space." strike everything through "rating." on line 30, and insert "~~((The term "new motor vehicle" does not include motorcycles or trucks with nineteen thousand pounds or more gross vehicle weight rating.))~~"

Mr. Sayan spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives P. King, Jones, Sayan and Smith spoke in favor of passage of the bill, and Mr. Zellinsky spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2430, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesemig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman - 90.

Voting nay: Representatives Grant, Zellinsky - 2.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

Engrossed Substitute House Bill No. 2430, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that consideration of House Bill No. 2510 be deferred and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2289, by Representatives Sayan, R. King, Bowman, Haugen, Morris, Brumsickle, Brooks, Spanel, Basich, Smith, Jacobsen, Wineberry, Anderson, Wang, Vekich, Dellwo and P. King; by request of Department of Fisheries

Increasing the reimbursements for Washington conservation corps members.

The House resumed consideration of House bill No. 2289 on second reading. (For previous action, see Journal, 29th Day, February 5, 1990, Afternoon Session.)

Mr. Wineberry moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Schoon moved adoption of the following amendments:

On page 1, line 28, after "(2)" insert "The legislature finds that people with developmental disabilities would benefit from experiencing a meaningful work experience, and learning the value of labor and of membership in a productive society."

The legislature urges state agencies that are participating in the Washington conservation corps program to consider for enrollment in the program people who have developmental disabilities, as defined in RCW 71A.10.020.

If an agency chooses to enroll people with developmental disabilities in its Washington conservation corps program, the agency may apply to the United States department of labor, employment standards administration for a special subminimum wage certificate in order to be allowed to pay enrollees with developmental disabilities according to their individual levels of productivity.

(3)*

On page 2, line 6, strike "(3)" and insert "((3)) (4)*"

On page 2, line 13, strike "(4)" and insert "((4)) (5)*"

Representatives Schoon and Sayan spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2289, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5. Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Ratter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Vaile, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

Engrossed House Bill No. 2289, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2291, by Representatives Spanel, Bowman, R. King, Haugen, Brumsickle, Sayan, Basich, Brooks, Morris, S. Wilson and Vekich; by request of Department of Fisheries

Regarding sea cucumber commercial fishing.

The bill was read the second time. Committee on Fisheries & Wildlife recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 10th Day, January 17, 1990.)

Mr. R. King moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Ms. Spanel moved adoption of the following amendment by Representatives Spanel and R. King:

On page 3, beginning on line 11, strike all of subsection (4) and renumber the remaining subsections consecutively.

Ms. Spanel spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Spanel and S. Wilson spoke in favor of passage of the bill, and Ms. Brough opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2291, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Rater, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 91.

Voting nay: Representative Brough - 1.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

Engrossed House Bill No. 2291, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2296, by Representatives Cole, Smith, Vekich, Prince, Leonard, Chandler, Walker, Prentice, Jones, R. King, Jacobsen, McLean, Wolfe and Kirby

Regulating business relationships between manufacturers and distributors of agriculture equipment and independent retail dealers.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 2296 was substituted for House Bill No. 2296, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2296 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Smith spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Vekich yielded to question by Mr. Smith.

Mr. Smith: Representative Vekich, as Chairman of the House Committee on Commerce & Labor, you will recall that concern was expressed about our intent in describing equipment dealers who would be covered under this agricultural equipment dealers franchise act. Specifically, there was concern expressed on behalf of the automobile and motorcycle manufacturers and dealers because of the language on page 1, line 17, defining equipment as "machines designed for or adapted and used for agriculture, horticulture, livestock, or grazing use." It is my understanding that that language was not intended to cause automobile dealers and manufacturers, and motorcycle dealers and manufacturers, to be covered under this act. I would appreciate your confirmation of the intent of the legislation as it relates to the motor vehicle and motorcycle dealers and manufacturers, who are already covered under their franchise laws.

Mr. Vekich: Thank you, Representative Smith. You are right. We did talk about this in committee, and we did agree that it was not the intent of our committee, or even in our opinion of the legislation, to cover motor vehicle or motorcycle dealers and manufacturers. As you just stated, they are already covered under separate franchise law. I trust this should clarify any legislative intent questions that arise. Thank you.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2296, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day,

Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

Substitute House Bill No. 2296, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2300, by Representatives Crane, Inslee, Todd, Wineberry, Fraser and Jones

Changing provisions relating to orders for protection and antiharassment orders.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2300, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

House Bill No. 2300, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2337, by Representatives Cole, Walker, Vekich, Prentice, Ferguson, P. King, Rector and Winsley

Permitting private collective bargaining sessions by public bodies.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 2337 was substituted for House Bill No. 2337, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2337 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole, Walker and Vekich spoke in favor of passage of the bill, and Mr. S. Wilson opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2337, and the bill passed the House by the following vote: Yeas, 90; nays, 2; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H,

Spaniel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 90.

Voting nay: Representatives Padden, Wilson S - 2.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

Substitute House Bill No. 2337, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2344, by Representatives Wang, Holland, Horn, Grant, Schoon, Van Luven and Phillips; by request of Department of Revenue

Requiring electronic transfer of funds for certain large tax payments.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 2344 was substituted for House Bill No. 2344, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2344 was read the second time.

Mr. Holland moved adoption of the following amendment by Representatives Holland, Wang and Silver:

On page 1, after line 4, insert:

"Sec. 1. Section 82.32.060, chapter 15, Laws of 1961 as last amended by section 20, chapter 378, Laws of 1989 and RCW 82.32.060 are each amended to read as follows:

If, upon receipt of an application by a taxpayer for a refund or for an audit of the taxpayer's records, or upon an examination of the returns or records of any taxpayer, it is determined by the department that within the statutory period for assessment of taxes prescribed by RCW 82.32.050 a tax has been paid in excess of that properly due, the excess amount paid within such period shall be credited to the taxpayer's account or shall be refunded to the taxpayer, at the taxpayer's option. No refund or credit shall be made for taxes paid more than four years prior to the beginning of the calendar year in which the refund application is made or examination of records is completed.

Notwithstanding the foregoing limitations there shall be refunded or credited to taxpayers engaged in the performance of United States government contracts or subcontracts the amount of any tax paid, measured by that portion of the amounts received from the United States, which the taxpayer is required by contract or applicable federal statute to refund or credit to the United States, if claim for such refund is filed by the taxpayer with the department within one year of the date that the amount of the refund or credit due to the United States is finally determined and filed within four years of the date on which the tax was paid: PROVIDED, That no interest shall be allowed on such refund.

Any such refunds shall be made by means of vouchers approved by the department and by the issuance of state warrants drawn upon and payable from such funds as the legislature may provide. However, taxpayers who are required to pay taxes by electronic funds transfer under RCW 82.32.080 shall have any refunds paid by electronic funds transfer.

Any judgment for which a recovery is granted by any court of competent jurisdiction, not appealed from, for tax, penalties, and interest which were paid by the taxpayer, and costs, in a suit by any taxpayer shall be paid in like manner, upon the filing with the department of a certified copy of the order or judgment of the court. Except as to the credits in computing tax authorized by RCW 82.04.435, interest at the rate of three percent per annum shall be allowed by the department and by any court on the amount of any refund or recovery allowed to a taxpayer for taxes, penalties, or interest paid by the taxpayer."

Renumber the remaining sections consecutively and correct internal references accordingly.

Mr. Holland spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Holland, the following amendment to the title was adopted:
On page 1, line 2 of the title, after "amending" insert "RCW 82.32.060 and"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Wang and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2344, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Vaile, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

Engrossed Substitute House Bill No. 2344, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2386, by Representatives Ballard, R. Fisher, McLean, Wolfe, Miller, Forner and Horn

Clarifying the status of temporary permit fees paid to vehicle dealers.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 22nd Day, January 29, 1990.)

Ms. R. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ballard spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2386, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Vaile, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 92.

Absent: Representative Locke - 1.

Excused: Representatives Appelwick, Belcher, Cantwell, Dellwo, and Mr. Speaker - 5.

Engrossed House Bill No. 2386, having received the constitutional majority, was declared passed.

Representatives Belcher and Locke appeared at the bar of the House.

With consent of the House, Representative Miller was excused.

HOUSE BILL NO. 2402, by Representatives Rector, Betzoff, Dellwo, R. Meyers, Belcher, Miller, Brekke, Hankins, Hine, Cooper, H. Myers, Crane, Fraser, Peery, Heavey, Todd, Vaile, Braddock, Winsley, Anderson, Pruitt, Holland, Van Luven, Brough, Wang, Wineberry, Kremen and Ferguson

Revising the leave sharing program to include sick leave.

The bill was read the second time. On motion of Mr. Todd, Substitute House Bill No. 2402 was substituted for House Bill No. 2402, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2402 was read the second time.

Ms. Silver moved adoption of the following amendment:

On page 4, after line 28, insert "Each school district or educational service district that establishes a leave sharing program under this section shall also establish and maintain records on the use of the program, including information on the number of persons requesting

and receiving shared leave, the amount of leave received and used, the number of persons donating leave, the amount of leave donated, and the cost of administering the program."

Ms. Silver spoke in favor of adoption of the amendment, and Mr. Todd opposed it. Ms. Silver again spoke in favor of the amendment.

A division was called. The Speaker (Mr. O'Brien presiding) called upon the House to divide. The result of the division was: Yeas - 37; Nays -54. The amendment was not adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Todd, McLean and Rector spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2402, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 93.

Excused: Representatives Appelwick, Cantwell, Dellwo, Miller, and Mr. Speaker - 5.

Substitute House Bill No. 2402, having received the constitutional majority, was declared passed.

Representative Appelwick appeared at the bar of the House.

HOUSE BILL NO. 2409, by Representatives Haugen, Brough and Ferguson

Changing provisions relating to municipal incorporation proceedings.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 2409 was substituted for House Bill No. 2409, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2409 was read the second time.

Ms. Brough moved adoption of the following amendment by Representatives Brough, Haugen, Hine and Ferguson:

On page 8, after line 12, insert a new section to read as follows:

"NEW SECTION, Sec. 9. A new section is added to chapter 35.02 RCW to read as follows:

During the interim period, the governing body of the newly formed city or town may adopt resolutions establishing moratoria during the interim transition period on the filing of applications with the county for development permits or approvals, including, but not limited to, subdivision approvals, short subdivision approvals, and building permits."

Renumber the following sections accordingly.

Representatives Brough and Cooper spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Brough spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2409, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips,

Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 94.

Excused: Representatives Cantwell, Dellwo, Miller, and Mr. Speaker - 4.

Engrossed Substitute House Bill No. 2409, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease until 1:30 p.m.

AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Cantwell, Dellwo and Mr. Speaker appeared at the bar of the House.

HOUSE BILL NO. 2432, by Representatives Heavey, Beck, Hargrove, Ebersole, Kremen, Vekich, Cole, Grant, Jacobsen, Sprenkle, Rust, Scott, Wang, Crane, R. Fisher, Rector, Wineberry, Jones, Dellwo, Basich, R. King and Spanel

Revising provisions for unemployment compensation during labor disputes.

The bill was read the second time and passed to Committee on Rules for third reading.

HOUSE BILL NO. 2472, by Representatives Cole, Smith, Prentice, Leonard, R. King, Walker, O'Brien, Winsley, Ferguson and Wang

Making changes in liquor administration.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 12th Day, January 19, 1990.)

Ms. Cole moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2472, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Heavey - 1.

Excused: Representative Miller - 1.

Engrossed House Bill No. 2472, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2497, by Representatives Jones, Smith, Vekich, Walker, Prentice, Wolfe, R. King, Winsley and Rector; by request of Department of Labor and Industries

Processing disputed industrial insurance claims.

The bill was read the second time. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich and Jones spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2497, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2497, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2537, by Representatives Cooper, Ferguson and Nutley

Changing the term "salary" to "compensation" for public utility district employees.

The bill was read the second time. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Cooper spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Cooper yielded to question by Mr. Ferguson.

Mr. Ferguson: Is it correct to say this bill merely clarifies what the public utility districts may already lawfully undertake--that is, negotiating competitive, "fair market" terms of employment between the district and its general manager, just as any school district, port district, or for that matter, any private utility, may do?

Mr. Cooper: Yes.

Mr. Ferguson: One further question, if I might. Is this because a public utility district acts in its proprietary or business capacity when it negotiates the terms of employment with its general manager and because of the express mandate for liberal construction of public utility district powers found in the public utility district initiative, originally enacted by the voters in 1931, and also found in RCW 54.44.900?

Mr. Cooper: Yes.

Mr. Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2537, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery,

Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2537, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2591, by Representatives Wood, Jacobsen, McLean, Miller, Fraser, Bowman, Cooper, Beck, Zellinsky, Ferguson, Kremen, Scott, Cole, H. Myers, Raiter, Cantwell, P. King, Crane, Winsley, Van Luven and Hankins

Authorizing honorary degrees.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 2591 was substituted for House Bill No. 2591, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2591 was read the second time.

On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Wood spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2591, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Braddock, Heavey - 2.

Excused: Representative Miller - 1.

Substitute House Bill No. 2591, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2609, by Representatives Ferguson, Rust, Dellwo, Wang, P. King and McLean; by request of Pollution Liability Reinsurance Agency

Revising provisions for the Washington pollution liability insurance program.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 2609 was substituted for House Bill No. 2609, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2609 was read the second time.

On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2609, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van

Luvén, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 2609, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2714, by Representatives Padden, Appelwick, Fuhrman, Bowman, Kremen, Wolfe, Moyer, Horn, Tate and Miller

Concerning execution dates.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 22nd Day, January 29, 1990.)

Mr. Crane moved adoption of the committee amendment. Representatives Crane and Padden spoke in favor of the committee amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Padden spoke in favor of passage of the bill.

POINT OF INQUIRY

Mr. Padden yielded to question by Mr. Baugher.

Mr. Baugher: I hear that the last execution in Washington State was in 1967. Will this speed up any execution dates at all?

Mr. Padden: Representative Baugher, I know you are interested in that subject. This could have that effect, depending on what happens. But just the passage of it, in and of itself, will not necessarily do that. It depends on the circumstances of the individual case.

Mr. Heavey spoke against passage of the bill, and Mr. Appelwick spoke in favor of it. Mr. Heavey again opposed the bill, and Mr. Padden again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2714, and the bill passed the House by the following vote: Yeas, 83; nays, 14; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumstickle, Cantwell, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, Kirby, Kremen, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprinkle, Tate, Todd, Van Luvén, Vekich, Walker, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Belcher, Cole, Dellwo, Fisher R, Fraser, Heavey, King R, Leonard, Nelson, Prentice, Rust, Valle, Wang, Wineberry - 14.

Excused: Representative Miller - 1.

Engrossed House Bill No. 2714, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2253, by Representatives Spanel, Jacobsen, Wineberry, Wang, Prentice, Vekich, Braddock and Brekke

Repealing exemption from the state minimum wage for students at institutions of higher education.

The bill was read the second time. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Spanel spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2253, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2253, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2290, by Representatives Haugen, R. King, Bowman, Sayan, Basich, Brumsickle, Brooks, Morris, Spanel, S. Wilson, R. Meyers and Cole; by request of Department of Fisheries

Regarding establishment of emerging commercial fisheries.

The bill was read the second time. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. King and Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2290, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2290, having received the constitutional majority, was declared passed.

MOTIONS

Mr. Heavey moved that the House defer further consideration of House Bills on the regular second reading calendar. The motion was carried.

Mr. Heavey moved that the House begin consideration of House Bills on the suspension calendar. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 1280, by Committee on Natural Resources & Parks (originally sponsored by Representatives R. King, Belcher, Beck, Basich, S. Wilson, Sayan, P. King and Jacobsen; by request of Joint Select Committee on Marine and Ocean Resources)

Modifying requirements of marine geologic explorations.

The bill was read the second time.

Ms. K. Wilson moved that the committee recommendation be adopted and the bill be advanced to third reading. Ms. K. Wilson spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1280.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1280, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 1280, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1465, by Representatives R. Meyers, Schmidt, Walk, Heavey, D. Sommers, Cooper, Jones and Betzoff; by request of Legislative Transportation Committee

Making technical corrections in driver and vehicle licensing laws.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. Ms. R. Fisher spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 1465.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1465, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 1465, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 1579, by Representatives R. Fisher, McLean, Holland, Silver, H. Sommers, Anderson and Winsley; by request of Office of Financial Management

Allowing state agencies to charge interest on debts.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted (For committee amendments, see Journal, 5th Day, January 12, 1990.) and the reengrossed bill be advanced to third reading. Representatives Todd and McLean spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Reengrossed House Bill No. 1579.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1579, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Reengrossed House Bill No. 1579, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1911, by Committee on Local Government (originally sponsored by Representatives Cooper, Ferguson, Nutley, Haugen and Raiter)

Revising and adding provisions on special districts.

The bill was read the second time.

Mr. Cooper moved that the committee recommendation be adopted and the second substitute bill be advanced to third reading. Mr. Cooper spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 1911.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1911, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Second Substitute House Bill No. 1911, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2261, by Representatives Silver, Prince, Ballard, Youngsman, May, K. Wilson and P. King

Making it a misdemeanor to require recording of a credit card number for check cashing purpose.

The bill was read the second time.

Mr. Zellinsky moved that the committee recommendation be adopted (For committee amendments, see Journal, 19th Day, January 26, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2261

Ms. Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2261, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland,

Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed House Bill No. 2261, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2265, by Representatives Holland, Peery, Horn, Jones, Brumsickle, Rayburn, Schoon, Phillips, Rasmussen, Dorn, Walker, G. Fisher, Valle, P. King, K. Wilson, Wolfe, Wineberry, Ferguson, Padden, Leonard, Todd, Van Luven, Nealey, Doty, Dellwo, McLean, Bowman, Morris, Smith, Tate, Hine, Youngsman, Forner, Kremen, Cooper, Betrozoff, Pruitt, Basich and Miller

Expanding the excellence in education program to include classified staff.

The bill was read the second time.

Mr. Peery moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2265.

Mr. Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2265, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2265, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2266, by Representatives Braddock, Brooks, Ballard, Jacobsen, May, Wolfe, Anderson, Van Luven, D. Sommers, Crane, Brumsickle and Wood; by request of Washington Basic Health Plan

Providing confidentiality for certain basic health plan records and data.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading. Representatives Braddock and Brooks spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2266.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2266, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt,

Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2266, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2272, by Representatives Leonard, Padden, Todd, Winsley, Anderson, Nutley, Ballard, Rector, May, Inslee, Wolfe, Prentice, D. Sommers, Crane and Wood

Changing provisions relating to mobile home landlords.

The bill was read the second time.

Ms. Leonard moved that the committee recommendation be adopted and the bill be advanced to third reading. Ms. Leonard spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2272.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2272, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2272, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2279, by Representatives Haugen, Nealey, Ferguson and Jones

Providing county reimbursement for selected transportation of human remains.

The bill was read the second time.

Mr. Cooper moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. Representatives Cooper and Ferguson spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2279.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2279, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 2279, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2299, by Representatives Crane, Jacobsen, Todd, Heavey, Brekke, P. King and Phillips

Regulating telefacsimile messages for commercial solicitation.

The bill was read the second time.

Mr. Nelson moved that the committee recommendation be adopted (For committee amendments, see Journal, 19th Day, January 26, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2299.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2299, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed House Bill No. 2299, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2306, by Representative P. King

Retaining county clerk responsibility for summoning jurors.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2306.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2306, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2306, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2311, by Representatives H. Sommers, Schoon and Rasmussen; by request of State Treasurer

Reinstating the state fire service training center bond retirement fund.

The bill was read the second time.

Ms. H. Sommers moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2311.

Ms. H. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2311, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2311, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2320, by Representatives Haugen, Ferguson, Spanel, Kremen, Raiter, Cooper, Rasmussen and Dorn

Changing provisions relating to financing of flood control projects.

The bill was read the second time.

Mr. Cooper moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. Mr. Cooper spoke in favor of the motion, and it was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2320.

Mr. Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2320, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 2320, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that consideration of House Bill No. 2331 be deferred and that the bill hold its place on the suspension calendar. The motion was carried.

HOUSE BILL NO. 2345, by Representatives Basich, Holland, Haugen, Wang, Horn, R. King and Hargrove; by request of Department of Revenue

Changing enhanced food fish tax remittance requirements.

The bill was read the second time.

Mr. Wang moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2345.

Mr. Basich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2345, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insløe, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2345, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2394, by Representatives Day, Morris, Rector, Silver, D. Sommers, Braddock, Prentice, Moyer and Dellwo

Modifying requirements for prescription forms for out-of-state practitioners.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2394.

Representatives Day and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2394, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insløe, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2394, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2411, by Representatives Braddock, Brooks and Prentice; by request of Health Care Authority

Amending health care authority provisions.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2411.

Representatives Braddock and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2411, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2411, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2416, by Representatives Dellwo, Chandler, Zellinsky, Anderson, Nutley and Winsley; by request of Insurance Commissioner

Changing multiple insurance statutes.

The bill was read the second time.

Mr. Dellwo moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2416.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2416, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 2416, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2417, by Representatives Dellwo, Chandler, Zellinsky, Anderson, Nutley, Winsley, Crane, Insee, Kremen and R. Meyers; by request of Insurance Commissioner

Regarding the cancellation of insurance.

The bill was read the second time.

Mr. Dellwo moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2417.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2417, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell,

Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2417, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2424, by Representatives Ballard, Wang, Holland, Pruitt, Horn, Morris, Silver, Basich, Brumsickle, Rust, Miller, Rasmussen, Wood, Fraser, Bowman, Todd, Wolfe, Leonard, Youngsman, G. Fisher, Forner, Van Luven, Jacobsen, Betzoff, Beck, Winsley, Fuhrman, Rayburn, Sprenkle, P. King, Heavey, Insee, Crane, Kirby, Smith, R. Fisher, Rector, Hankins, Doty, Jones, Tate, Dellwo, Ebersole, Zellinsky, May, Brooks, Kremen, R. Meyers, Phillips, Ferguson, K. Wilson, Spanel and McLean

Directing a study to define taxpayer rights and responsibilities.

The bill was read the second time.

Mr. Wang moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2424.

Mr. Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2424, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2424, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2444, by Representatives Kirby, Nealey, Haugen, Smith, Ballard, Rayburn and Jones

Authorizing irrigation districts to establish consolidated local improvement districts.

The bill was read the second time.

Mr. Cooper moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2444.

Mr. Kirby spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2444, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell,

Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2444, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2446, by Representatives Winsley, Padden, Nutley and Wolfe Changing provisions relating to public housing authorities.

The bill was read the second time.

Ms. Nutley moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2446.

Ms. Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2446, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Substitute House Bill No. 2446, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2469, by Representatives Braddock and Prentice

Regarding limited medical licenses for University of Washington programs.

The bill was read the second time.

Mr. Braddock moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2469.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2469, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2469, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2492, by Representatives Appelwick, Van Loven, Ferguson, H. Sommers, Leonard, Crane, Miller, O'Brien, Cole, May, Anderson, Betzoff, Wineberry and P. King

Authorizing the appointment of district court judges as pro tempore judges in cities over 400,000 population.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2492.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2492, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2492, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2499, by Representatives Prentice, Walker, Vekich and Winsley; by request of Department of Labor and Industries

Changing notice and withhold requirements when industrial insurance taxes are in arrears.

The bill was read the second time.

Mr. Vekich moved that the committee recommendation be adopted (For committee amendment, see Journal, 15th Day, January 22, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2499.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2499, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

Engrossed House Bill No. 2499, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2502, by Representatives Cole, Walker and Leonard; by request of Department of Labor and Industries

Regarding construction lien laws.

The bill was read the second time.

Mr. Vekich moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2502.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2502, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2502, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2508, by Representatives Vekich, Smith, Cole, Beck, Jones, Ferguson, Jacobsen and Holland

Revising provisions for pasteurization in relation to licenses for the sale of beer.

The bill was read the second time.

Mr. Vekich moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2508.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2508, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2508, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

HOUSE BILL NO. 2526, by Representatives Jacobsen, Miller, Nelson and May; by request of Washington Utilities and Transportation Commission

Revising provisions for registration of telecommunication companies.

The bill was read the second time.

Mr. Nelson moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2526.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2526, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2526, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2527, by Representatives Jacobsen, Miller and Nelson; by request of Washington Utilities and Transportation Commission

Revising due dates for payment of regulatory fees.

The bill was read the second time.

Mr. Nelson moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2527.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2527, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2527, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2546, by Representatives Phillips, Hankins, Nelson, May, R. Meyers, Miller, Jacobsen, Brooks, Todd, Anderson, Jesernig and Jones

Renewing the Washington telephone assistance program.

The bill was read the second time.

Mr. Nelson moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2546.

Mr. Phillips spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2546, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2546, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2550, by Representatives R. Fisher, McLean, Horn, R. King, Anderson, Todd and Wood

Changing provisions relating to the appointment of precinct election officers.

The bill was read the second time.

Mr. Anderson moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2550.

Mr. McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2550, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2550, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2555, by Representatives Rayburn, Nealey, McLean and Rasmussen; by request of Department of Agriculture

Repealing the Washington Animal Remedy Act.

The bill was read the second time.

Ms. Rayburn moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2555.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2555, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insole, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Miller - 1.

House Bill No. 2555, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Heavey, Representative Gallagher was excused.

HOUSE BILL NO. 2561, by Representatives P. King, Schoon and Crane; by request of Law Revision Commission

Changing provisions relating to replevin.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted (For committee amendments, see Journal, 22nd Day, January 29, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2561.

Representatives P. King and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2561, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insole, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Gallagher, Miller - 2.

Engrossed House Bill No. 2561, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2562, by Representatives P. King, Schoon and Crane; by request of Law Revision Commission

Updating the repeal of hospital commission statutes.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2562.

Mr. P. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2562, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Gallagher, Miller - 2.

House Bill No. 2562, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2576, by Representatives R. King, S. Wilson, Bowman, Haugen and Jacobsen; by request of Department of Wildlife

Updating and revising certain statutes regarding the department of wildlife.

The bill was read the second time.

Mr. R. King moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2576.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2576, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Gallagher, Miller - 2.

Substitute House Bill No. 2576, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2789, by Representatives Cooper, Hankins, Nelson, Dorn, R. Meyers, Crane and H. Myers

Revising provisions on fraud in obtaining telecommunications services.

The bill was read the second time.

Mr. Nelson moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2789.

Mr. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2789, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R,

Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Gallagher, Miller - 2.

Substitute House Bill No. 2789, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2797, by Representatives R. Fisher, McLean, Horn, Anderson and Todd

Rearranging provisions relating to candidacy and changing provisions relating to ballot forms and voting equipment.

The bill was read the second time.

Mr. Anderson moved that the committee recommendation be adopted (For committee amendment, see Journal, 19th Day, January 26, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2797.

Representatives Anderson and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2797, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting ye: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Gallagher, Miller - 2.

Engrossed House Bill No. 2797, having received the constitutional majority, was declared passed.

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

THIRD READING

SUBSTITUTE HOUSE BILL NO. 1521, by Committee on Human Services (originally sponsored by Representatives Leonard, Moyer, Hargrove, Ferguson, Wineberry, Winsley, Anderson, P. King, Brekke, Cole, Raiter, Scott, Prentice and Spanel)

Considering minority and ethnic heritage factors in adoption and foster care placement.

The bill was read the third time and placed on final passage.

Representatives Leonard, Moyer, Prentice, Wineberry and Hargrove spoke in favor of passage of the bill, and Representatives Chandler, Crane and Heavey opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1521, and the bill passed the House by the following vote: Yeas, 60; nays, 36; excused, 2.

Voting ye: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Grant, Hargrove, Hine, Holland, Horn, Jacobsen, Jones, King P, King R, Kirby, Leonard, Locke, Meyers R, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips,

Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Schoon, Scott, Smith, Spanel, Sprenkle, Todd, Vekich, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, and Mr. Speaker - 60.

Voting nay: Representatives Ballard, Basich, Baugher, Betzozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Crane, Crane, Doty, Forner, Fuhrman, Hankins, Haugen, Heavey, Inslee, Jesernig, Kremen, May, McLean, Nealey, Prince, Rayburn, Sayan, Schmidt, Silver, Sommers D, Sommers H, Tate, Valle, Van Luven, Walker, Wilson S, Youngsman, Zellinsky - 36.

Excused: Representatives Gallagher, Miller - 2.

Substitute House Bill No. 1521, having received the constitutional majority, was declared passed.

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 2331 was referred from the suspension calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2513 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2533 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2906 was referred from Committee on Appropriations to Committee on Rules.

On motion of Mr. Ebersole, House Joint Memorial No. 4030 was referred from Committee on Transportation to Committee on Rules.

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

REPORTS OF STANDING COMMITTEES

February 5, 1990

EHB 1724 Prime Sponsor, Representative Prentice: Establishing criteria for state highway designation. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 11, after "meets" strike "either" and insert "any"

On page 2, line 19, after "(a)" strike all material through "system" on line 21 and insert "For any route wholly within one or more contiguous jurisdictions which would be proposed for transfer to the state highway system under these criteria, if local officials prefer, responsibility will remain at the local level"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Hankins, Heavey, Jones, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Baugher, Vice Chair, Eastern Washington; Betzozoff, Gallagher, Haugen, Kremen, Prince, Smith and Todd.

Passed to Committee on Rules for second reading.

February 3, 1990

HB 1765 Prime Sponsor, Representative Hine: Establishing the professional educator renewal program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Braddock, Dorn, Ebersole, Hine, Inslee, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, Inslee, McLean and Nealey.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, Inslee, McLean, Nealey and Padden.

Absent: Representatives H. Sommers, Vice Chair; Brough, Ferguson and Holland.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 1824 Prime Sponsor, Representative Wood: Regarding tuition waivers for state employees at state institutions of higher education. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, McLean, Peery, Rust, Sprenkle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives May and Nealey.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2095 Prime Sponsor, Representative Sayan: Clarifying the point at which goods enter interstate commerce. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Hankins, Heavey, Jones, Nelson, Prentice, Todd, Walker, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative D. Sommers.

Voting nay: Representatives Heavey and D. Sommers.

Absent: Representatives Betrozoff, Gallagher, Hankins, Haugen, Kremen, Prince, Smith and Todd.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2208 Prime Sponsor, Representative Fraser: Establishing the Washington wildlife rescue coalition. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Doty, Ebersole, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Voting nay: Representative H. Sommers, Vice Chair.

Absent: Representatives Appelwick, Brough, Dorn, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2313 Prime Sponsor, Representative Crane: Regulating loose loads in open trucks. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22 after "(3)" strike the remainder of the subsection and insert "Any vehicle operating on a paved public highway with a load of dirt, sand, or gravel susceptible to being dropped, spilled, leaked, or otherwise escaping therefrom shall ~~((be))~~ have its load covered so as to prevent spillage. Covering of such loads is not required if the highest point of the load within the bed is maintained at a level no higher than six inches ((or)) below the top edge of the lowest vehicle freeboard ((is maintained within the bed)) and the load is not

capable of becoming loose, detached from, or blowing out of the vehicle. For purposes of this subsection 'freeboard' means all vertical walls of the load carrying portion of the vehicle.'

On page 1, line 27 after "(of)" strike "below" and insert "above the top edge of the"

Signed by Representatives R. Fisher, Chair, Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Day, G. Fisher, Forner, Gallagher, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Republican Member; Cooper, Hankins and Walker.

Voting nay: Representatives Schmidt, Ranking Republican Member; Cooper, Gallagher, Hankins, Walker and S. Wilson.

Absent: Representatives Betrozoff, Haugen, Prince and Smith.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2323 Prime Sponsor, Representative Pruitt: Increasing governmental accountability. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Sayan.

Voting nay: Representatives Braddock and Sayan.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2348 Prime Sponsor, Representative Rector: Establishing an employment training program. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Youngsman, Assistant Ranking Republican Member; Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; and Belcher.

Voting nay: Representatives H. Sommers, Vice Chair; Silver, Ranking Republican Member; and Belcher.

Absent: Representatives Appelwick, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2359 Prime Sponsor, Representative Valle: Creating the homeless education grant program. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Inslee, May, McLean, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Ferguson and Nealey.

Absent: Representatives Appelwick, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2375 Prime Sponsor, Representative Betrozoff: Creating ALL KIDS CAN LEARN incentive grants. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2379 Prime Sponsor, Representative Peery: Creating student enrollment options programs. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Braddock, Dorn, Doty, Ebersole, Hine, Holland, Inslee, May, Padden, Peery, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Bowman, Brekke, Brough, McLean, Nealey and Rust.

Voting nay: Representatives H. Sommers, Vice Chair; Belcher, Bowman, Brekke, Brough, McLean, Nealey and Rust.

Absent: Representative Appelwick.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2387 Prime Sponsor, Representative Ballard: Impounding abandoned vehicles within eight hours. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 32 after ~~“(24)”~~ strike “8” and insert “16”

On page 3, line 9 after “an” strike “apparently abandoned vehicle” and insert “(apparently abandoned) unauthorized vehicle on a state highway”

On page 3, line 15 after ~~“(twenty-four)”~~ strike “eight” and insert “sixteen”

On page 3, line 25 after ~~“(twenty-four)”~~ strike “eight” and insert “sixteen”

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Haugen, Prince and Smith.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2388 Prime Sponsor, Representative Rust: Regulating infectious waste. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass with the following amendment by Committee on Appropriations:

On page 16, line 7, after “legislature by” strike “June 30, 1991” and insert “December 1, 1990”

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; and Bowman.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2423 Prime Sponsor, Representative Prentice: Placing a moratorium on the imposition of the cost index lid for nursing homes. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2438 Prime Sponsor, Representative Sprenkle: Providing reimbursement to state library employees injured while working in state correctional institutions and offices. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2443 Prime Sponsor, Representative O'Brien: Establishing the Warren G. Magnuson institute for biomedical research and health professions training. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Voting nay: Representative Braddock.

Absent: Representatives Appelwick, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2461 Prime Sponsor, Representative Van Luven: Prohibiting the sale by public agencies of emergency vehicle equipment that may not be lawfully used. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Berozoff, Haugen, Prince and Smith.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2471 Prime Sponsor, Representative Cole: Establishing a before and after school child care pilot program. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Insee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2494 Prime Sponsor, Representative Rust: Changing provisions relating to oil and hazardous substance spills. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, May, McLean, Nealey, Rust, Spanel, Sprenkle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden, Peery and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2517 Prime Sponsor, Representative Phillips: Establishing the magnet school program. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Insee, May, McLean, Nealey, Rust, Spanel, Sprenkle, Valle and Wang.

MINORITY recommendation: Do not pass. Signed by Representative Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2593 Prime Sponsor, Representative Belcher: Modifying requirements for registration of pesticides. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Environmental Affairs be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; H. Sommers, Vice Chair; Belcher, Brekke, Dorn, Ebersole, Ferguson, Hine, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, May, McLean and Nealey.

Voting nay: Representatives Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Braddock, Doty, Insee, May, McLean and Nealey.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2624 Prime Sponsor, Representative Fraser: Regulating exchange student placement agencies. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Hine, Insee, May, McLean, Nealey, Peery, Rust, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Ferguson.

Absent: Representatives Appelwick, Brough, Ferguson, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2636 Prime Sponsor, Representative Zellinsky: Exempting emergency service tow trucks from weight and load restrictions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 7 strike the remainder of the bill and insert:

"The operator of a tow truck performing an initial emergency tow to remove a disabled vehicle from a public roadway may tow the vehicle to a place of safety without first having obtained the proper overweight or overdimensional permits from the department of transportation. A tow truck operator performing a subsequent tow in which the load is in excess of 34,000 pounds on the rear tandem axle shall obtain a permit from the department authorizing the movement for weights up to 50,000 pounds on the rear axle. The department may restrict the routing or deny a permit as may be necessary for the preservation of the road and bridge system."

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Berozoff, Haugen, Prince, Smith and Walker.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2639 Prime Sponsor, Representative Todd: Compensating members of state boards, commissions, councils, and committees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on State Government. (For committee amendments, see Journal, 26th Day, February 2, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Braddock, Brekke, Dorn, Ebersole, Hine, Insee, McLean, Peery, Rust, Sayan, Spanel, Sprengle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, Ferguson, May, Nealey and Valle.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2653 Prime Sponsor, Representative G. Fisher: Requiring the superintendent of public instruction and the Henry M. Jackson school of International studies to provide services to develop international education. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers; Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Insee, May, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 6, 1990

HB 2659 Prime Sponsor, Representative Nutley: Changing the definition of housing under the Washington state housing finance commission. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betzoff, Bowman, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representatives Braddock and Fraser.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2716 Prime Sponsor, Representative Crane: Making a person who overloads a truck a codefendant. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 7 after "(11)" strike all material through "appropriate" on line 12 and insert "It is a traffic infraction to direct the loading of a vehicle with knowledge that it violates the requirements in RCW 46.44.041, 46.44.042, 46.44.047, 46.44.090, 46.44.091, or 46.44.095 and that it is to be operated on the public highways of this state. Whenever a driver is issued a notice of traffic infraction under this section, the court may, upon motion of the driver, make a person who directed the loading of the vehicle a codefendant. If the codefendant is found to have committed a traffic infraction, penalties may be assessed as provided for in this section."

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Hankins, Heavey, Jones, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Voting nay: Representative R. Meyers, Vice Chair, Western Washington.

Absent: Representatives Betzoff, Haugen, Nelson, Prince, Smith, Todd and Walker.

Passed to Committee on Rules for second reading.

February 6, 1990

HB 2726 Prime Sponsor, Representative Schoon: Raising the debt funding limitation for certain port districts. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betzoff, Bowman, Jacobsen, Peery, Rector, Wang and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Heavey.

Absent: Representatives Braddock and Fraser.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2755 Prime Sponsor, Representative McLean: Establishing voter registration by mail. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Hine, Insee, May, McLean, Nealey, Peery, Rust, Sprengle, Wang and Wineberry.

Voting nay: Representatives Locke, Chair; and Sayan.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2769 Prime Sponsor, Representative R. Meyers: Revising provisions for deductions from unemployment compensation weekly benefits. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Insee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2783 Prime Sponsor, Representative Kremen: Authorizing special license plates and emblems. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives R. Fisher, Chair; Schmidt, Ranking Republican Member; and Hankins.

Absent: Representatives Betzoff, Haugen, Prince and Smith.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2819 Prime Sponsor, Representative Brekke: Creating a children's ombuds. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Hine, Insee, May, McLean, Nealey, Peery, Rust, Sprengle, Valle and Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2840 Prime Sponsor, Representative R. Fisher: Creating the position of executive director of the county road administration board. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Basich, Bennett, Cantwell,

Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Heavey.

Absent: Representatives Betzoff, Haugen, Prince, Smith and Todd.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2882 Prime Sponsor, Representative R. Fisher: Authorizing the department of transportation to approve emergency contracts. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 1 after "(3)" strike the remainder of subsection and insert "~~(When the engineer's estimate of the cost of work authorized in either subsection (1) or (2) of this section is less than one hundred thousand dollars, the secretary may make findings as provided hereinabove, and pursuant thereto the department may award contracts as authorized by this section))~~ The secretary shall review any contract exceeding \$200,000 awarded under subsection (1) or (2) of this section with the transportation commission at its next regularly scheduled meeting."

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betzoff, Haugen, Prince, Smith and Todd.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2888 Prime Sponsor, Representative Appelwick: Establishing a new child support schedule. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Bowman, Brekke, Dorn, Ebersole, Ferguson, Hine, Insee, Peery, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Doty, May, McLean and Nealey.

Voting nay: Representatives Silver, Ranking Republican member; Youngsman, Assistant Ranking Republican Member; Belcher, Braddock, Doty, May, McLean, Nealey and Rust.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2932 Prime Sponsor, Representative K. Wilson: Providing for regional water resource planning. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Natural Resources & Parks be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Insee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Brough, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2939 Prime Sponsor, Representative Braddock: Removing population limits at certain correctional institutions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Brekke and Sprenkle.

Voting nay: Representative Brekke.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2940 Prime Sponsor, Representative R. Meyers: Pertaining to vehicle dealer documentary service fees. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair, Western Washington; Wood, Assistant Ranking Republican Member; Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Heavey, Jones, Nelson, Prentice, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Baugher, Vice Chair, Eastern Washington; Basich, Betzoff, Gallagher, Haugen, Kremen, Prince and Smith.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2957 Prime Sponsor, Representative Nelson: Requiring action be taken to reduce global warming. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Braddock, Brekke, Dorn, Ebersole, Hine, Inslee, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, Ferguson, May, McLean and Nealey.

Absent: Representatives Appelwick, Brough, Dorn, Holland and Padden.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2972 Prime Sponsor, Representative Wineberry: Creating a committee to study the costs of mandatory automobile liability insurance. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Braddock, Brekke, Dorn, Ebersole, Hine, Inslee, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, Ferguson, May, McLean and Nealey.

Voting nay: Representatives Silver, Ranking Republican Member; Bowman, Doty, May, McLean and Nealey.

Absent: Representatives Appelwick, Brough, Ferguson, Holland, Padden, Sayan and Valle.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2986 Prime Sponsor, Representative Appelwick: Making technical corrections to the alcohol and controlled substances abuse act. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, Nealey, Rust, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives McLean.

Absent: Representatives Appelwick, Braddock, Brough, Holland, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 2989 Prime Sponsor, Representative Peery: Delaying required registration for freight brokers and forwarders. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, D. Sommers, Todd, S. Wilson and Zellinsky.

Absent: Representatives Wood, Assistant Ranking Republican Member; Betrozoff, Haugen, Prince, Smith and Todd.

Passed to Committee on Rules for second reading.

February 5, 1990

HB 3016 Prime Sponsor, Representative H. Myers: Implementing provisions relating to reserved timbers. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Braddock, Brekke, Dorn, Ebersole, Ferguson, Hine, Peery, Rust, Spanel, Sprengle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, May, McLean, Nealey and Valle.

Absent: Representatives Appelwick, Brough, Ferguson, Holland and Sayan.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, February 7, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-FIRST DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, February 7, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Braddock, Todd and Wineberry. On motion of Ms. Cole, Representative Todd was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Martin Northcraft and Paige Fairchild. Prayer was offered by The Reverend Peter Mans, Minister of the Olympia Christian Reformed Church.

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

MESSAGE FROM THE SENATE

February 6, 1990

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5366,
 SUBSTITUTE SENATE BILL NO. 5594,
 SENATE BILL NO. 5712,
 SUBSTITUTE SENATE BILL NO. 6165,
 SENATE BILL NO. 6180,
 SUBSTITUTE SENATE BILL NO. 6195,
 SENATE BILL NO. 6201,
 SENATE BILL NO. 6210,
 ENGROSSED SENATE BILL NO. 6250,
 SENATE BILL NO. 6267,
 SUBSTITUTE SENATE BILL NO. 6289,
 SUBSTITUTE SENATE BILL NO. 6290,
 SUBSTITUTE SENATE BILL NO. 6296,
 SENATE BILL NO. 6328,
 SENATE BILL NO. 6335,
 SUBSTITUTE SENATE BILL NO. 6348,
 SENATE BILL NO. 6353,
 SENATE BILL NO. 6392,
 SENATE BILL NO. 6396,
 SUBSTITUTE SENATE BILL NO. 6547,
 SENATE BILL NO. 6561.

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

HB 3022 by Representatives H. Sommers, Schoon, Braddock and Rasmussen

AN ACT Relating to funding, development, siting, construction, and management of correctional facilities; amending RCW 34.05.030, 70.48.020, 70.48.071, 70.48.100, 70.48.440, 72.64.100, 72.64.110, 10.98.010, and 10.98.140; adding a new section to chapter 19.27 RCW; adding a new section to chapter 48.48 RCW; adding a new section to chapter 43.21C RCW; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35.22 RCW; adding a new section to chapter 35.23 RCW; adding a new section to chapter 35.24 RCW; adding a new section to chapter 35.27 RCW; adding a new section to chapter 35.30 RCW; adding a new section to chapter 36.01 RCW; adding new sections to chapter 70.48 RCW; adding a new section to chapter 72.64 RCW; adding a new chapter to Title 72 RCW;

repealing RCW 72.02.180, 72.02.190, 70.48.061, 70.48.160, and 70.48A.090; providing an expiration date; and declaring an emergency.

Referred to Committee on Capital Facilities & Financing.

ESSB 5366 by Committee on Transportation (originally sponsored by Senators Nelson and Bender; by request of Legislative Transportation Committee)

Revising administration of public transit authorities.

Referred to Committee on Transportation.

SSB 5594 by Committee on Health Care & Corrections (originally sponsored by Senators Nelson, West, Wojahn, Smith, Newhouse, Conner, Niemi and Sutherland)

Allowing prescriptions to be filled across state borders.

Referred to Committee on Health Care.

SB 5712 by Senator Kreidler

Changing provisions relating to the environmental hearings office.

Referred to Committee on Environmental Affairs.

SB 6165 by Committee on Law & Justice (originally sponsored by Senators Newhouse, Warnke and Rasmussen)

Changing provisions relating to pro tempore service by retired judges.

Referred to Committee on Judiciary.

SB 6180 by Senators West, Kreidler, Sellar, von Reichbauer, Johnson and Newhouse; by request of Washington Basic Health Plan

Providing confidentiality for certain basic health plan records and data.

Referred to Committee on Health Care.

SSB 6195 by Committee on Environment & Natural Resources (originally sponsored by Senators Kreidler and Moore)

Prohibiting the use of live animals to train hunting, tracking or fighting animals.

Referred to Committee on Agriculture & Rural Development.

SB 6201 by Senators Lee and Rasmussen; by request of Attorney General

Changing regulation of health studio services.

Referred to Committee on Commerce & Labor.

SB 6210 by Senators Saling, Kreidler and Johnson

Amending sunset provisions for radiologic technologists.

Referred to Committee on Health Care.

ESB 6250 by Senators Owen, Metcalf, Amondson, Sutherland, Conner, DeJarnatt, Stratton, Warnke, Bauer, Bender and Kreidler

Providing complimentary fishing licenses.

Referred to Committee on Fisheries & Wildlife.

SB 6267 by Senators Moore, Nelson, Wojahn, Amondson, Johnson, Smith, Matson, Bauer and Niemi

Changing provisions regulating occupational therapy.

Referred to Committee on Health Care.

- SSB 6289 by Committee on Agriculture (originally sponsored by Senator Barr; by request of Department of Agriculture)
Providing the director of agriculture with organizational flexibility.
Referred to Committee on Agriculture & Rural Development.
- SSB 6290 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Stratton, Williams, Nelson, Bluechel, Metcalf and Owen)
Revising provisions for telecommunications devices for the hearing impaired and speech impaired and repealing the expiration date.
Referred to Committee on Energy & Utilities.
- SSB 6296 by Committee on Transportation (originally sponsored by Senators Vognild, Patterson, Nelson, Warnke, Bender, Bauer, Murray, Hansen, Rasmussen, Smitherman, Niemi, Smith, von Reichbauer and Sutherland)
Allowing transfer of license plates from a destroyed vehicle to a replacement vehicle.
Referred to Committee on Transportation.
- SB 6328 by Senators McCaslin and Sutherland
Changing requirements for state agency use of credit reporting agencies.
Referred to Committee on State Government.
- SB 6335 by Senators Metcalf, Sutherland, Smith and Kreidler
Making it unlawful to operate certain commercial vessels in a negligent manner.
Referred to Committee on Transportation.
- SSB 6348 by Committee on Transportation (originally sponsored by Senators Madsen, Patrick, Bender and Patterson)
Permitting temporary-use nonpneumatic spare tires.
Referred to Committee on Transportation.
- SB 6353 by Senators Barr and Hansen; by request of Department of Agriculture
Revising provisions for the horticultural pest and disease board.
Referred to Committee on Agriculture & Rural Development.
- SB 6392 by Senators Nelson, Talmadge and Newhouse
Amending requisites of wills.
Referred to Committee on Judiciary.
- SB 6396 by Senators Nelson, Talmadge and Newhouse
Revising the deed of trust act.
Referred to Committee on Judiciary.
- SSB 6547 by Committee on Ways & Means (originally sponsored by Senators Newhouse, Benitz, McDonald, Anderson, Sellar, Barr, Patterson, Hayner, Smith, Johnson, Talmadge, Hansen, Niemi, Stratton, Gaspard, Patrick, Amondson and Bailey)
Providing funding for local criminal justice programs.
Referred to Committee on Revenue.
- SB 6561 by Senators Newhouse, Madsen, Barr, Warnke and Amondson
Exempting recreational horse trailers from commercial driver's license requirements.
Referred to Committee on Transportation.

MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

February 6, 1990

HB 2734 Prime Sponsor: Representative Haugen: Requiring additional land use planning by local governments. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wood and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Kirby and Wolfe.

Referred to Committee on Appropriations.

February 6, 1990

HCR 4432 Prime Sponsor, Representative Prince: Establishing the "Legislative Old Timers" Reunion. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; Hankins, R. King and O'Brien.

Absent: Representatives R. Fisher, Morris and Silver.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

ANNOUNCEMENT BY THE SPEAKER

The Speaker (Mr. O'Brien presiding) announced that the House would begin consideration of House Bills on the suspension calendar.

SECOND READING

HOUSE BILL NO. 2832, by Representatives Youngsman, Rayburn, McLean, Doty and Nealey

Revising provisions for horticultural plants and facilities.

The bill was read the second time.

Ms. Rayburn moved that the committee recommendation be adopted (For committee amendment, see Journal, 17th Day, January 24, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2832.

Representatives Youngsman and Rayburn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2832, and the bill passed the House by the following vote: Yeas, 95; absent, 2; excused, 1.

Voting ye: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Valle, Van Luven,

Vekich, Walker, Wang, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Braddock, Wineberry - 2.

Excused: Representative Todd - 1.

Engrossed House Bill No. 2832, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker called the House to order.

Representatives Braddock, Todd and Wineberry appeared at the bar of the House.

ANNOUNCEMENT BY THE SPEAKER

The Speaker announced that the House would begin consideration of House Bills on the regular second reading calendar.

HOUSE BILL NO. 2376, by Representatives Betzoff, Dorn, Peery, Brumsickle, Walker, Schoon, Winsley and P. King

Establishing provisions for fraudulent reports of continuing education credits.

The bill was read the second time.

Mr. Betzoff moved adoption of the following amendments by Representatives Betzoff and Peery:

On page 1, line 6, after "who" insert "deliberately misrepresents or"

On page 1, line 12, before "fraudulent" insert "deliberate misrepresentation or"

On page 1, line 13, after "interest," strike everything through "course." on line 22

Mr. Betzoff spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Betzoff spoke in favor of passage of the bill, and Ms. Valle opposed it. Representatives Peery, Horn and K. Wilson spoke in favor of the bill, and Ms. Valle again spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2376, and the bill passed the House by the following vote: Yeas, 88; nays, 9; absent, 1.

Voting yea: Representatives Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Raiter, Rasmussen, Rayburn, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Spanel, Sprengle, Tate, Todd, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Anderson, Cole, Dellwo, Heavey, Hine, Pruitt, Rector, Rust, Valle - 9.

Absent: Representative Sommers H - 1.

Engrossed House Bill No. 2376, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2510, by Representatives Cole, Wolfe, Jones, Leonard, Prentice and Winsley; by request of Department of Labor and Industries

Revising procedures relating to violation of industrial welfare laws.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 15th Day, January 22, 1990.)

Ms. Cole moved adoption of the committee amendment.

Ms. Walker moved adoption of the following amendment to the committee amendment:

On page 1, line 6 of the committee amendment, after "employer," insert "For the purposes of this subsection, a serious violation shall be deemed to exist if death or serious physical or emotional harm has resulted or could result from a condition that exists, or from one or more practices, means, methods, operations, or processes that have been adopted or are in use by the employer, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation."

Representatives Walker and Vekich spoke in favor of adoption of the amendment to the committee amendment, and it was adopted.

The committee amendment as amended was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Wolfe spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2510, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nulley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2510, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2456, by Representatives Locke, Crane, Padden, H. Myers, Brough, Winsley, Rector, Dellwo, Kremen, O'Brien and P. King

Pertaining to mental condition defenses.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 24th Day, January 31, 1990.)

Mr. Appelwick moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Padden moved adoption of the following amendments:

On page 1, line 10, after "has been" strike "acquitted of a crime charged by reason of insanity, and thereupon found to be a substantial danger to other persons or to present a substantial likelihood of committing felonious acts jeopardizing public safety or security unless kept under further control by the court or other persons or institutions" and insert "found to be not culpable as a result of criminal insanity."

(2) "'Criminal mental deficiency' means a condition in which a defendant in a criminal case, because of mental disease or defect, lacks a particular mental state that is a necessary element of a crime charged. 'Criminal mental deficiency' replaces the term 'diminished capacity.'"

(3) "'Criminally mentally deficient person' means any person who has been found to be not culpable as a result of criminal deficiency."

(4) "'Mental disease or defect' does not include an abnormality manifested only by criminal or other antisocial conduct.'"

Renumber the following subsections accordingly.

On page 2, line 1, after "constitute" insert "criminal"

On page 2, line 1, after "insanity" insert "or criminal mental deficiency." This subsection does not affect the defense of intoxication as defined in RCW 9A.16.090"

On page 3, line 20, strike "(16) 'Diminished capacity' means the existence of a mental disorder that negates a mental state required for the commission of a crime but does not include self-induced intoxication that does not otherwise amount to a mental disorder."

On page 3, line 27, after "Evidence of" insert "criminal"

On page 3, line 27, after "insanity" strike "or diminished capacity based upon a mental disorder" and insert "or criminal mental deficiency"

On page 3, line 31, after "defense," insert "In a case in which the defense of either criminal insanity or criminal mental deficiency is raised, the defendant shall disclose to the prosecuting attorney the following information no later than thirty days prior to trial: (a) For any expert witness, a written report substantially in the form described in RCW 10.77.060; (b) the facts and data underlying the expert's testimony; and (c) the names and addresses of persons who the defendant intends to call as witnesses, together with any written or recorded statements and the substance of any oral statements of such witnesses. Delay resulting from a defendant's failure to disclose in a timely manner shall be excluded in computing the time for arraignment and time for trial under the applicable court rule."

On page 3, line 32, after "(2)" insert "Criminal"

On page 3, line 33, after "evidence," insert:

"(3) Criminal mental deficiency is a defense that is limited to attacking a particular mental state that is a necessary element of a crime charged.

(4) If the defendant is found to be criminally insane in a prosecution of a felony or is found to be criminally mentally deficient in a prosecution for a violent crime, the defendant shall be ordered to undergo mental health treatment unless it is established by a preponderance of the evidence that the defendant is not likely to commit criminal acts jeopardizing persons or property. If this is not established, a defendant found to be criminally insane in a prosecution for a felony shall be detained in a state mental hospital unless it is established by a preponderance of the evidence that it is in the best interest of the community to place the defendant in a less restrictive treatment."

On page 4, line 3, after "grounds of" insert "criminal"

Mr. Padden spoke in favor of adoption of the amendments, and Mr. Appelwick opposed them.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Crane and Locke spoke against adoption of the amendments, and Ms. Schmidt spoke in favor of them. Mr. Padden again spoke in favor of the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Padden to House Bill No. 2456, and the amendments were not adopted by the following vote: Yeas, 47; nays, 50; absent, 1.

Voting yea: Representatives Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Fisher G, Forner, Fuhrman, Hankins, Haugen, Heavey, Holland, Horn, Jesernig, Kirby, Kremen, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Rasmussen, Rayburn, Sayan, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 47.

Voting nay: Representatives Anderson, Appelwick, Basich, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher R, Fraser, Gallagher, Grant, Hargrove, Hine, Inslée, Jacobsen, Jones, King P, King R, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rector, Rust, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 50.

Absent: Representative Braddock - 1.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2456, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2456, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2460, by Representatives Inslee, Padden, Raiter, Appelwick, R. Meyers, Moyer, Rayburn, Hargrove, Rector, Dorn, H. Myers, Grant, Anderson, Jesernig, Van Luven, Wood, Jones, Zellinsky, R. King, Kremen, Crane and Kirby

Establishing civil docket priority for parties over seventy years of age or terminally ill.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 22nd Day, January 29, 1990.)

Mr. Crane moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Inslee spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2460, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2460, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2482 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2514, by Representatives Walker, Rust, Pruitt, D. Sommers, Phillips, Fraser, Brekke, G. Fisher, Jacobsen, Scott, Leonard, Valle, Betzoff, Bowman, Winsley, Wineberry, Tate, May, Ferguson and Wolfe

Establishing a state-wide adopt-a-highway litter control program.

The bill was read the second time.

Ms. Walker moved adoption of the following amendment by Representatives Walker and R. Fisher:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that despite the efforts of the department of transportation, the department of ecology, and the ecology youth corps to pick up litter along state highways, roadside litter in Washington state has increased by thirty-six percent since 1983. The legislature further finds that in twenty-seven states, volunteer organizations are able to give of their time and energy, demonstrate commitment to a clean environment, and discourage would-be litterers by keeping sections of highway litter free because those states have established programs to encourage and recognize such voluntary efforts. Therefore, it is the legislature's intent to establish an 'adopt-a-highway' litter control program as a partnership between citizen volunteers and the state to reduce roadside litter and build civic pride in a litter-free Washington.

NEW SECTION. Sec. 2. A new section is added to chapter 47.40 RCW to read as follows:

(1) The department of transportation shall establish a state-wide adopt-a-highway litter control program whereby volunteer organizations may contribute to a cleaner environment

and a more attractive state by adopting sections of state highway and picking up litter along those sections.

An organization whose name: (a) Endorses or opposes a particular candidate for public office, (b) advocates a position on a specific political issue, initiative, referendum, or piece of legislation, or (c) includes a reference to a political party shall not be eligible to participate in the adopt-a-highway program.

(2) In administering the adopt-a-highway, the department shall:

(a) Provide a standardized application form, registration form, and contractual agreement for all volunteer groups. Such forms shall notify the prospective participants of the risks and responsibilities to be assumed by either the department and/or the volunteer groups:

(b) Require all volunteers to be at least fifteen years of age;

(c) Require parental consent for all minors;

(d) Require at least one volunteer adult supervisor for every eight minors;

(e) Require one designated leader for each volunteer organization;

(f) Assign each volunteer organization a section of state highway for a specified period of time;

(g) Recognize the efforts of a participating organization by erecting and maintaining signs with the organization's name on both ends of the organization's section of highway;

(h) Provide appropriate safety equipment and 'Volunteer Litter Crew Ahead' signs. Safety equipment, other than hardhats, issued to volunteer organizations must be returned to the department after each use for reuse by other volunteer groups:

(i) Provide safety training for all volunteers;

(j) Pay any and all premiums or assessments required under RCW 51.12.035 to secure medical aid benefits under chapter 51.36 RCW for all volunteers participating in the program;

(k) Maintain records of all injuries and accidents that occur;

(l) Adopt rules which establish a process to resolve any question of an organization's eligibility to participate in the adopt-a-highway program; and

(m) Establish procedures and guidelines for the adopt-a-highway program."

Ms. Walker spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Walker and R. Fisher to the title was adopted:

On page 1, line 1 of the title, after "control;" strike the remainder of the title and insert "adding a new section to chapter 47.40 RCW; and creating a new section."

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2514, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Silver - 1.

Engrossed House Bill No. 2514, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Ebersole, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m. The Clerk called the roll and all members were present except Representative Sayan, who was excused.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4735, by Representatives Rasmussen, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, Washington's dairy industry is a major contributor to the economic health and physical well-being of the state and its people; and

WHEREAS, The dairy industry's importance to the state is being formally recognized as Dairy Day on February 7, 1990; and

WHEREAS, Twenty-year old Shelly Erickson, of Burlington, is proudly representing Washington dairy farmers as the reigning State Dairy Princess; and

WHEREAS, Shelly is working full time this year as an intern for the Washington Dairy Products Commission; and

WHEREAS, Jami De Jong, an 18 year old Zillah resident, is the alternate Washington Dairy Princess; and

WHEREAS, The Casey, Mark and Shari Stremler family of Lynden has been honored as the 1990 Washington Dairy Family of the Year for the 35 productive years they have committed to dairy farming, and the Stremlers also have been recognized by their industry with the 1990 Ecology and Conservation Award;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives does hereby formally acknowledge and honor the entire Washington dairy industry, and the House specifically pays tribute to Dairy Princess Shelly Erickson, alternate Princess Jami De Jong, and the Stremlers, Washington's 1990 Dairy Family of the Year; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Shelly Erickson, Jami De Jong and to the Stremler family.

Ms. Rasmussen moved adoption of the resolution. Representatives Rasmussen and Kremen spoke in favor of the resolution.

On motion of Mr. Kremen, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Representatives Youngsman, Baugher, Rayburn and Spanel spoke in favor of the resolution.

House Floor Resolution No. 90-4735 was adopted.

SPEAKER'S PRIVILEGE

The Speaker introduced the 1990 Washington Dairy Family, Mr. and Mrs. Mark Stremler, who were seated in the place of honor in the rear of the Chamber. The Speaker introduced the Washington State Dairy Princess, Ms. Shelly Erickson of Burlington, and the alternate Washington State Dairy Princess, Ms. Jami De Jong of Zillah. Princess Shelly addressed the members of the House of Representatives.

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

SECOND READING

HOUSE BILL NO. 2569, by Representatives Sprenkle, Walker, Valle, D. Sommers, Rust, May, Brekke, G. Fisher, Pruitt, Fraser, Spanel and Todd

Modifying provisions relating to oil recycling.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 2569 was substituted for House Bill No. 2569, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2569 was read the second time.

Mr. May moved adoption of the following amendments by Representative Schoon:

On page 3, line 30, after "until" strike "July 1, 1991" and insert "July 1, 1992"

On page 3, line 33, after "AS OF" strike "JULY 1, 1991" and insert "JULY 1, 1992"

Representatives May and Schoon spoke in favor of adoption of the amendments, and Ms. Rust spoke against them.

POINT OF INQUIRY

Mr. Schoon yielded to question by Ms. Hine.

Ms. Hine: Representative Schoon, are these kits ultimately recyclable?

Mr. Schoon: The manufacturer had a program with Schuck's which would collect them and would recycle them and that was supposed to be in effect as of July 1, 1990. Schuck's has been advised that the company in California, that has the equipment, is not willing to come up and put a pilot program here in Washington. They have identified fifteen Schuck's stores that would collect these kits. They are hopeful that the company in California will see to it to make the investment and bring the equipment up here. As of right now, we don't have any equipment in Washington that can recycle the oil out of these kits, although they are doing it in California. Hopefully, this extension of time would be enough to get a manufacturer up here to put in the centrifuge, that spins the oil out of the fiber with a very precise micro-screen. But, as of today, no.

The amendments were not adopted.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sprenkle and Schoon spoke in favor of passage of the bill, and Mr. Grant opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2569, and the bill passed the House by the following vote: Yeas, 79; nays, 16; absent, 2; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fuhrman, Gallagher, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Leonard, Locke, May, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rector, Rust, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, and Mr. Speaker - 79.

Voting nay: Representatives Basich, Baugher, Brooks, Grant, Hankins, Hargrove, Kirby, Kremen, McLean, Miller, Padden, Rayburn, Silver, Wolfe, Youngsman, Zellinsky - 16.

Absent: Representatives Fraser, Rasmussen - 2.

Excused: Representative Sayan - 1.

Substitute House Bill No. 2569, having received the constitutional majority, was declared passed.

STATEMENTS FOR THE JOURNAL

Please record a "yes" vote for me on final passage of Substitute House Bill No. 2569.

KAREN FRASER, 22nd District.

I want to change my vote on final passage of Substitute House Bill No. 2569 from "yes" to "no." Please enter this into the Journal.

DARWIN R. NEALEY, 9th District.

Please record a "yes" vote for me on final passage of Substitute House Bill No. 2569.

MARILYN RASMUSSEN, 2nd District.

Representative Sayan appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2606 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2638, by Representatives Inslee, Dellwo, Chandler, Crane, R. King, Brekke and Rector

Revising provisions for sale and renewal of automobile insurance.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 17th Day, January 24, 1990.)

On motion of Mr. Dellwo, the committee amendment was adopted.

Mr. Inslee moved adoption of the following amendment:
On page 2, line 29, strike "fifty" and insert "twenty-five"

Mr. Inslee spoke in favor of adoption of the amendment.

POINT OF INQUIRY

Mr. Inslee yielded to question by Mr. May.

Mr. May: Representative Inslee, in changing from fifty to twenty-five, or not, how do we determine that it is actually twenty-five percent responsible? What method is used to determine this?

Mr. Inslee: Two ways. One, if there were any litigation about the accident, then the court would have a record of that. Secondly, and obviously more frequently, a person would talk to the insurance agent and describe the accident. At that point there is a pretty good idea whether or not there was diminimus fault or any significant degree of fault. There is no way to realistically have an evaluation by a court in every incident. The only way it is going to become a problem is if one carrier decides to ignore the statute; then the Insurance Commissioner's office could become involved. That will happen very, very infrequently.

Mr. May spoke in favor of adoption of the amendment, and it was adopted.

Mr. Chandler moved adoption of the following amendments:

On page 3, line 6, after "policy" strike "or increase the rate to be charged for such a policy"

On page 3, line 10, after "application," insert "The cost of insurance policies for individuals entitled to purchase insurance under this act shall fully reflect the risks of insuring this pool of applicants and this pool of applicants shall not be subsidized by other liability insurance purchasers."

Mr. Chandler spoke in favor of adoption of the amendments, and Mr. Dellwo spoke against them.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Inslee spoke against adoption of the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Chandler to House Bill No. 2638, and the amendments were not adopted by the following vote: Yeas, 36; nays, 62.

Voting yea: Representatives Ballard, Beck, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, May, McLean, Miller,

Moyer, Nealey, O'Brien, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 36.

Voting nay: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 62.

MOTION

Mr. Ebersole moved that the House defer further consideration of House Bill No. 2638 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2694, by Representatives Cole, Holland, Leonard, Jacobsen and Betrozoff

Extending the expiration date of the interim task force on student transportation safety.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 24th Day, January 31, 1990.)

Mr. Peery moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2694, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Fomer, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2694, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed House Bill No. 1109 on the second reading calendar. The motion was carried.

ENGROSSED HOUSE BILL NO. 1109, by Representatives O'Brien, McLean, Anderson, Wineberry, Betrozoff, G. Fisher, R. Fisher, Sayan, Wang, Pruitt, Baugher, Winsley, P. King, Kremen, H. Meyers, Brumsickle, Rasmussen, Van Luven and Tate

Dealing with voter registration for high school students.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives O'Brien, Betrozoff and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1109, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 1109, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2775, by Representatives McLean, R. Fisher, Miller, Ebersole, Holland, Bennett, Wolfe, Wang, Betrozoff, Todd, Anderson, Pruitt, R. Meyers, D. Sommers, Wood, Wineberry and Hankins

Prohibiting the use of voting machines that do not record votes on separate ballots.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Todd spoke in favor of passage of the bill, and Mr. Gallagher opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2775, and the bill passed the House by the following vote: Yeas, 81; nays, 16; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Brekke, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jacobsen, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Todd, Valle, Van Luven, Vekich, Wang, Wilson K, Wilson S, Wineberry, Wood, Youngsman, Zellinsky, and Mr. Speaker - 81.

Voting nay: Representatives Brooks, Brough, Dorn, Doty, Fuhrman, Gallagher, Grant, Heavey, Jesernig, Nealey, Padden, Rasmussen, Tate, Walker, Winsley, Wolfe - 16.

Absent: Representative Braddock - 1.

House Bill No. 2775, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 3000 and that the bill hold its place on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2032, by Representatives Todd, Phillips, Ferguson, Rayburn, Raiter, Nelson, Baugher, Crane and McLean

Including senior citizen and community centers within the definition of recreational facilities for park and recreation districts.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Todd and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2032, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2032, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

HOUSE BILL NO. 2271, by Representatives Kremen, Scott, Braddock, Spanel and K. Wilson

Changing eligibility requirements for concealed weapon permits.

The bill was read the second time. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Kremen spoke in favor of passage of the bill, and Mr. Padden opposed it. Mr. Kremen again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2271, and the bill passed the House by the following vote: Yeas, 62; nays, 36.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Grant, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, May, Morris, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rayburn, Rust, Sayan, Schmidt, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wilson S, Wineberry, Wood, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Ballard, Baugher, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Dorn, Doty, Forner, Fuhrman, Hankins, Hargrove, King P, Kirby, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Padden, Prince, Rasmussen, Rector, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Winsley, Wolfe, Youngsman - 36.

House Bill No. 2271, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2349, by Representatives R. Meyers, Schmidt, Insee, Rector, Pruitt, R. King, Holland, Kremen, McLean, Crane, Winsley, Schoon, K. Wilson, Locke, Brough, Miller, Van Luven, H. Myers and Kirby; by request of Washington State Patrol

Providing for DNA identification.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2349 was substituted for House Bill No. 2349, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2349 was read the second time.

On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Crane and Padden spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2349, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland,

Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2349, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2355, by Representatives Cole, Betrozoff, Peery, Holland, Rector and Winsley; by request of Superintendent of Public Instruction

Changing rules of the road with regard to school buses and private carrier buses.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 2, 1990.)

Mr. Peery moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Brumsickle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2355, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2355, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2404, by Representatives Padden, Crane, R. Meyers, Wolfe and P. King

Allowing deferrals of traffic infraction judicial determinations.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 24th Day, January 31, 1990.)

Mr. Crane moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Padden and Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2404, and the bill passed the House by the following vote: Yeas, 94; nays, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean,

Meyers R. Miller, Morris, Moyer, Myers H. Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representatives Brough, Locke, Prince, Silver - 4.

Engrossed House Bill No. 2404, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Ebersole, Representative Gallagher was excused.

HOUSE BILL NO. 2459, by Representatives Inslee, Wineberry, Raiter, Belcher, R. Meyers, Moyer, Baugher, Rector, Schmidt, Dorn, Locke, H. Myers, Smith, P. King, Brough, Prentice, Padden, Forner, Jesernig, Tate, Scott, Anderson, Pruitt, Wood, Nealey, Dellwo, May, Ferguson, Rayburn, Kirby, Spanel and Rasmussen

Establishing punitive liability for injury or wrongful death from driving while intoxicated.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2459 was substituted for House Bill No. 2459, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2459 was read the second time.

Mr. Inslee moved adoption of the following amendments by Representatives Inslee and Jesernig:

On page 1, line 10, after "victims" strike "is" and insert "may be"

On page 1, line 11, after "fact" strike "shall" and insert "may"

On page 1, line 12, after "damages" strike "for" and insert "up to the lesser of"

On page 1, line 13, after "responsible," strike "up to" and insert "or"

On page 1, line 13, after "dollars" insert "."

Mr. Inslee spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Inslee spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2459, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Chandler - 1.

Excused: Representative Gallagher - 1.

Engrossed Substitute House Bill No. 2459, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2466, by Representatives Vekich, Prentice, Winsley, Jones, Holland, Wineberry, G. Fisher, Cole, Braddock, P. King, Ebersole, Anderson, Rector, Kremen and Wang

Requiring employee health benefits under school service contracts.

The bill was read the second time.

Ms. Cole moved adoption of the following amendment:
On page 1, line 8, after "executed" strike "or renewed"

Ms. Cole spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Vekich spoke in favor of passage of the bill, and Representatives Smith, Silver and Wolfe opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2466, and the bill passed the House by the following vote: Yeas, 62; nays, 35; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Haugen, Heavey, Hine, Holland, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Grant, Hankins, Hargrove, Horn, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Wolfe, Wood, Youngsman - 35.

Excused: Representative Gallagher - 1.

Engrossed House Bill No. 2466, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2467, by Representatives Padden, Appelwick, Dellwo and R. Meyers; by request of Office of the Administrator for the Courts

Changing provisions relating to juries.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2467 was substituted for House Bill No. 2467, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2467 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Padden and Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2467, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Heavey, Locke - 2.

Excused: Representative Gallagher - 1.

Substitute House Bill No. 2467, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2551, by Representatives Jacobsen, Prince, Rector, Van Luven, Nelson, Wineberry, R. King, Silver, Kremen, Wood, Rayburn, K. Wilson, Spanel, Basich, Pruitt, Dellwo, P. King, Valle, Miller, Doty, Locke, Inslee and Brekke

Granting a greater voice to students in recommending budgets for services and activities fees.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 2551 was substituted for House Bill No. 2551, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2551 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jacobsen and Van Luven spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2551, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Gallagher - 1.

Substitute House Bill No. 2551, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2583, by Representatives May, Dellwo, Betzoff, Prentice, Moyer, Rasmussen, Bowman, Wolfe, Walker, Rector, Wood, Winsley, Day and Brekke

Mandating coverage for diabetic education.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 2583 was substituted for House Bill No. 2583, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2583 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives May and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2583, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bennett, Betzoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, and Mr. Speaker - 93.

Voting nay: Representatives Baugher, Braddock, Heavey, Zellinsky - 4.

Excused: Representative Gallagher - 1.

Substitute House Bill No. 2583, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that the House defer consideration of House Bill No. 2617 and that the bill hold its place on the second reading calendar. The motion was carried.

The Speaker (Mr. O'Brien presiding) called on Representative Appelwick to preside.

MOTION

On motion of Mr. Heavey, Representative O'Brien was excused.

HOUSE BILL NO. 2622, by Representatives Belcher, Appelwick, Miller, Prince, Vekich, Wang, Brough, Rayburn, Nutley, Locke, Dellwo, R. Fisher, P. King, R. Meyers, Wineberry, Brooks, Crane, Cole, G. Fisher, Scott, Fraser, Grant, Inslee, Braddock, Rust, Haugen, Heavey, Raiter, Prentice, Valle, Jacobsen, Leonard, Phillips, Holland, R. King, Brekke, Nelson and Anderson

Pertaining to interference with health care.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2622 was substituted for House Bill No. 2622, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2622 was read the second time.

Mr. Padden moved adoption of the following amendments by Representatives Padden, Beck and Hargrove:

On page 2, line 8, strike "or"

On page 2, after line 10, insert:

"(c) blockading, stopping, diverting, or otherwise interfering with vehicular traffic on any street, road, highway or freeway"

Mr. Padden spoke in favor of adoption of the amendments, and Mr. Crane opposed them.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Moyer spoke in favor of adoption of the amendments.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Padden and others to Substitute House Bill No. 2622, and the amendments were adopted by the following vote: Yeas, 49; nays, 47; excused, 2.

Voting yea: Representatives Ballard, Baugher, Beck, Bennett, Betzoff, Bowman, Brooks, Brough, Brumsickle, Cantwell, Chandler, Day, Dorn, Doty, Ferguson, Forner, Fuhrman, Grant, Hankins, Hargrove, Holland, Horn, Jesernig, King P, Kirby, Kremen, Leonard, May, McLean, Miller, Morris, Moyer, Nealey, Padden, Prince, Rayburn, Sayan, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 49.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Cole, Cooper, Crane, Dellwo, Ebersole, Fisher G, Fisher R, Fraser, Haugen, Heavey, Hine, Inslee, Jacobsen, Jones, King R, Locke, Meyers R, Myers H, Nelson, Nutley, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Schmidt, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wilson S, Wineberry, and Mr. Speaker - 47.

Excused: Representatives Gallagher, O'Brien - 2.

The Speaker resumed the Chair.

Mr. Locke moved adoption of the following amendment by Representatives Locke, Padden, Hine and Belcher:

On page 6, beginning on line 10, strike all of section 10

Remember the remaining sections consecutively and correct internal references accordingly

Representatives Locke and Padden spoke in favor of adoption of the amendment, and it was adopted.

MOTION

On motion of Mr. Ebersole, the House recessed until 6:45 p.m.

EVENING SESSION

The Speaker (Ms. K. Wilson presiding) called the House to order at 6:45 p.m. The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Cantwell, G. Fisher, Gallagher, Haugen, R. King, Locke, R. Meyers, O'Brien, Prince, Raiter, Sayan and Valle. On motion of Mr. Ebersole, Representatives Appelwick, Gallagher and O'Brien were excused. On motion of Ms. Bowman, Representative Prince was excused.

The Speaker (Ms. K. Wilson presiding) called on Representative Cole to preside.

HOUSE BILL NO. 2617, by Representatives G. Fisher, Hine, Rust, Prentice, Todd, Heavey, Valle and Jacobsen

Establishing a jet aircraft emissions study.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 24th Day, January 31, 1990.)

MOTIONS

Mr. Ebersole moved that the House defer further consideration of House Bill No. 2617 and that the bill hold its place on the second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider House Bill No. 2651 on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2651, by Representatives R. Meyers, Dellwo, Chandler, Crane, P. King and Anderson

Regulating personal injury protection insurance.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 2651 was substituted for House Bill No. 2651, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2651 was read the second time.

The Speaker assumed the Chair.

On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2651, and the bill passed the House by the following vote: Yeas, 60; nays, 24; absent, 10; excused, 4.

Voting yea: Representatives Anderson, Baugher, Belcher, Bennett, Braddock, Brekke, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher R, Fraser, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, Kirby, Kremen, Leonard, Miller, Morris, Myers H, Nelson, Nutley, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Rector, Rust, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprengle, Tate, Todd, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 60.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Forner, Fuhrman, Hankins, Holland, Horn, May, McLean, Moyer, Nealey, Padden, Silver, Smith, Sommers D, Wolfe, Wood, Youngsman - 24.

Absent: Representatives Basich, Cantwell, Fisher G, Haugen, King R, Locke, Meyers R, Raiter, Sayan, Valle - 10.

Excused: Representatives Appelwick, Gallagher, O'Brien, Prince - 4.

Substitute House Bill No. 2651, having received the constitutional majority, was declared passed.

Representatives Cantwell, G. Fisher, Haugen, Prince, Raiter and Valle appeared at the bar of the House.

HOUSE BILL NO. 2655, by Representatives R. Fisher and Pruitt

Changing reporting requirements for lobbyists and for employers of lobbyists.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 19th Day, January 26, 1990.)

Mr. Todd moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Todd and McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2655, and the bill passed the House by the following vote: Yeas, 91; absent, 4; excused, 3.

Voting yea: Representatives Anderson, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Absent: Representatives Basich, King R, Meyers R, Sayan - 4.

Excused: Representatives Appelwick, Gallagher, O'Brien - 3.

Engrossed House Bill No. 2655, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2663, by Representatives Sprengle, Schoon, Rust, Valle, Phillips and Pruitt

Changing provisions relating to the Washington committee for recycling markets.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sprengle and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2663, and the bill passed the House by the following vote: Yeas, 91; nays, 1; absent, 3; excused, 3.

Voting yea: Representatives Anderson, Ballard, Baugher, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representative Beck - 1.

Absent: Representatives Basich, King R, Meyers R - 3.

Excused: Representatives Appelwick, Gallagher, O'Brien - 3.

House Bill No. 2663, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2695 and House Bill No. 2742 and that the bills hold their places on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2745, by Representatives McLean, Morris, Ballard, H. Myers, Hankins, Silver and Pruitt

Pertaining to volunteer programs.

The bill was read the second time.

Mr. Pruitt moved adoption of the following amendment by Representatives Pruitt, Todd, R. Fisher, Jacobsen and Anderson:

On page 1, strike everything after line 9 and insert the following:

NEW SECTION, Sec. 2. (1) The legislature finds that:

(a) Citizen service engineers a change of heart, resulting in more consciously responsible citizens, an increased capacity for leadership, and a greater sense of collective responsibility;

(b) Instilling in youth a sense of community and an ethic of service to the community is an integral part of the educational process. For example, service learning can motivate the discouraged learner and provide training in skill areas that open future career options;

(c) Many citizens, including youth and seniors, are searching for constructive activities to channel their enthusiasm, talents, and commitment to helping fellow citizens and revitalizing their neighborhoods and communities;

(d) The creativity, idealism, and experience of citizens who serve their communities can be resources for new public policies to address social problems;

(e) The dedication and commitment to excellence demonstrated by citizens who serve their communities and their state should be recognized; and

(f) The state can take a leadership role in bringing government, schools, community organizations, private initiatives, institutions of higher education, and businesses together to intentionally foster ways to encourage citizen service and to coordinate existing part-time and full-time citizen service programs.

(2) It is therefore the legislature's intent to create an office for citizen service to enable Washington to be a leader in encouraging and facilitating citizen service by citizens of all ages throughout the state.

Sec. 3, Section 5, chapter 11, Laws of 1982 1st ex. sess. as amended by section 301, chapter 206, Laws of 1988 and RCW 43.150.050 are each amended to read as follows:

The center, working in cooperation with individuals, local groups, and organizations throughout the state, may undertake any program or activity for which funds are available which furthers the goals of this chapter. These programs and activities may include, but are not limited to:

(1) Providing information about programs, activities, and resources of value to volunteers and to organizations operating or planning volunteer programs;

(2) Sponsoring recognition events for outstanding individuals ~~((and))~~, organizations, and communities;

(3) Providing information and training to community leaders for identifying community goals which may be achieved in whole or in part through the activities of volunteers and for organizing volunteer activities to achieve those goals;

(4) Facilitating the involvement of business, industry, government, and labor in community service and betterment;

~~((4))~~ (5) Organizing, or assisting in the organization of, training workshops and conferences;

~~((5))~~ (6) Publishing schedules of significant events, lists of published materials, accounts of successful programs and programming techniques, and other information concerning the field of volunteerism, and distributing this information broadly;

~~((6))~~ (7) Reviewing the laws and rules of the state of Washington, and proposed changes therein, to determine their impact on the success of volunteer activities and programs, and recommending such changes as seem appropriate to ensure the achievement of the goals of this chapter;

~~((7))~~ (8) Providing information about agencies and individuals who are working to prevent the spread of the human immunodeficiency virus, as defined in chapter 70.24 RCW, and to agencies and individuals who are working to provide health and social services to persons with acquired immunodeficiency syndrome, as defined in chapter 70.24 RCW.

NEW SECTION, Sec. 4. A new section is added to chapter 43.150 RCW to read as follows:

Annually, at least one recognition event sponsored by the center under RCW 43.150.050 shall include achievement awards for communities with particularly active and effective volunteer programs. Communities shall be grouped by population in competing for the awards. Emblems suitable for display on highway signs shall accompany the awards as a means of identifying for motorists the communities so honored.

NEW SECTION. Sec. 5. There is established within the department of community development an office for citizen service. The director of the department of community development shall appoint the director of the office from a list of three persons recommended by the serve Washington council established in section 8 of this act. The director of the office may employ such staff as necessary to carry out the purposes of this chapter. The provisions of chapter 41.06 RCW do not apply to the director of the office.

NEW SECTION. Sec. 6. In carrying out its mission to provide leadership, coordination, and assistance in fostering citizen service, the office shall:

(1) Serve as a liaison and a networking resource between community organizations, schools, institutions of higher education, businesses, and government service programs to link volunteers with service opportunities and to coordinate collaborative efforts between such organizations;

(2) Develop a strategic plan to foster citizen service. Such a strategic plan shall include:

(a) Establishing overall mission and belief statements;

(b) Developing goals and objectives that include expected programmatic outcomes;

(c) Assessing the capabilities and constraints, both internal and external to state government, that may affect plan implementation;

(d) Formulating, evaluating, and selecting strategies; and

(e) Implementing and controlling the plan;

(3) Cooperate with the center for voluntary action to enhance and expand the following activities:

(a) Providing an information clearinghouse and developing a resource library;

(b) Developing a way to recognize and reward citizens who serve their communities and the state in both a part-time and full-time capacity; and

(c) Serving as a broker for information resources, technical assistance, and expertise in training and facilitating citizen service;

(4) Initiate pilot projects and develop and support models for citizen service which:

(a) Work with the higher education coordinating board to provide service opportunities at every campus for students who wish to serve and incorporate citizen service by students enrolled in institutions of higher education into the students' courses of study on a credit or noncredit basis;

(b) Integrate citizen service by students in public or private schools into the schools' curricula as an experiential learning tool or as an integral part of the school curriculum; and

(c) Expand utilization of seniors in citizen service to tap the wealth of knowledge and experience seniors possess;

(5) Actively seek funding from the federal government and private foundations to initiate, continue, or expand citizen service programs or pilot projects throughout the state;

(6) In the event that funds are made available, administer grant programs to initiate, continue, or expand citizen service programs run by community organizations, schools, institutions of higher education, or government agencies;

(7) Foster and promote service-based private initiatives;

(8) Promote the institutionalization of service components among existing organizations and agencies;

(9) Recommend to the governor and the legislature additional policies that encourage and facilitate citizen service throughout the state; and

(10) Report to the legislature and the governor each biennium on the progress of the office, including an assessment of the activities accomplished to meet the goals of the office.

NEW SECTION. Sec. 7. The office may receive such gifts, grants, and endowments from private or public sources, as may be made from time to time, in trust or otherwise, for the use and benefit of the purpose of the office or the purposes of this chapter and may expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

NEW SECTION. Sec. 8. (1) There is created the serve Washington council to assist and advise the office for citizen service in the accomplishment of its mission.

(2) The council shall consist of one representative from each of the following state agencies, to be appointed by the head of the appropriate agency:

(a) The office of the superintendent of public instruction;

(b) The higher education coordinating board;

(c) The employment security department; and

(d) The department of social and health services.

The council shall also consist of a representative of the governor's office, to be appointed by the governor, and a member of the legislature, to be appointed jointly by the speaker of the house of representatives and the president of the senate.

(3) The six members appointed under subsection (2) of this section shall appoint the remaining twelve members of the council. The remaining members shall represent the following interests or interest groups:

(a) A full-time citizen service program;

(b) Higher education;

(c) Education in grades kindergarten through twelve;

(d) Senior citizens;

(e) A citizen service program sponsored by a business in the private sector;

(f) Students;

(g) A private initiative in citizen service;

(h) Labor;

(i) Business;

(j) Local government;

(k) Environmentalists; and

(l) The military.

(4) Persons appointing members of the council shall attempt to provide a reasonable age, gender, ethnic, and geographic balance of representation on the council.

(5) The chair of the serve Washington council shall be elected by the members. Members shall serve a two-year term on the serve Washington council and are eligible for reappointment.

(6) Members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(7) The representatives of state agencies appointed under subsection (2) (a), (b), (c), and (d) of this section shall each be assigned to assist in the work of the office for an amount of time not less than two-tenths of a full-time equivalent employee.

NEW SECTION, Sec. 9. Sections 2 and 5 through 8 of this act shall constitute a new chapter in Title 43 RCW.

Sec. 10. Section 8, chapter 266, Laws of 1986 and RCW 41.06.072 are each amended to read as follows:

In addition to the exemptions set forth in this chapter, this chapter shall not apply within the department of community development to the state historic preservation officer (~~and~~), up to two professional staff members within the emergency management program, and the director of the office for citizen service.

NEW SECTION, Sec. 11. (1) The legislature believes that providing an opportunity for service to the community is an effective way to develop the values, understanding, and skills necessary for full and effective participation in a democratic society.

(2) To encourage service activities by youth, the legislature creates the serve Washington pilot program. The purpose of the program is to provide funds to K-12 and higher education service projects and to full-time service projects for out-of-school use.

(3) The office for citizen service may grant funds to selected applicants for the implementation of service activities by youth.

(a) At least one grant shall be awarded to a project that is part of a major school restructuring program, including but not limited to a school selected as a participant in the schools for the twenty-first century program.

(b) At least one grant shall be awarded to a higher education service project.

(c) At least one grant shall be awarded to a full-time service project for out-of-school use.

(d) At least one grant shall be awarded to a project being conducted in collaboration with an existing public or private nonprofit agency.

(4) The office for citizen service shall report on these programs to the house of representatives and senate education committees no later than January 1, 1992.

NEW SECTION, Sec. 12. The office for citizen service, in cooperation with the superintendent of public instruction, shall identify objectives for projects to promote the goal of developing the values, understanding, and skills necessary for full and effective participation in a democratic society and shall develop outcome indicators to be used to assess the effectiveness of the projects.

NEW SECTION, Sec. 13. The office for citizen service shall evaluate the projects receiving funding under section 11 of this act. Such evaluation shall include a description of the participants and the service activities undertaken, an assessment of whether the objectives adopted under section 12 of this act have been achieved, and a verification of the program costs. K-12 projects which have achieved the objectives shall be considered validated and all evaluation information relative to validated projects shall be made available to all school districts through the state clearinghouse for educational information.

NEW SECTION, Sec. 14. Sections 11 through 13 of this act shall expire January 10, 1992.

NEW SECTION, Sec. 15. 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. 16. If specific funding for this act, referencing this act by bill number, is not provided by June 30, 1991, in the supplemental omnibus appropriations act, sections 2 and 5 through 15 of this act shall be null and void."

Representatives Pruitt, Todd and Jacobsen spoke in favor of adoption of the amendment, and Representatives Hankins, Wood, McLean, Brough, Fuhrman and May opposed it.

The amendment was adopted.

With consent of the House, the following amendment by Representatives Pruitt, Todd, R. Fisher, Jacobsen and Anderson to the title was adopted:

On page 1, line 1 of the title, after "volunteerism," strike the remainder of the title and insert "amending RCW 41.06.072 and 43.150.050; adding a new section to chapter 43.150 RCW; adding a new chapter to Title 43 RCW; and providing an expiration date."

The bill was ordered engrossed.

MOTION

Mr. Ebersole moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Representatives Brough and Ballard spoke against the motion, and Representatives Ebersole and Heavey spoke in favor of it.

Mr. Fuhrman demanded an electric roll call vote, and the demand was sustained.

POINT OF PARLIAMENTARY INQUIRY

Mr. May: Thank you, Mr. Speaker. As a Point of Parliamentary Inquiry, what vote does this take?

SPEAKER'S REPLY

The Speaker: Two-thirds of those present, Representative May.

ROLL CALL

The Clerk called the roll on the motion by Representative Ebersole to suspend the rules, consider second reading as third reading, and place Engrossed House Bill No. 2745 on final passage, and the motion was lost by the following vote: Yeas, 59; nays, 35; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Morris, Myers H, Nelson, Nutley, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 35.

Absent: Representative Meyers R - 1.

Excused: Representatives Appelwick, Gallagher, O'Brien - 3.

The Speaker passed Engrossed House Bill No. 2745 to Committee on Rules for third reading.

HOUSE BILL NO. 2788, by Representatives Jones, Smith, Vekich, Wolfe, Cole, Walker, R. King, Prentice and O'Brien; by request of Department of Labor and Industries

Authorizing civil penalties for violations of state wage payment laws.

The bill was read the second time.

Ms. Walker moved adoption of the following amendments by Representatives Walker, Vekich and Cole:

On page 3, line 2, after "employer," insert "For the purposes of this subsection, a serious violation shall be deemed to exist if an employer: (a) Willfully and knowingly withholds wages; (b) withholds wages in excess of ten thousand dollars owed to an individual employee; or (c) withholds wages in excess of twenty-five thousand dollars owed to a group of five or more employees."

On page 3, line 35, after "employer," insert "For the purposes of this subsection, a serious violation shall be deemed to exist if an employer: (a) Willfully and knowingly withholds wages; (b) withholds wages in excess of ten thousand dollars owed to an individual employee; or (c) withholds wages in excess of twenty-five thousand dollars owed to a group of five or more employees."

Representatives Walker and Vekich spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jones and Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2788, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Meyers R - 1.

Excused: Representatives Appelwick, Gallagher, O'Brien - 3.

Engrossed House Bill No. 2788, having received the constitutional majority, was declared passed.

Representative O'Brien appeared at the bar of the House.

MOTIONS

On motion of Mr. Ebersole, Representative R. Meyers was excused. On motion of Ms. Bowman, Representative Doty was excused.

SUBSTITUTE HOUSE BILL NO. 2622, by Committee on Judiciary (originally sponsored by Representatives Belcher, Appelwick, Miller, Prince, Vekich, Wang, Brough, Rayburn, Nutley, Locke, Dellwo, R. Fisher, P. King, R. Meyers, Wineberry, Brooks, Crane, Cole, G. Fisher, Scott, Fraser, Grant, Inslee, Braddock, Rust, Haugen, Heavey, Raiter, Prentice, Valle, Jacobsen, Leonard, Phillips, Holland, R. King, Brekke, Nelson and Anderson)

Pertaining to interference with health care.

The House resumed consideration of Substitute House Bill No. 2622 on second reading. (For previous action, see today's Afternoon Session.)

MOTION FOR RECONSIDERATION

Mr. P. King, having voted on the prevailing side, moved for immediate reconsideration of the vote by which the amendments by Representatives Padden, Beck and Hargrove were adopted.

Ms. Brough demanded an oral roll call vote, and the demand was sustained.

Representatives Padden, Moyer and Wolfe spoke against the motion, and Representatives Locke and Wang spoke in favor of it. Mr. Moyer again opposed the motion.

ROLL CALL

The Clerk called the roll on the motion by Representative P. King to reconsider the vote by which the amendments by Representative Padden and others to Substitute House Bill No. 2622 were adopted, and the motion was carried by the following vote: Yeas, 59; nays, 35; excused, 4.

Voting yea: Representatives Anderson, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 59.

Voting nay: Representatives Ballard, Beck, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Ferguson, Forner, Fuhrman, Hankins, Hargrove, Holland, Horn, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 35.

Excused: Representatives Appelwick, Doty, Gallagher, Meyers R - 4.

RECONSIDERATION

The Speaker stated the question before the House to be adoption of the amendments by Representatives Padden, Beck and Hargrove to Substitute House Bill No. 2622 on reconsideration.

Ms. Brough demanded and electric roll call vote, and the demand was sustained.

Mr. Locke spoke against adoption of the amendments, and Representatives Miller, Brough and Moyer spoke in favor of them.

Representative Doty appeared at the bar of the House.

ROLL CALL

The Clerk called the roll on the adoption of the amendments by Representative Padden and others to Substitute House Bill No. 2622 on reconsideration, and the amendments were not adopted by the following vote: Yeas, 36; nays, 59; excused, 3.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Hargrove, Holland, Horn, Jesernig, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Sayan, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Winsley, Wolfe, Wood, Youngsman - 36.

Voting nay: Representatives Anderson, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Schmidt, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 59.

Excused: Representatives Appelwick, Gallagher, Meyers R - 3.

Mr. Locke moved adoption of the following amendments by Representatives Locke and Brough:

On page 2, line 10, strike "; or" and insert "."

On page 2, line 18, strike "purpose" and insert "telephoning or threatening"

Mr. Locke spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher and May spoke in favor of passage of the bill, and Representatives Hargrove and Padden opposed it.

MOTION

On motion of Ms. Bowman, Representative Doty was excused.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2262, and the bill passed the House by the following vote: Yeas, 73; nays, 21; excused, 4.

Voting yea: Representatives Anderson, Basich, Baugher, Belcher, Bennett, Betrozoff, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Forner, Fraser, Grant, Hankins, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wilson S, Wineberry, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Ballard, Beck, Bowman, Brumsickle, Chandler, Ferguson, Fuhrman, Hargrove, Moyer, Nealey, Padden, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Winsley, Wolfe, Wood, Youngsman - 21.

Excused: Representatives Appelwick, Doty, Gallagher, Meyers R - 4.

Engrossed Substitute House Bill No. 2622, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House consider the following bills in the following order: House Bill No. 2854, House Bill No. 2911, House Joint Memorial No. 4024, House Bill No. 3000, and Senate Joint Memorial No. 8019. The motion was carried.

HOUSE BILL NO. 2854, by Representative Cooper

Ratifying procedures used by certain counties for contracts for solid waste systems.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 2854 was substituted for House Bill No. 2854, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2854 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cooper and Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2854, and the bill passed the House by the following vote: Yeas, 92; nays, 2; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Myers H, Peery - 2.

Excused: Representatives Appelwick, Doty, Gallagher, Meyers R - 4.

Substitute House Bill No. 2854, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2911, by Representatives Nutley and Todd

Exempting school districts and associated students of school districts from certain contract prohibitions.

The bill was read the second time.

Ms. K. Wilson moved adoption of the following amendments by Representatives K. Wilson and Nutley:

On page 3, line 20, strike "and"

On page 3, line 24, after "performed" insert "; and the member, prior to becoming a member, had a similar or identical contractual relationship with the district or associated students for the same kind of goods"

Ms. K. Wilson spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2911, and the bill passed the House by the following vote: Yeas, 90; nays, 4; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Hine, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel,

Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Berozoff, Heavey, Holland, Pruitt - 4.

Excused: Representatives Appelwick, Doty, Gallagher, Meyers R - 4.

Engrossed House Bill No. 2911, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4024, by Representatives Basich, Vekich, Sayan, Hargrove, Jones, Jacobsen, Peery, Heavey and Rust

Promoting a Pacific Coast Highway Corridor.

The memorial was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. Basich spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4024, and the memorial passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Cantwell, Peery - 2.

Excused: Representatives Appelwick, Doty, Gallagher, Meyers R - 4.

House Joint Memorial No. 4024, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 3000, by Representatives Todd, McLean, Anderson, R. Fisher, Wineberry and Wang

Enacting the voters' rights act of 1990.

The bill was read the second time. On motion of Mr. Todd, Substitute House Bill No. 3000 was substituted for House Bill No. 3000, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 3000 was read the second time.

Ms. Bowman moved adoption of the following amendments:

On page 11, after section 21, insert:

***NEW SECTION. Sec. 22.** For the first three years after the effective date of sections 14 through 23 of this act, each county auditor shall randomly sample up to ten percent of the voter registration applications submitted in that county prior to each state general election under this chapter and shall verify for each sampled application the accuracy of the documentation of identity required under section 18 of this act. If more than ten percent of the sampled applications are found to be fraudulent, the county auditor shall verify all voter registration applications received under this chapter during that period.

The secretary of state shall adopt rules governing the procedures for randomly selecting applications to be verified, the procedures for verifying applications, and the procedures for referring potentially fraudulent applications to the prosecuting attorney for action. Each county auditor shall report to the secretary of state all cases referred to the prosecuting attorney under this section. At the end of this three-year period, the secretary of state shall report to the legislature on the implementation of this chapter."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 12, line 28, after "through" strike "23" and insert "24"

Ms. Bowman spoke in favor of adoption of the amendments, and Mr. Todd spoke against them.

The Speaker called on Representative R. King to preside.

The amendments were not adopted.

Mr. Todd moved adoption of the following amendments by Representatives Todd, McLean, Anderson and R. Fisher:

On page 14, after line 5, insert the following:

*Sec. 29. Section 29.42.050, chapter 9, Laws of 1965 as last amended by section 14, chapter 295, Laws of 1987 and RCW 29.42.050 are each amended to read as follows:

(1) The statutory requirements for filing as a candidate at the primaries shall apply to candidates for precinct committee officer except that the filing period for this office alone shall be extended to and include the Friday immediately following the last day for political parties to fill vacancies in the ticket as provided by RCW 29.18.150(~~and~~). The office of precinct committee officer shall not be voted upon at the primaries, but the names of all candidates must appear under the proper party and office designations on the ballot for the general November election for each even-numbered year (~~and~~). Except as provided in subsection (2) of this section, the (~~one~~) candidate for the office receiving the highest number of votes cast for the office at the general election shall be declared elected(~~PROVIDED, That to be declared elected, a candidate must receive at least ten percent of the number of votes cast for the candidate of the candidate's party receiving the greatest number of votes in the precinct~~)). Any person elected to the office of precinct committee officer who has not filed a declaration of candidacy shall pay the fee of one dollar to the county auditor for a certificate of election.

(2) If no one files a declaration of candidacy for the office of precinct committee officer of a political party in a precinct during the period specified by subsection (1) of this section for filing such declarations, a write-in candidate for the office for that party in that precinct must satisfy the following to be elected to the office: The candidate must receive the highest number of votes cast for that office at the general election; and must receive at least ten percent of the number of votes cast for the candidate of the write-in candidate's political party receiving the greatest number of votes in the precinct during the general election.

(3) The term of office of precinct committee officer shall be for two years, commencing upon completion of the official canvass of votes by the county canvassing board of election returns. Should any vacancy occur in this office by reason of death, resignation, or disqualification of the incumbent, or because of failure to elect, the respective county chair of the county central committee shall be empowered to fill such vacancy by appointment: PROVIDED, HOWEVER, That in legislative districts having a majority of its precincts in a class AA county, such appointment shall be made only upon the recommendation of the legislative district chair: PROVIDED, That the person so appointed shall have the same qualifications as candidates when filing for election to such office for such precinct: PROVIDED FURTHER, That when a vacancy in the office of precinct committee officer exists because of failure to elect at a state general election, such vacancy shall not be filled until after the organization meeting of the county central committee and the new county chair selected as provided by RCW 29.42.030."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 14, beginning on line 10, strike all of section 30.

Renumber the remaining section consecutively.

Mr. Todd spoke in favor of adoption of the amendments, and they were adopted.

With consent of the House, the following amendments by Representatives Todd, McLean, Anderson and R. Fisher to the title were adopted:

On page 1, line 2 of the title, after "29.62.090," strike "and" and after "29.36.070" insert ", and 29.42.050"

On page 1, line 5 of the title, strike "making an appropriation;"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Todd, McLean, Wineberry, R. Fisher and Ferguson spoke in favor of passage of the bill, and Mr. Nealey opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 3000, and the bill passed the House by the following vote: Yeas, 88; nays, 6; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Miller, Morris, Moyer, Myers H, Nelson, Nutley,

O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Fuhrman, Heavey, Locke, Nealey, Padden, Wolfe - 6.

Excused: Representatives Appelwick, Doty, Gallagher, Meyers R - 4.

Engrossed Substitute House Bill No. 3000, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8019, by Senators Benitz, Hansen, Newhouse, Stratton, Hayner, Bluechel, Metcalf and Vognild

Requesting Congress to locate the plutonium-238 mission at Hanford.

The memorial was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Jesernig and Hankins spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8019, and the memorial passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Appelwick, Doty, Gallagher, Meyers R - 4.

Senate Joint Memorial No. 8019, having received the constitutional majority, was declared passed.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Thursday, February 8, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-SECOND DAY

MORNING SESSION

House Chamber, Olympia, Thursday, February 8, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, Dorn, Haugen, H. Sommers, Todd and Vekich. On motion of Ms. Cole, Representatives Appelwick, Dorn, Haugen, Todd and Vekich were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Hillary Hunt and Nancy Ybarra. Prayer was offered by The Most Reverend Raymond G. Hunthausen, Archbishop of Seattle.

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

MESSAGE FROM THE SENATE

February 7, 1990

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5637,
 SENATE BILL NO. 5900,
 SUBSTITUTE SENATE BILL NO. 6031,
 SUBSTITUTE SENATE BILL NO. 6168,
 SENATE BILL NO. 6179,
 SUBSTITUTE SENATE BILL NO. 6243,
 SENATE BILL NO. 6251,
 SENATE BILL NO. 6253,
 SUBSTITUTE SENATE BILL NO. 6295,
 SENATE BILL NO. 6344,
 SENATE BILL NO. 6356,
 SUBSTITUTE SENATE BILL NO. 6362,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6389,
 SENATE BILL NO. 6391,
 SUBSTITUTE SENATE BILL NO. 6393,
 SENATE BILL NO. 6394,
 SUBSTITUTE SENATE BILL NO. 6395,
 SUBSTITUTE SENATE BILL NO. 6426,
 SUBSTITUTE SENATE BILL NO. 6445,
 SUBSTITUTE SENATE BILL NO. 6467,
 SENATE BILL NO. 6470,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6488,
 SUBSTITUTE SENATE BILL NO. 6626,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6649,
 SUBSTITUTE SENATE BILL NO. 6668,
 SUBSTITUTE SENATE BILL NO. 6697,
 ENGROSSED SENATE BILL NO. 6738,
 SENATE BILL NO. 6761,
 SENATE BILL NO. 6802,
 SUBSTITUTE SENATE BILL NO. 6827,
 SUBSTITUTE SENATE BILL NO. 6880,
 SENATE JOINT RESOLUTION NO. 8231.

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

- ESSB 5637 by Committee on Education (originally sponsored by Senators Anderson, Rasmussen, Metcalf and Craswell)
Changing powers and duties of the state board of education.
Referred to Committee on Education.
- SB 5900 by Senator Anderson
Establishing a procedure to expand the electorate of water and sewer districts.
Referred to Committee on Local Government.
- SSB 6031 by Committee on Law & Justice (originally sponsored by Senators Nelson, Rasmussen, Talmadge and von Reichbauer)
Establishing voter registration availability with driver's licensing.
Referred to Committee on State Government.
- SB 6168 by Committee on Economic Development & Labor (originally sponsored by Senator Lee)
Revising provisions for prevailing rates for apprentice workers.
Referred to Committee on Commerce & Labor.
- SB 6179 by Senators Newhouse, Rasmussen and Barr
Granting a local government option regarding administration of flood plain regulations.
Referred to Committee on Local Government.
- SSB 6243 by Committee on Ways & Means (originally sponsored by Senators Warnke, Smitherman and Rasmussen)
Clarifying the tax exemption for property owned by veterans' organizations.
Referred to Committee on Revenue.
- SB 6251 by Senators Rasmussen, Patterson, Saling, Thorsness, Wojahn, Bender, Conner and Kreidler
Revising requirements for special license plates for prisoners of war spouses.
Referred to Committee on Transportation.
- SB 6253 by Senators Patterson, McCaslin, Matson, Hayner, Amondson, Rasmussen and Barr
Providing a method to evaluate whether a "taking" has occurred.
Referred to Committee on Judiciary.
- SSB 6295 by Committee on Economic Development & Labor (originally sponsored by Senators Matson, Vognild, Newhouse, Warnke, Barr, Hansen, Lee, Patrick, Nelson, McMullen, Saling, Anderson, West, Bauer, Johnson and Sutherland)
Regulating business relationships between manufacturers and distributors of agriculture equipment and independent retail dealers.
Referred to Committee on Commerce & Labor.
- SB 6344 by Senators Niemi, Bailey, West, Vognild, McMullen, Wojahn and Smith
Revising provisions for regional support networks.
Referred to Committee on Human Services.
- SB 6356 by Senators West and Kreidler; by request of Health Care Authority
Amending health care authority provisions.
Referred to Committee on Health Care.

- SSB 6362 by Committee on Transportation (originally sponsored by Senators Hansen, Patterson, Madsen, Nelson and Benitz)
Providing for certificates of ownership for snowmobiles.
Referred to Committee on Transportation.
- ESSB 6389 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge and Newhouse)
Revising the Washington business corporations act.
Referred to Committee on Judiciary.
- SB 6391 by Senators Nelson, Talmadge and Newhouse
Correcting internal revenue code references in the estate and transfer tax statutes.
Referred to Committee on Judiciary.
- SSB 6393 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge and Newhouse)
Exempting certain retirement benefits from execution, attachment, garnishment, or seizure.
Referred to Committee on Judiciary.
- SB 6394 by Senators Nelson, Talmadge and Newhouse
Modifying provisions regarding escheat property and small estates.
Referred to Committee on Judiciary.
- SSB 6395 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge and Newhouse)
Correcting obsolete inheritance tax references.
Referred to Committee on Judiciary.
- SSB 6426 by Committee on Transportation (originally sponsored by Senators Cantu, Bender, Patterson and McDonald)
Revising the Scenic and Recreational Highway System.
Referred to Committee on Transportation.
- SSB 6445 by Committee on Law & Justice (originally sponsored by Senators Rasmussen, Niemi, Warnke, Newhouse, Wojahn, Murray, Williams and Talmadge)
Changing provisions relating to the law enforcement officers' and fire fighters' retirement system.
Referred to Committee on Judiciary.
- SSB 6467 by Committee on Law & Justice (originally sponsored by Senators Talmadge, Nelson and Vognild)
Adding second degree arson as basis for first degree murder in certain cases.
Referred to Committee on Judiciary.
- SB 6470 by Senators Williams, Lee and Rasmussen; by request of Department of Labor and Industries
Regarding construction lien laws.
Referred to Committee on Commerce & Labor.
- ESSB 6488 by Committee on Law & Justice (originally sponsored by Senators Rinehart, Nelson, Talmadge, Murray, Moore, Niemi and Warnke)
Regulating personal watercraft.
Referred to Committee on Natural Resources & Parks.

- SSB 6626 by Committee on Higher Education (originally sponsored by Senators Conner, Barr, Saling, Benitz and DeJarnatt)
Requiring an assessment of higher education needs of placebound students.
Referred to Committees on Higher Education/Appropriations.
- ESSB 6649 by Committee on Transportation (originally sponsored by Senators Conner, Hansen and Bauer)
Clarifying the status of Adopt-a-Highway signs.
Referred to Committee on Transportation.
- SSB 6668 by Committee on Ways & Means (originally sponsored by Senators Newhouse, Talmadge, Patrick and von Reichbauer; by request of Department of Labor and Industries)
Amending crime victims' compensation provisions.
Referred to Committee on Judiciary.
- SSB 6697 by Committee on Transportation (originally sponsored by Senator DeJarnatt)
Ordering a study of the need for a second bridge over the Columbia at Longview.
Referred to Committee on Transportation.
- ESB 6738 by Senators Bauer, Bailey, Saling, Lee, Rinehart and Sutherland
Establishing the summer motivation and academic residential training program.
Referred to Committees on Higher Education/Appropriations.
- SB 6761 by Senators Newhouse and Barr; by request of Employment Security Department
Revising the implementation date for voluntary combined reporting for agricultural employers.
Referred to Committee on Commerce & Labor.
- SB 6802 by Senators Sellar, Vognild, Benitz, Bailey and McCaslin
Changing provisions relating to reduced utility rates for low income disabled citizens.
Referred to Committee on Energy & Utilities.
- SSB 6827 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Kreidler, Bluechel, Madsen, Amondson, Anderson, Warnke and Saling)
Studying state-wide 911.
Referred to Committees on Energy & Utilities/Appropriations.
- SSB 6880 by Committee on Governmental Operations (originally sponsored by Senators Rinehart, McCaslin and Niemi)
Limiting the disclosure of business and residential locations.
Referred to Committee on State Government.
- SJR 8231 by Senators Wojahn, Warnke, Stratton, Sutherland, Vognild, Moore, Rasmussen, Bauer and Patrick
Allowing video testimony of children under ten years of age who are sexual abuse victims.
Referred to Committee on Judiciary.

MOTION

On motion of Mr. Heavey, the bills and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

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

SECOND READING

HOUSE BILL NO. 2606, by Representatives Ferguson, Beck, Haugen, Ballard, Jones, Chandler, Nutley, Winsley, Anderson, Miller, Van Luvan, Holland, Nealey, Fuhrman, Forner, Raiter, Wolfe, Doty, Wood, Cooper, Tate, Youngsman, Zellinsky, D. Sommers, Nelson, Sayan, Wineberry, K. Wilson, Phillips, Belcher, Dorn, Day, Crane, Baugher, Wang, Dellwo, Jacobsen, Rector, Krømen, Padden, Smith, Horn, Betrozoff, Moyer, Scott, Bowman, Hankins and Schoon

Requiring disclosure of the right to cancel mortgage insurance.

The bill was read the second time.

Mr. Locke moved adoption of the following amendment by Representatives Locke, Dellwo and Ferguson:

On page 1, after line 22, insert the following:

*Sec. 2. Section 2, chapter 98, Laws of 1989 and RCW 19.148.020 are each amended to read as follows:

Unless the context requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Closing documents' means preliminary negotiations reduced to writing, estimated settlement charges, deeds or deed forms, promissory notes, final loan contracts, and any other document necessary for completion of the loan transaction.

(2) 'Lender' shall mean any person in the business of making a loan.

~~((2))~~ (3) 'Loan' shall mean any loan used to finance the acquisition of a one-to-four family owner occupied residence located in this state.

~~((3))~~ (4) 'Purchasing servicing agent' is any person who purchases, receives through transfer or assignment, or otherwise acquires the responsibility of the servicing for a loan.

~~((4))~~ (5) 'Person' shall include an individual, firm, association, partnership, business, trust, corporation, or any other legal entity whether resident or nonresident.

Sec. 3. Section 3, chapter 98, Laws of 1989 and RCW 19.148.030 are each amended to read as follows:

(1) If the servicing for the loan is subject to sale, transfer, or assignment, a lender shall so disclose in writing at the time of or prior to loan closing and shall also disclose in the same writing that when such servicing is sold, transferred, or assigned, the purchasing servicing agent is required to provide notification to the mortgagor. If a lender, which has not provided the notice required by this subsection, consolidates with, merges with or is acquired by another institution, and thereafter loan servicing becomes subject to sale, transfer, or assignment, that institution shall within thirty days of such transaction make the disclosure in writing to the obligor primarily responsible for repaying each loan according to the records of the lender.

(2) If the servicing of a loan is sold, assigned, transferred, or otherwise acquired by another person, the purchasing servicing agent shall:

(a)(i) Issue corrected coupon or payment books, if used and necessary;

(ii) Provide notification to the mortgagor at least thirty days prior to the due date of the first payment to the purchasing servicing agent, of the name, address, and telephone number of the division from whom the mortgagor can receive information regarding the servicing of the loan; and

(iii) Inform the mortgagor of changes made regarding the servicing requirements including, but not limited to, interest rate, monthly payment amount, and escrow balance; and

(b) Respond within fifteen business days upon receipt of a written request for information from a mortgagor. A written response must include the telephone number of the company division who can assist the mortgagor.

(3) Upon request of a loan applicant, a lender shall provide copies of all closing documents to the applicant at least twenty-four hours prior to loan closing. Each lender must advise a loan applicant at the time of application that the applicant has the right to request and receive copies of closing documents prior to loan closing.

(4) Any person injured by a violation of this chapter may bring an action for actual damages and reasonable attorneys' fees and costs incurred in bringing the action."

Representatives Locke and Ferguson spoke in favor of adoption of the amendment, and it was adopted.

On motion of Mr. Locke, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "insurance;" strike the remainder of the title and insert "amending RCW 19.148.020 and 19.148.030; and adding a new section to chapter 19.148 RCW."

The bill was ordered engrossed. On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2606, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Spanel, Sprenkle, Tate, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Sommers H - 1.

Excused: Representatives Appelwick, Dorn, Haugen, Todd, Vekich - 5.

Engrossed House Bill No. 2606, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

Representatives Appelwick, Dorn, Haugen, H. Sommers, Todd and Vekich appeared at the bar of the House.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4738, by Representatives Jacobsen, Miller, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, R. Meyers, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, Athletics is one of the most effective ways for women in the United States to develop leadership skills, self-discipline, initiative and confidence; and

WHEREAS, Sport and fitness activity contributes to emotional and physical well-being, and women need both strong minds and strong bodies; and

WHEREAS, The communication and cooperation skills learned through athletic experience play a key role in the contributions of athletes to the home, to the work place and to society; and

WHEREAS, Early motor-skill training and enjoyable experiences of physical activity strongly influence lifelong habits of physical fitness; and

WHEREAS, The bonds built among women through athletics help break down the social barriers of racism and prejudice; and

WHEREAS, The history of women in sports is rich and long, but there has been little national recognition of the significance of the athletic achievements of women; and

WHEREAS, The State of Washington has produced women athletes who are winners such as Olympic skier Debbie Armstrong, ice skater Rosalynn Summers, track star Doris Heritage, swimmer Mary Wayte, synchronized swimmer Tracie Ruiz-Conforto, marathon runner Lisa Weidenbach, and soccer player Shannon

Higgins, whose spirit, talent, and accomplishments distinguished them from others and were a source of inspiration and pride to all of us; and

WHEREAS, The number of women in the leadership positions of coaches, officials, and administrators has declined drastically over the past decade, and there is a need to restore women to these positions to ensure a fair representation of the abilities of women and to provide role models for young female athletes; and

WHEREAS, The athletic opportunities for male students at the college and high school level remain significantly greater than the athletic opportunities for female students; and

WHEREAS, The number of funded research projects focusing on the specific needs of women athletes is limited, and the information provided by the projects is imperative to the health and performance of future women athletes;

NOW, THEREFORE, BE IT RESOLVED, That February 8, 1990, be designated as National Girls and Women in Sports Day.

Mr. Jacobsen moved adoption of the resolution. Representatives Jacobsen, Miller and Hine spoke in favor of the resolution.

On motion of Mr. Dellwo, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

House Floor Resolution No. 90-4738 was adopted.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House resume consideration of House Bill No. 2617 on the regular second reading calendar. The motion was carried. (For previous action, see Journal, 31st Day, February 7, 1990, Evening Session.)

HOUSE BILL NO. 2617, by Representatives G. Fisher, Hine, Rust, Prentice, Todd, Heavey, Valle and Jacobsen

Establishing a jet aircraft emissions study.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the amendments by Committee on Environmental Affairs.

Ms. Valle moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives G. Fisher, Ferguson and Chandler spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2617, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2617, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Ebersole, the House recessed until 1:45 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:45 p.m. The Clerk called the roll and all members were present except Representatives Chandler, Locke and Wolfe. On motion of Ms. Miller, Representatives Chandler and Wolfe were excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2566 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2566, by Representatives Kirby, Wolfe, Rayburn, Baugher, Brooks, Moyer, Fuhrman, Grant, Jesernig, Rector, Dellwo, Bowman, Scott, Sayan, Jones, Haugen, Miller, Kremen, Ballard, Spanel, Silver, Schoon, Doty, H. Myers, Brumsickle, Youngsman, Todd, Inslee, Rasmussen, McLean and Prentice; by request of Governor Gardner

Expanding rural health care opportunities.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2566 was substituted for House Bill No. 2566, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2566 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Kirby, Brooks, Moyer, Braddock and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2566, and the bill passed the House by the following vote: Yeas, 95; absent, 1; excused, 2.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G. Fisher R. Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representative Locke - 1.

Excused: Representatives Chandler, Wolfe - 2.

Substitute House Bill No. 2566, having received the constitutional majority, was declared passed.

Representatives Chandler and Locke appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2742 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2742, by Representatives Dorn, Ebersole, Ferguson, Jones, Jacobsen, Crane, Wineberry and Rasmussen

Establishing the state board for vocational technical institutes.

The bill was read the second time. On motion of Mr. Peery, Substitute House Bill No. 2742 was substituted for House Bill No. 2742, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2742 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dorn, Schoon and Ferguson spoke in favor of passage of the bill, and Ms. Walker spoke against it.

The Speaker called on Representative Wang to preside.

Mr. Holland spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2742, and the bill passed the House by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Beck, Belcher, Bennett, Brekke, Cantwell, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Fuhrman, Grant, Hargrove, Haugen, Heavey, Hine, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Sommers H, Sprenkle, Vekich, Wang, Wineberry, Zellinsky, and Mr. Speaker - 60.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Chandler, Cole, Doty, Forner, Gallagher, Hankins, Holland, Horn, Kremen, Leonard, May, McLean, Miller, Moyer, Nealey, Prentice, Schmidt, Smith, Sommers D, Spanel, Tate, Todd, Valle, Van Luvan, Walker, Wilson K, Wilson S, Winsley, Wood, Youngsman - 37.

Excused: Representative Wolfe - 1.

Substitute House Bill No. 2742, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that the House immediately consider House Bill No. 2601 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2601, by Representatives Belcher, Brooks, Hine, Dellwo, Brough, Sprenkle, Winsley, Scott, McLean, Morris, Jacobsen, Miller, Prentice, Wang, Leonard, Spanel, Nutley, R. Fisher, Todd, Haugen, Nelson, Grant, Brekke, H. Sommers, Beck, S. Wilson, Schmidt, Hankins, Pruitt, Bowman, Ferguson, May, Fraser, G. Fisher, Cole, Vekich, Dorn, Locke, Anderson, P. King, Basich, Valle, Crane, Wineberry, Jesernig, Rector, Holland, Forner, Wood, R. Meyers, R. King, Jones, Ebersole and Cooper

Creating a comprehensive program for pregnancy prevention and support for women and their partners.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2601 was substituted for House Bill No. 2601, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2601 was read the second time.

On motion of Mr. Heavey, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher, Brooks, Hine, Miller and Ferguson spoke in favor of passage of the bill, and Mr. D. Sommers spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2601, and the bill passed the House by the following vote: Yeas, 85; nays, 12; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers H, Spanel, Sprenkle, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Ballard, Chandler, Day, Fuhrman, Hargrove, Kremen, Moyer, Padden, Silver, Sommers D, Tate, Youngsman - 12.

Excused: Representative Wolfe - 1.

Substitute House Bill No. 2601, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2695 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2695, by Representatives Vekich, R. King, Leonard, Cole, Prentice, Jones, Rector and Basich

Revising provisions for industrial insurance vocational rehabilitation services.

The bill was read the second time. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich and Jones spoke in favor of passage of the bill, and Representatives Smith and Walker spoke against it. Mr. Vekich again spoke in favor of the bill, and Mr. Smith again opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2695, and the bill passed the House by the following vote: Yeas, 60; nays, 37; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wilson K, Wineberry, Winsley, and Mr. Speaker - 60.

Voting nay: Representatives Ballard, Baugher, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, Kirby, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luvan, Walker, Wang, Wilson S, Wood, Youngsman, Zellinsky - 37.

Excused: Representative Wolfe - 1.

House Bill No. 2695, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Heavey, the House advanced to the seventh order of business.

THIRD READING

HOUSE BILL NO. 2432, by Representatives Heavey, Beck, Hargrove, Ebersole, Kremen, Vekich, Cole, Grant, Jacobsen, Sprenkle, Rust, Scott, Wang, Crane, R. Fisher, Rector, Wineberry, Jones, Dellwo, Basich, R. King and Spanel

Revising provisions for unemployment compensation during labor disputes.

The bill was read the third time and placed on final passage.

Representatives Heavey, R. King and Vekich spoke in favor of passage of the bill, and Representatives Smith, May, Walker and Beck spoke against it. Representatives Smith and Walker again opposed the bill, and Mr. Heavey again spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2432, and the bill passed the House by the following vote: Yeas, 56; nays, 41; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, and Mr. Speaker - 56.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Chandler, Dorn, Doty, Ferguson, Forner, Fuhrman, Hankins, Haugen, Holland, Horn, Kirby, May, McLean, Meyers R, Miller, Moyer, Nealey, Padden, Prince, Raiter, Schmidt, Schoon,

Silver, Smith, Sommers D. Tate, Van Luven, Walker, Wilson S. Winsley, Wood, Youngsman, Zellinsky - 41.

Excused: Representative Wolfe - 1.

House Bill No. 2432, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Heavey, the House recessed until 6:30 p.m.

EVENING SESSION

The Speaker (Mr. G. Fisher presiding) called the House to order. The Clerk call the roll and all members were present except Representatives Appelwick, Baugher, Beck, Chandler, Crane, Miller, Morris, Moyer, Padden, Prentice, Prince, Rasmussen, Schoon, D. Sommers, H. Sommers, Vekich and Wolfe. On motion of Mr. Ebersole, Representative Appelwick was excused. On motion of Ms. Bowman, Representatives Beck, Chandler, Miller, Padden and Wolfe were excused.

The Speaker (Mr. G. Fisher presiding) called on Representative O'Brien to preside.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2643 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2643, by Representatives Hine, D. Sommers, Sayan, McLean, H. Sommers, Silver, R. King, Anderson, Winsley and Spanel; by request of Joint Committee on Pension Policy

Changing survivorship options for members of state retirement systems.

The bill was read the second time. On motion of Mr. Ebersole, Substitute House Bill No. 2643 was substituted for House Bill No. 2643, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2643 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Silver, McLean and Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2643, and the bill passed the House by the following vote: Yeas, 81; absent, 11; excused, 6.

Voting yea: Representatives Anderson, Ballard, Basich, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G. Fisher R. Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P. King R. Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R. Myers H. Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Pruitt, Raiter, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Silver, Smith, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K. Wilson S. Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 81.

Absent: Representatives Baugher, Crane, Morris, Moyer, Prentice, Prince, Rasmussen, Schoon, Sommers D. Sommers H. Vekich - 11.

Excused: Representatives Appelwick, Beck, Chandler, Miller, Padden, Wolfe - 6.

Substitute House Bill No. 2643, having received the constitutional majority, was declared passed.

MOTION

On motion of Ms. Bowman, Representatives Moyer, Prince and Schoon were excused.

Representatives D. Sommers, H. Sommers and Vekich appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2925 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2925, by Representatives Wang, Holland, Locke and Hine; by request of Economic and Revenue Forecast Council

Modifying contribution rates to the state retirement systems.

The bill was read the second time. On motion of Mr. Locke, Substitute House Bill No. 2925 was substituted for House Bill No. 2925, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2925 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2925, and the bill passed the House by the following vote: Yeas, 84; absent, 5; excused, 9.

Voting yea: Representatives Anderson, Ballard, Basich, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Pruitt, Raiter, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 84.

Absent: Representatives Baugher, Crane, Morris, Prentice, Rasmussen - 5.

Excused: Representatives Appelwick, Beck, Chandler, Miller, Moyer, Padden, Prince, Schoon, Wolfe - 9.

Substitute House Bill No. 2925, having received the constitutional majority, was declared passed.

MOMENT OF SILENCE

On the request of the Speaker (Mr. O'Brien presiding), members of the House of Representatives stood in silence in memory of former Representative Helmut Jueling.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

Representatives Baugher, Crane, Morris, Moyer, Padden, Prentice, Prince, Rasmussen and Schoon appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House consider the following bills on the regular second reading calendar in the following order: House Bill No. 2638, House Bill No. 2910, House Bill No. 2252, House Bill No. 2603, House Bill No. 2642 and House Bill No. 2644. The motion was carried.

MOTION

On motion of Mr. Wang, Representative Gallagher was excused.

HOUSE BILL NO. 2638, by Representatives Inslee, Dellwo, Chandler, Crane, R. King, Brekke and Rector

Revising provisions for sale and renewal of automobile insurance.

The House resumed consideration of House Bill No. 2638 on second reading. (For previous action, see Journal, 31st Day, February 7, 1990, Afternoon Session.)

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Inslee and Dellwo spoke in favor of passage of the bill, and Mr. May spoke against it. Mr. Inslee again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2638, and the bill passed the House by the following vote: Yeas, 68; nays, 22; absent, 2; excused, 6.

Voting yea: Representatives Anderson, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Hine, Holland, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, Padden, Peery, Phillips, Prentice, Prince, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Smith, Sommers H, Spanel, Sprengle, Todd, Valle, Van Luven, Vekich, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 68.

Voting nay: Representatives Ballard, Betzoff, Bowman, Brooks, Brumsickle, Doty, Ferguson, Haugen, Heavey, Horn, May, McLean, Moyer, Nealey, Schoon, Silver, Sommers D, Tate, Walker, Wilson S, Wood, Youngsman - 22.

Absent: Representatives O'Brien, Pruitt - 2.

Excused: Representatives Appelwick, Beck, Chandler, Gallagher, Miller, Wolfe - 6.

Engrossed House Bill No. 2638, having received the constitutional majority, was declared passed.

Representative Appelwick appeared at the bar of the House.

HOUSE BILL NO. 2910, by Representatives Sayan, Moyer, Brekke, Leonard, Hine, Belcher, Brooks, Spanel, Wineberry, Valle, Van Luven, Anderson, Winsley, R. King, Jacobsen, Wang, Basich, Wolfe, Brumsickle, O'Brien, Ferguson, R. Meyers, Phillips, Grant, Heavey, Todd, Dellwo, P. King, Cole, Scott, Ebersole, Tate, Betzoff, Walker, Bowman, Cooper, Raiter, Crane, Gallagher, Miller, Rayburn, Rasmussen, Vekich, Holland, Peery, Rust, Jones, Wood, Appelwick, Locke, Beck, Morris, Day, Padden, R. Fisher, Nutley, Fraser, Pruitt, Hargrove, Rector, Zellinsky, Smith, May, Hankins, D. Sommers, Fuhrman and Nelson

Providing guidelines for establishing grant standards for income assistance programs.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2910 was substituted for House Bill No. 2910, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2910 was read the second time.

Ms. Silver moved adoption of the following amendment:

On page 1, line 27, after "need," insert "The report shall also consider the impact of increases in grant standards on the economy of the state, on the citizens of the state, on other state programs, and on state taxes. The report shall also consider the future costs of increases in grant standards."

Representatives Silver, Brekke and Sayan spoke in favor of adoption of the amendment, and it was adopted.

Ms. Silver moved adoption of the following amendments:

On page 2, line 5, strike "June 30, 1991" and insert "May 1, 1990"

On page 2, line 7, strike "June 30" and insert "July 1"

On page 2, line 9, strike "June 30" and insert "July 1"

On page 2, line 10, strike "June 30" and insert "July 1"

On page 2, line 12, strike "June 30" and insert "July 1"

On page 2, line 13, strike "June 30" and insert "July 1"

On page 2, line 15, strike "June 30" and insert "July 1"

On page 2, line 16, strike "June 30" and insert "July 1"

On page 2, line 18, strike "June 30" and insert "July 1"

Ms. Silver spoke in favor of adoption of the amendments, and Mr. Sayan opposed them. Ms. Silver again spoke in favor of the amendments.

The amendments were not adopted.

Mr. Prince moved adoption of the following amendment:

On page 2, following line 18, insert:

***NEW SECTION, Sec. 4.** The department shall petition the federal government for authority to vary grant standards by county. If the federal government grants authority to vary grant standards by county then the department shall develop grant standards for each county to reflect local cost of living differences."

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Prince and Leonard spoke in favor of adoption of the amendment, and it was adopted.

Mr. Prince moved adoption of the following amendment:

On page 3, following line 30, insert:

***NEW SECTION, Sec. 9.** If by June 30, 1991 the federal government has not authorized the department to vary grant standards by county, pursuant to section 4 of this act, this act shall be null and void.

Mr. Prince spoke in favor of adoption of the amendment, and Mr. Sayan opposed it.

The amendment was not adopted.

Mr. Padden moved adoption of the following amendment:

On page 3, on line 30, after "2007," insert "However, in order to provide for additional review of the effect of earning incentive options on breaking the cycle of poverty, effective June 30, 1993, sections 1, 2, 3, 4 and 5 are each repealed and the changes made by section 6 expire."

Representatives Padden and Horn spoke in favor of adoption of the amendment, and Mr. Wineberry opposed it.

The amendment was not adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan, Moyer, Zellinsky, Van Luven, Jones and Wood spoke in favor of passage of the bill, and Representatives Silver and Sprenkle opposed it. Mr. Sayan again spoke in favor of the bill.

MOTION

Ms. Hine moved that the remarks of Representatives Sayan and Moyer on final passage of Engrossed Second Substitute House Bill No. 2910 be spread upon the Journal. With consent of the House, it was so ordered.

REMARKS BY REPRESENTATIVE SAYAN

Mr. Sayan: Thank you, Mr. Speaker and members of the House. My remarks will be brief. I want, first, to thank Representative John Moyer for his courage--without which we would not be here--for his direction and his leadership and, frankly, his support. John is willing to take the heat, and I am always willing to let him have it. In all sincerity, I have not met anyone whose convictions are stronger or carried him further than John's do for him.

If the Children's Initiative left us with one clear signal last ballot time, it was that the services that we are to provide for Aid For Dependent Children must be of direct benefit to needy children, all one hundred and forty-two thousand of them under AFDC by our latest count. Now the bipartisan measure before us does exactly that. The grant arrives today, and tomorrow it pays for rent and buys food. It helps out the food bank because, when the check arrives, they get a little respite.

I want to suggest to you that this is a moment that we can share together and, with the permission of the Speaker and the body, I would like to read a few short sentences from the remarks that were presented to us today by The Reverend John Boonstra, Executive Minister of the Washington Association of Churches; The Reverend Gaylord Hasselblad, Executive Minister of the American Baptist Churches of the Northwest; The Most Reverend Raymond Hunthausen, Archbishop of the Roman Catholic Archdiocese of Seattle; The Reverend Lowell Knutson, Bishop, Northwest Washington Center of Evangelical Lutheran Church in America; and The Right

Reverend Vincent W. Warner, Junior Bishop, Episcopal Diocese of Olympia--as ecumenical a gathering of people concerned about people in need as we will ever meet. At their press conference today they gave us this statement, and I have just a few sentences to share with you.

They said, "We speak because fundamental moral values are at stake. Our biblical perspectives form the basis of a belief that meeting the basic necessities of the poor must be society's highest priority. The basic needs of the poor must take precedence over the less basic needs of those who are more fortunate. In light of these principles, we believe that Engrossed Second Substitute House Bill No. 2910 is a major statement of policy, which must be implemented this session. House Bill No. 2910 addresses one of the most significant problems facing our state today--growing poverty affecting families and disabled individuals. It is now widely acknowledged that poverty is at the root of many of our social problems--hunger, child abuse, homelessness, failure to learn in school, drugs and crime. We support House Bill No. 2910 because it is a practical, long-term attempt to reverse the steady decline in the value of welfare grants. We ask the House; we ask the Senate and the Governor to support House Bill No. 2910. The time to enact House Bill No. 2910 is now, not later. The children of our state cannot wait until the next session. A long-term, eighteen- to twenty-year plan to recover our standard of decency, brought to this state in 1948 from an initiative to the people where they spelled out clearly that our people have the minimum standard of need, set forth what that standard should be and asked that it be continued in law. We have failed that initiative for all these many years. We have been on a decline in standard for twenty years. We only ask that we reverse that downward decline and step up to the issue, and in the next twenty years bring us back to the standard of decency."

It is said well that hunger in this state and in this land of plenty is not just immoral; it is a national disgrace. Please vote "yes" on this measure.

REMARKS BY REPRESENTATIVE MOYER

Mr. Moyer: Thank you, Mr. Speaker. I hope that what I have to say is worthy of the accolades of the previous speaker. In the last session I worked to defeat the Children's Initiative because I felt that it would not accomplish the purpose for which it was designed. At that time I did commit myself to the concept of the Children's Initiative, and I stand here tonight to honor that commitment. I will discuss what I call the poverty pit, the poverty industry, the legislative commitment, and the need for innovation and change.

First, the poverty pit. Today twenty percent of children live in poverty. If you are black, fifty percent of the children live in poverty. That is two hundred and six thousand kids in Washington. A hundred and forty-two thousand five hundred live on about one-half of the state-defined subsistence level or standard of need. The standard of need was established about sixty years ago to define "a decent, healthful subsistence." The last time the Legislature met that need was in 1969, some twenty-one years ago. Two-thirds of all welfare recipients are children who exist--and I underline exist--at eighteen percent of the median income of Washington. That is the poverty pit.

The poverty industry. A few blocks from this building is DSHS, our poverty pentagon. Over the years the Legislature has constructed this huge entity with sixteen thousand five hundred employees in the name of efficiency. About thirty-five percent of the budget goes to social programs, health programs and other programs which have to do with the poverty of the body or the poverty of spirit. We have created an industry which we fuel with people who struggle to live at eighteen percent of the median income, and they have become docile, compliant and seem to have lost their self-esteem. So much for the industry.

What is the cost? It is illness; it is crime; and it is ignorance. If you live in a house, or anyplace, where the temperatures alternate between hot and cold, your mucus membranes dry out and bacteria get into your system. You get ear infections; you get colds. And these are treated in a very expensive fashion. That is just one of the illnesses. If you are pregnant and you have a crummy diet and you have to move often, the combination of stress and malnutrition, among other things, result in little babies, tiny babies. They are cared for in the neonatal intensive care unit at twelve hundred dollars plus per day. We had more tiny babies in 1989 in

this country than we had in 1988. We are dealing with a crime rate which results in jail populations over one hundred percent of their capacity. We are two hundred cases behind on our court dockets. And that is enough of crime. We are talking about four hundred and eleven million dollars, possibly, in jails for this decade. How much for next decade? It is no secret that twenty-five percent of our high school students drop out, but the most recent statistics are thirty percent and fifty percent, if you are black. We import people into Washington for jobs because we haven't got people trained in our own state to do them.

The commitment. Incomes are up since 1969; Washington is on a roll. Do we have a right to deny at least some parity to welfare recipients? Are we not our brother's keeper? I have heard an estimate of forty-three dollars per recipient per month. What does that really buy these days? A pair of shoes?

I have been told the bill is designed to embarrass the other body, and from my perspective that is not true. I have implicit trust in the other body's ability to commit to this concept within the bounds of reality. Certainly they have demonstrated this on other occasions; I have no fear at all that they can't do it now.

The bell has tolled and it is time for a change. So let's reduce that pentagon of poverty by getting people off welfare. Let's get people out of the poverty pit. Let's put dollars where they count, rather than building more prisons, buying more health services, having more and more low birth weight babies, having more and more dropouts. Above all, let's take a bipartisan approach to poverty of the body and an ecumenical approach to poverty of the spirit. Let's send this to the Senate for their wisdom. Politics is the art of compromise. Let the process begin. Thank you.

FURTHER REMARKS BY REPRESENTATIVE SAYAN

Mr. Sayan: Thank you, Mr. Speaker and members of the House. I rise, hopefully, to close the discussion. About every twenty-five years in the lives of most of us, the stars seem to come together and there is some kind of convergence and things happen. Let this happen. And let it be said that this was our finest hour.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2910, and the bill passed the House by the following vote: Yeas, 72; nays, 21; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Bennett, Betzoff, Bowman, Brekke, Brooks, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Jacobsen, Jones, King P, King R, Kremen, Leonard, Locke, May, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Todd, Vaile, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Ballard, Baugher, Braddock, Brough, Dorn, Doty, Forner, Fuhrman, Hankins, Horn, Insllee, Jesernig, Kirby, McLean, Meyers R, Nealey, Prince, Rayburn, Silver, Sprenkle, Tate - 21.

Excused: Representatives Beck, Chandler, Gallagher, Miller, Wolfe - 5.

Engrossed Second Substitute House Bill No. 2910, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2252, by Representatives Braddock, Prentice, Sayan, Vekich, Brekke, Wineberry, Todd, Nelson, H. Sommers, Cole, Spanel and Scott

Establishing the Washington universal health access and containment commission.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2252 was substituted for House Bill No. 2252, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2252 was read the second time.

Mr. Braddock moved adoption of the following amendment by Representatives Braddock and Brooks:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. This act may be known and cited as 'the Washington universal health access and cost control commission act of 1990.'

NEW SECTION. Sec. 2. (1) The legislature finds that although Washington state has made significant strides in addressing the lack of access to health services and rising health service costs, major system deficiencies still exist. The number of persons without access to health services continues to grow at an alarming rate and health service costs continue to rise well above the rate of inflation.

The legislature further finds that problems relating to health service access, quality, and cost control are likely to have a detrimental effect on the state's ability to be competitive in the international economy. Further, growing health service costs have had a particularly harmful effect on small businesses, which have been experiencing significant increases in health costs. This is likely to result in a sharp decline in the capacity of employers to provide health care coverage for their employees.

The legislature further finds that there may be significant administrative inefficiencies in the structure of the current health care system, which has numerous payers and administrators, involving an excessive amount of paperwork and consuming much of a health provider's time on nonpatient matters; and that a single administrative structure could possibly reduce overall administrative costs and increase the amount of time a health provider would have available for patient care.

The legislature concludes that future reforms must be systemic, encompassing all major components of health service delivery and finance. The goals must also result in appropriate health service coverage for all state residents, promote quality of care, and include effective cost controls.

(2) To address these problems, it is the intent of the legislature to develop strategies to establish a universal health access plan for Washington state based on the following principles:

(a) Because the responsibility for a healthy citizenry lies primarily with the individual citizen, the citizen should play a key role in the development and oversight of their health care system;

(b) Appropriate health services should be available within an integrated system to all residents of Washington state regardless of health condition, age, sex, ethnicity, race, geographic location, employment, or economic status;

(c) The financial burden for providing needed health services should be equitably shared by government, employers, and individual citizens;

(d) Citizens should have the freedom to choose their health service provider, but incentives should be provided to facilitate their participation with cost-effective managed health service programs;

(e) Health service providers should receive fair compensation for their services in a timely and uncomplicated manner;

(f) Health service providers should have the freedom to choose their practice setting, but incentives should be provided for them to participate in cost-effective managed health service settings and in areas where there are shortages of providers;

(g) Illness and injury prevention and health promotion programs should be a major part of the health service system;

(h) A state health service budget reflecting the cost of providing health services provided through the plan and established in a public and deliberative manner, is essential for controlling health costs; and

(i) Quality of care should be promoted through the establishment of the most effective health services determined by those providers trained to make such determinations and by the assurance of acceptable standards for health professionals and facilities.

NEW SECTION. Sec. 3. Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(1) 'Board' means the board of health.

(2) 'Commission' means the Washington universal health access and cost control commission created by section 4 of this act.

(3) 'Department' means the department of health.

(4) 'Eligible person' means any person who is a resident of Washington state and who chooses to participate in the universal health plan.

(5) 'Federal poverty level' means the federal poverty level determined annually by the United States department of health and human services.

(6) 'State health services budget' means a budget that is capped and is fixed as a proportion of the Washington nominal personal income as published by the Washington state economic and revenue forecast council, or other indicator established by the commission, from which all health services provided in the state are purchased.

(7) 'Health services' or 'basic health services' mean a set of comprehensive basic health services defined pursuant to section 7 of this act and provided by the universal health plan.

(8) 'Secretary' means the secretary of health.

(9) 'Universal health plan' or 'plan' means the Washington universal health access plan established pursuant to section 5 of this act.

(10) 'Utilization fee' means a fee paid by certain eligible persons, as determined by the commission, at the time of receiving health services.

NEW SECTION. Sec. 4. (1) The Washington universal health access and cost control commission is created, consisting of seventeen members.

(a) Five members shall be appointed as follows:

(i) Two members of the house of representatives, one from each political caucus, appointed by the speaker of the house of representatives;

(ii) Two members of the senate, one from each political caucus, appointed by the president of the senate;

(iii) The chair of the health care access and cost control council, established pursuant to RCW 70.170.030.

(b) The following twelve members shall be appointed by the governor:

(i) Three members shall represent employers, at least one shall be from the eastern part of the state, and at least one shall represent employers with small businesses;

(ii) Three members shall represent employee organizations;

(iii) Three members shall represent providers of health services, however, no more than one shall be from any one provider group; and

(iv) Three members shall be citizen representatives who have no direct involvement with government, employers, employee organizations, or the provision of health services; however, one shall be sixty-five years of age or older, and one shall be a current or former recent recipient of the state medical assistance program.

(2) All members of the commission shall be appointed no later than June 1, 1990. The first meeting of the commission shall be held no later than June 15, 1990, at a time and place designated by the governor.

(3) The chair of the commission shall be designated by the governor from among the commission members.

(4) The commission may hire staff or contract for professional assistance. State agencies, the senate, and the house of representatives may provide staff support upon request of the commission. The commission may apply for and receive grants, gifts, and other payments from any government or other public or private entity or person.

(5) Commission members shall receive no compensation for their services as members, but shall be reimbursed for commission-related expenses as specified in RCW 44.04.120.

(6) The commission may establish ad hoc technical advisory committees as necessary and may reimburse committee members for related travel expenses.

(7) In the conduct of its business, the commission shall have access to all health data available by statute to the secretary of health. The secretary shall provide the commission with all requested health data or other relevant information maintained by the department in a timely and easy-to-comprehend manner.

(8) The commission shall terminate on January 31, 1992.

NEW SECTION. Sec. 5. (1) The commission shall conduct a study of the problems relating to health access, health cost control, and quality of health services, and shall make recommendations for the development of a Washington universal health access plan. In its deliberations, the commission shall analyze the advantages and disadvantages of including in the plan the elements put forth in this subsection. The commission shall also study the advantages and disadvantages of other approaches identified that address problems relating to access, cost, and quality as the commission deems necessary, but shall include various private and public health service financing systems and a variety of mechanisms used by other states and countries relating to the reimbursement of hospitals, and other health providers delivering inpatient and outpatient health services. The elements are as follows:

(a) A uniform set of appropriate basic health services, as defined pursuant to section 7 of this act, available to all eligible persons regardless of age, sex, ethnicity, race, health condition, geographic location, employment, or economic status that adheres to the principles set forth in section 2 of this act;

(b) A single public or private administrative organization, that shall have complete operational control over all health services provided by the universal health plan. The organization shall have a uniform budgeting, billing, and payment system and shall have control over all data collected in relation to the plan;

(c) A financing system as follows:

(i) A state health services budget as defined in section 3 of this act, which shall be established in an open and deliberative manner and be reflective of citizens' expression of what should be included in basic health services;

(ii) Funds shall be obtained from three sources: Federal and state revenue, employer contributions, and individual contributions:

(A) Federal and state revenue shall include funds from medicare, medicaid, and other publicly funded programs that pay for health services received by individuals;

(B) Employer contributions shall be paid on an equitable basis, however special provisions should be included for employers of small businesses in order not to place an undue hardship on the viability of such businesses;

(c) Eligible persons shall contribute through premiums paid by the individuals directly or through employers, and through utilization fees where appropriate. Eligible persons with household incomes at one hundred percent or less of the federal poverty level shall pay no premiums. Eligible persons over that level shall pay premiums based on family size with a set maximum rate, however premiums for eligible persons with household incomes between one hundred and two hundred percent of the federal poverty level shall be based on family size and income level. Utilization fees shall be required if determined to be appropriate by the commission, but in no case if it is deemed that such fees would be a barrier to appropriate health service access:

(d) Hospitals and other inpatient health facilities that provide health services through the universal health plan shall be funded on an annual hospital budget basis reflecting the total cost of health services provided through the plan, based on historical data, and updated at least twice a year:

(e) Health providers shall have the option of being reimbursed on a fee-for-services, annual budget, or capitated basis. Fees shall be set uniformly in the manner prescribed by the commission. Capitation rates shall be uniform based on the number of eligible persons enrolling in the health maintenance organization or other qualifying group provider. If such organization or group provider chooses to be reimbursed through an annual budget, the amount shall be determined in a manner similar to a hospital annual budget. The commission shall develop incentives for providers to participate in managed health services organizations that are cost effective:

(f) No hospital or other health provider shall charge any additional fees for services that are included in the universal health plan and that are rendered to eligible persons:

(g) The universal health plan shall include portability provisions, whereby eligible persons traveling outside the state continue to be covered under the plan:

(h) Long-term care services shall be fully integrated in the universal health plan. The commission in addressing these services shall consider the recommendations of the long-term care commission created by RCW 74.39.040 provided they are consistent with the principles of sections 1 through 7 of this act.

(2) The commission shall study the advantages and disadvantages of prohibiting insurers, health care service contractors, or health maintenance organizations from independently insuring, contracting, or providing those health services provided through the universal health plan. However, the commission's recommendations shall not preclude such an entity from insuring, providing, or contracting for health services not included in the plan, nor restrict the right of an employer or employee representative from negotiating for services not included in the plan.

(3) The commission shall analyze current issues relating to medical malpractice liability and insurance, and propose ways to reduce its effects on health service access and costs. An analysis of the desirability and feasibility of a publicly funded malpractice insurance program shall be included.

(4) The commission shall study the appropriate use of utilization fees focusing on the extent to which they discourage inappropriate use of health services or, conversely, impose barriers to appropriate health service access. This analysis shall examine the advantages and disadvantages of requiring no utilization fees for a set of primary health services focused on illness prevention and health promotion and a schedule of utilization fees for other health services, where such fees are based on: (a) The eligible person's ability to pay; (b) the cost of the health service and related drugs and equipment; and (c) the determined effectiveness of the specific health service and related drugs and equipment.

(5) The commission shall conduct an analysis of all state and federal laws that would need to be repealed, amended, or waived to implement the universal health plan.

(6) The commission shall study the effects of its recommendations upon existing collective bargaining health benefit agreements and union health trust funds and, if necessary, propose a transitional plan as part of its final report.

(7) The commission shall ensure adequate public participation in its deliberations and shall hold at least four public forums in different regions of the state where a broad spectrum of interested persons can express their views. A draft report shall be made available to the public at least thirty days before its final public forum.

(8) The commission shall make periodic status reports to the governor, the board, and the appropriate committees of the legislature and submit a final report by December 1, 1991. The commission's report shall be advisory, and shall require full enactment by the legislature to take effect.

NEW SECTION. Sec. 6. The administrator of the Washington health care authority shall conduct an analysis and develop an implementation plan, whereby, beginning July 1, 1993, all federal and state funded basic health services, as defined pursuant to section 7 of this act, shall be administered by a single administrative organization as described in section 5(1)(b) of this act. The administrator shall submit its analysis to the commission, the board, and appropriate committees of the legislature by September 1, 1991.

NEW SECTION. Sec. 7. The commission, in coordination with the board's responsibilities set forth in RCW 43.20.050, shall define a set of basic health services for inclusion in the universal health plan. This set of services shall be effective and needed on a broad basis by the citizens of the state. The commission shall seek expert advice on the projected costs of offering each service to the eligible population and the effectiveness of each service in preventing and treating illness and injury and promoting health in the eligible population. These deliberations shall specifically include the appropriate use of expensive medical technology and volume sensitive health services. The commission shall seek to develop a general consensus among the public on the content of basic health services.

Sec. 8. Section 5, chapter 107, Laws of 1988 and RCW 41.05.031 are each amended to read as follows:

(1) The following state agencies are directed to cooperate with the authority to establish appropriate health care information systems in their programs: The department of social and health services, the department of labor and industries, the department of health, the basic health plan, the department of veterans affairs, the department of corrections, and the superintendent of public instruction.

The authority, in conjunction with these agencies, shall determine:

((+)) (a) Definitions of health care services;

((2)) (b) Health care data elements common to all agencies;

((3)) (c) Health care data elements unique to each agency; and

((4)) (d) A mechanism for program and budget review of health care data.

(2) Beginning January 1, 1992, all insurers, health care service contractors, and health maintenance organizations licensed in Washington state shall, to the extent that patient billing and encounter information is maintained, provide the authority with patient care and cost information, to include: (a) Patient identifier; (b) provider identifier; (c) diagnosis; (d) health services or procedures provided; (e) provider charges; and (f) amount paid. The authority shall establish through rule, confidentiality standards to safeguard the information from inappropriate use or release.

NEW SECTION. Sec. 9. The sum of two hundred thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the office of financial management solely for the purpose of the Washington universal health access and cost control commission created by section 4 of this act.

NEW SECTION. Sec. 10. 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 shall take effect June 1, 1990.*

Representatives Braddock, Brooks and Moyer spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Braddock and Brooks to the title was adopted:

On page 1, line 1 of the title, after "health," strike the remainder of the title and insert "creating new sections; making an appropriation; providing an effective date; and declaring an emergency."

The bill was ordered engrossed. On motion of Mr. Jesernig, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Sprenkle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2252, and the bill passed the House by the following vote: Yeas, 69; nays, 24; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Inslie, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, Meyers R, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson S, Wineberry, Winsley, Wood, Youngsman, and Mr. Speaker - 69.

Voting nay: Representatives Ballard, Baugher, Betzoff, Brough, Doty, Forner, Fuhrman, Holland, Horn, Kirby, McLean, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson K, Zellinsky - 24.

Excused: Representatives Beck, Chandler, Gallagher, Miller, Wolfe - 5.

Engrossed Substitute House Bill No. 2252, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2603, by Representatives Vekich, Prentice, Brooks, Dellwo, O'Brien, Heavey, Basich, G. Fisher, Valle, Jacobsen, Wineberry, Leonard, Pruitt, Wang, Phillips, Winsley, Sprenkle, Kremen, Holland, Haugen, Hine, Wood, R. King, Moyer, Jones, Ebersole, Scott, Brekke, Morris, Todd and Spanel; by request of Governor Gardner

Enhancing availability of medical care for children.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2603 was substituted for House Bill No. 2603, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2603 was read the second time.

Ms. Brough moved adoption of the following amendments by Representatives Moyer and Brough:

On page 5, line 27, after "under" strike "eighteen" and insert "thirteen"
On page 2, line 18, strike "eighteen" and insert "thirteen"

Representatives Brough and Moyer spoke in favor of adoption of the amendments, and Representatives Vekich and Leonard opposed them. The amendments were not adopted.

The Speaker called on Representative Wang to preside.

Mr. Vekich moved adoption of the following amendment:

On page 2, line 26, strike "74.09.520" and insert "74.09.510"

Mr. Vekich spoke in favor of adoption of the amendment, and it was adopted.

Mr. Vekich moved adoption of the following amendment:

On page 4, line 35, after "board of health for" insert "their consideration for"

Mr. Vekich spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2603, and the bill passed the House by the following vote: Yeas, 87; nays, 6; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Ballard, Fuhrman, McLean, Nealey, Padden, Smith - 6.

Excused: Representatives Beck, Chandler, Gallagher, Miller, Wolfe - 5.

Engrossed Substitute House Bill No. 2603, having received the constitutional majority, was declared passed.

MOTION

On motion of Ms. Bowman, Representative Brough was excused.

HOUSE BILL NO. 2642, by Representatives Sayan, McLean, Hine, D. Sommers, H. Sommers, Silver and Spanel; by request of Joint Committee on Pension Policy

Changing provisions relating to the department of retirement systems.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2642 was substituted for House Bill No. 2642, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2642 was read the second time.

On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2642, and the bill passed the House by the following vote: Yeas, 90; nays, 2; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Ferguson, Heavey - 2.

Excused: Representatives Beck, Brough, Chandler, Gallagher, Miller, Wolfe - 6.

Substitute House Bill No. 2642, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2644, by Representatives Silver, Hine, Sayan, McLean, D. Sommers, H. Sommers, Peery and Spanel; by request of Joint Committee on Pension Policy

Revising provisions relating to retirement systems.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2644 was substituted for House Bill No. 2644, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2644 was read the second time.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute House Bill No. 2644 and that the bill hold its place on the regular second reading calendar. The motion was carried.

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

MOTION

On motion of Mr. Ebersole, Substitute House Bill No. 1509 was referred from the suspension calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2351 was referred from the suspension calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2685 was referred from the suspension calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 3018 was referred from Committee on Judiciary to Committee on Human Services.

On motion of Mr. Ebersole, Senate Bill No. 6335 was referred from Committee on Transportation to Committee on Fisheries & Wildlife.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, February 9, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Friday, February 9, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Basich, Brekke, Chandler, Ferguson, Grant, Locke, Todd, Vekich and Wineberry. On motion of Ms. Cole, Representative Todd was excused. On motion of Ms. Miller, Representatives Chandler and Ferguson were excused.

The flag was escorted to the rostrum by Eagle Scout Robert Richmond, Troop 305, Eastgate Lion, Walla Walla, and Eagle Scout Sean Lawson, Troop 339, Aurora Blackburn VFW Post, Seattle. Prayer was offered by The Reverend Peter Mans, Minister of the Christian Reformed Church of Olympia.

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

MESSAGE FROM THE SENATE

February 8, 1990

Mr. Speaker:

The Senate has passed:

ENGROSSED SENATE BILL NO. 5451,
 SUBSTITUTE SENATE BILL NO. 5935,
 ENGROSSED SENATE BILL NO. 6172,
 SUBSTITUTE SENATE BILL NO. 6223,
 SENATE BILL NO. 6272,
 SENATE BILL NO. 6300,
 SUBSTITUTE SENATE BILL NO. 6371,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6434,
 SENATE BILL NO. 6461,
 SUBSTITUTE SENATE BILL NO. 6463,
 SUBSTITUTE SENATE BILL NO. 6473,
 SUBSTITUTE SENATE BILL NO. 6494,
 SENATE BILL NO. 6514,
 SENATE BILL NO. 6517,
 SENATE BILL NO. 6528,
 SENATE BILL NO. 6533,
 SENATE BILL NO. 6558,
 SENATE BILL NO. 6559,
 SUBSTITUTE SENATE BILL NO. 6560,
 SENATE BILL NO. 6563,
 SENATE BILL NO. 6564,
 SENATE BILL NO. 6571,
 SUBSTITUTE SENATE BILL NO. 6572,
 SENATE BILL NO. 6574,
 SENATE BILL NO. 6576,
 SENATE BILL NO. 6577,
 SUBSTITUTE SENATE BILL NO. 6589,
 SENATE BILL NO. 6606,
 SUBSTITUTE SENATE BILL NO. 6611,
 SENATE BILL NO. 6612,
 SUBSTITUTE SENATE BILL NO. 6642,
 ENGROSSED SENATE BILL NO. 6648,
 SENATE BILL NO. 6665.

SENATE BILL NO. 6673,
 SUBSTITUTE SENATE BILL NO. 6698,
 SUBSTITUTE SENATE BILL NO. 6701,
 SENATE BILL NO. 6727,
 SENATE BILL NO. 6768,
 SUBSTITUTE SENATE BILL NO. 6776,
 SENATE BILL NO. 6777,
 SUBSTITUTE SENATE BILL NO. 6792,
 ENGROSSED SENATE BILL NO. 6797,
 SUBSTITUTE SENATE JOINT MEMORIAL NO. 8014,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

ESB 5451 by Senators Talmadge and Moore

Creating a sales and use tax exemption for certain donated clothing.

Referred to Committee on Revenue.

SSB 5935 by Committee on Governmental Operations (originally sponsored by Senators Williams, Cantu, Niemi and Lee)

Creating the capitol campus design advisory committee.

Referred to Committees on State Government/Capital Facilities & Financing.

ESB 6172 by Senators Sellar, Sutherland, McCaslin and Barr

Revising provisions for environmental coordination procedures.

Referred to Committee on Environmental Affairs.

SSB 6223 by Committee on Education (originally sponsored by Senators Rinehart, Bailey, Bender, Gaspard, Metcalf, Lee, Murray, Talmadge and Craswell; by request of Superintendent of Public Instruction)

Changing the frequency of scoliosis screening in public schools.

Referred to Committee on Health Care.

SB 6272 by Senators West, Johnson and Smith

Providing for discipline of assistants of health care professionals.

Referred to Committee on Health Care.

SB 6300 by Senator Rasmussen

Permitting first cousin marriages in certain circumstances.

Referred to Committee on Judiciary.

SSB 6371 by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Moore, Johnson, McMullen, West, McCaslin, Rasmussen, Sellar, Niemi and Conner)

Creating the department of financial institutions.

Referred to Committee on Financial Institutions & Insurance.

ESSB 6434 by Committee on Transportation (originally sponsored by Senators Bender and Metcalf)

Enhancing bicycle safety.

Referred to Committee on Transportation.

SB 6461 by Senators Bluechel, Gaspard and Rasmussen

Providing reimbursement to state library employees injured while working in state correctional institutions and offices.

Referred to Committee on State Government.

SSB 6463 by Committee on Higher Education (originally sponsored by Senators Saling, Rinehart, Smitherman, Bauer, Stratton, Talmadge and Johnson)

Granting a greater voice to students in recommending budgets for services and activities fees.

Referred to Committee on Higher Education.

SSB 6473 by Committee on Law & Justice (originally sponsored by Senators Thorsness, Wojahn, McCaslin, Gaspard, Rasmussen and Lee; by request of Department of Corrections)

Changing conditions applying to the sale of products of correctional industries.

Referred to Committee on Health Care.

SSB 6494 by Committee on Children & Family Services (originally sponsored by Senators Smith, Vognild, Bailey, Stratton and Conner)

Revising provisions for adoption.

Referred to Committee on Human Services.

SB 6514 by Senators Newhouse and McMullen; by request of Board of Industrial Insurance Appeals

Revising provisions for attorney's fees before the department of labor and industries and the board of industrial insurance appeals.

Referred to Committee on Commerce & Labor.

SB 6517 by Senators Metcalf, Kreidler and Bluechel; by request of Parks and Recreation Commission

Changing provisions relating to winter recreation functions of the state parks and recreation commission.

Referred to Committee on Natural Resources & Parks.

SB 6528 by Senator Patterson

Revising vessel pilots' license qualifications.

Referred to Committee on Transportation.

SB 6533 by Senators Owen, Craswell, Bauer, Gaspard, Bailey and Stratton

Changing provisions relating to school suspension.

Referred to Committee on Education.

SB 6558 by Senators Conner, Thorsness, McMullen and Sellar; by request of Department of Licensing

Allowing the department of licensing to waive the driving examination for certain driver's license applicants.

Referred to Committee on Transportation.

SB 6559 by Senators Sellar, Kreidler and Metcalf; by request of Parks and Recreation Commission

Requiring reimbursement for state parks and recreation commission costs of plan review and construction approval for winter recreational facilities.

Referred to Committee on Natural Resources & Parks.

SSB 6560 by Committee on Transportation (originally sponsored by Senators Nelson, Madsen and Rasmussen; by request of Department of Licensing)

Strengthening odometer disclosure requirements.

Referred to Committee on Transportation.

SB 6563 by Senators Vognild, Smith, Bailey and Stratton

Changing circumstances under which law enforcement officials may take children into custody.

Referred to Committee on Human Services.

SB 6564 by Senators von Reichbauer, McMullen and Johnson

Removing the pooling of funds by commercial fishers from the definition of insurer under the insurance code.

Referred to Committee on Financial Institutions & Insurance.

SB 6571 by Senators Newhouse and Rinehart

Revising provisions for interpreters in legal proceedings.

Referred to Committee on Judiciary.

SSB 6572 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Williams, Patrick, Stratton and Sutherland)

Revising provisions on fraud in obtaining telecommunications services.

Referred to Committee on Energy & Utilities.

SB 6574 by Senators Lee, Smitherman, West, McCaslin, Murray, Williams, Amondson and Anderson

Changing the definition of housing under the Washington state housing finance commission.

Referred to Committees on Housing/Capital Facilities & Financing.

SB 6576 by Senator Metcalf

Making changes regarding harvesting of wild mushrooms.

Referred to Committee on Natural Resources & Parks.

SB 6577 by Senators Metcalf, Kreidler and Benitz

Extending the termination date for the committee for recycling markets.

Referred to Committee on Environmental Affairs.

SSB 6589 by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Moore and Johnson)

Changing provisions relating to which county a title insurer may do business.

Referred to Committee on Financial Institutions & Insurance.

SB 6606 by Senators Benitz, Patterson, Stratton, Newhouse, Hansen, Johnson and Smith

Modifying exemptions and penalties for tinting or coloring of motor vehicle windows.

Referred to Committee on Transportation.

SSB 6611 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Conner, Metcalf and Hansen)

Requiring notice of fee and charge increases by disposal facilities.

Referred to Committee on Environmental Affairs.

SB 6612 by Senators Patterson, Kreidler, Amondson, Metcalf, Barr and Conner

Modifying "rules of the road" as they relate to solid waste collection vehicles.

Referred to Committee on Transportation.

- SSB 6642 by Committee on Economic Development & Labor (originally sponsored by Senators McMullen and Matson)
Revising the Washington Marketplace Program.
Referred to Committee on Trade & Economic Development.
- ESB 6648 by Senators Sutherland and Metcalf
Establishing penalties for attempts by vessel operators to elude pursuing law enforcement vessels.
Referred to Committee on Fisheries & Wildlife.
- SB 6665 by Senators Nelson and Talmadge
Revising the corporations statutes.
Referred to Committee on Judiciary.
- SB 6673 by Senators McCaslin, Smitherman and Thorsness; by request of Department of General Administration
Changing provisions relating to state employees operating state-owned vehicles.
Referred to Committee on State Government.
- SSB 6698 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, DeJarnatt, Nelson, Sutherland, Barr, Bauer, Bluechel, Stratton, Patterson, Hansen, Anderson, Madsen, Bailey, McCaslin, Owen, Conner and Benitz)
Imposing a fee on the sale of solid fuel burning devices.
Referred to Committee on Environmental Affairs.
- SSB 6701 by Committee on Transportation (originally sponsored by Senators Bluechel, Bender, Sellar, Moore, von Reichbauer, Murray, Smitherman, Conner, Warnke and Lee)
Creating the maritime commission and oil spill response system.
Referred to Committee on Transportation.
- SB 6727 by Senators Kreidler, Metcalf and DeJarnatt
Regulating sale of valuable material, including shellfish, from state-owned aquatic lands.
Referred to Committee on Natural Resources & Parks.
- SB 6768 by Senators Owen, Matson, Warnke, Newhouse, Vognild, Rasmussen and Sutherland
Requiring progress reports on the recreational fisheries enhancement plan.
Referred to Committee on Fisheries & Wildlife.
- SSB 6776 by Committee on Law & Justice (originally sponsored by Senators Nelson and Talmadge)
Revising the Washington condominium act.
Referred to Committee on Judiciary.
- SB 6777 by Senator Madsen
Designating state route number 706 as "The Road to Paradise."
Referred to Committee on Transportation.
- SSB 6792 by Committee on Economic Development & Labor (originally sponsored by Senators Bluechel, Warnke, Hayner, Smitherman, Patrick, Niemi and Sellar)
Creating the community diversification program.
Referred to Committees on Trade & Economic Development/ Appropriations.

ESB 6797 by Senators Benitz, Rasmussen, Conner, Metcalf, Patterson, Thorsness, Amondson and McMullen

Creating the fisheries 2000 council.

Referred to Committees on Fisheries & Wildlife/ Appropriations.

SSJM 8014 by Committee on Environment & Natural Resources (originally sponsored by Senators Benitz, Metcalf, Moore, Barr and Vognild)

Promoting the decommercialization of steelhead trout, elk, and deer.

Referred to Committee on Fisheries & Wildlife.

MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORT OF STANDING COMMITTEE

February 6, 1990

HB 2881 Prime Sponsor, Representative Kirby: Encouraging economic growth throughout the state. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Referred to Committee on Appropriations.

The Speaker (Mr. O'Brien presiding) referred the bill listed on today's committee report under the fifth order of business to the committee so designated.

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

SECOND READING

HOUSE BILL NO. 2330, by Representatives Haugen, Ferguson, Cooper, Wang, Raiter, Horn, Zellinsky, Jones, Brumsickle, Basich, Kremen, McLean, Todd, Nealey, Ballard, Morris and Kirby

Modifying levy rate provisions for senior and junior taxing districts.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen and Horn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2330, and the bill passed the House by the following vote: Yeas, 89; absent, 6; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insole, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Basich, Brække, Grant, Locke, Vekich, Wineberry - 6.

Excused: Representatives Chandler, Ferguson, Todd - 3.

House Bill No. 2330, having received the constitutional majority, was declared passed.

Representatives Brække, Grant, Locke, Todd, Vekich and Wineberry appeared at the bar of the House.

MOTION

On motion of Ms. Cole, Representative Basich was excused.

HOUSE BILL NO. 2777, by Representatives Haugen, Wang, Zellinsky, Horn, Raiter, Nealey, Cooper, Ferguson, Nelson, Nutley, Wood, Rayburn, Phillips, Baugher, Kremen, May and Todd

Modifying provisions regarding local government tax levies.

The bill was read the second time.

Ms. Haugen moved adoption of the following amendment by Representatives Haugen and Ferguson:

On page 22, after line 2, insert:

***NEW SECTION, Sec. 21.** A new section is added to chapter 84.52 RCW to read as follows:

Any county, city, town, fire protection district, hospital district, or emergency medical services district that has received voter approval for a regular property tax levy under RCW 84.52.069 may continue to impose the levies for the duration of the period for which such levies were authorized. However, these levies shall be reduced or eliminated if regular property taxes exceed the limitation contained in RCW 84.52.050.*

Renumber the remaining sections consecutively and correct internal references accordingly.

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Haugen and Ferguson to the title was adopted:

On page 1, line 6 of the title, after "36.68.520;" insert "adding a new section to chapter 84.52 RCW:"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen, Horn and Wang spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2777, and the bill passed the House by the following vote: Yeas, 94; nays, 1; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Voting nay: Representative Kirby - 1.

Excused: Representatives Basich, Chandler, Ferguson - 3.

Engrossed House Bill No. 2777, having received the constitutional majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 4227, by Representatives Haugen, Ferguson, Zellinsky, Wood, Nutley, Nealey, Rayburn, Horn, Cooper, Kirby, Raiter, Scott, Cole, Kremen, Jones, Fraser, Todd, Leonard, Basich, Holland, Phillips, Wang, May and Brough

Amending the Constitution to allow property taxing districts to impose six-year tax levies.

The resolution was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. Haugen spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4227, and the resolution passed the House by the following vote: Yeas, 93; nays, 2; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Heavey, Kirby - 2.

Excused: Representatives Basich, Chandler, Ferguson - 3.

House Joint Resolution No. 4227, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that the House defer consideration of House Bill No. 2859 and that the bill hold its place on the regular second reading calendar. The motion was carried.

SUBSTITUTE HOUSE BILL NO. 2644, by Committee on Appropriations (originally sponsored by Representatives Silver, Hine, Sayan, McLean, D. Sommers, H. Sommers, Peery and Spanel; by request of Joint Committee on Pension Policy)

Revising provisions relating to retirement systems.

The House resumed consideration of Substitute House Bill No. 2644 on second reading. (For previous action, see Journal, 32nd Day, February 8, 1990, Evening Session.)

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt, Ballard, Van Luven, Brumsickle, Youngsman, Doty, Wood, Forner, Holland and Zellinsky:

On page 7, line 25, after "position;" insert:

"(ii) Beginning with the 1990-1991 school year a member employed in an eligible position on an annual contract shall receive one half credit for each calendar month of September through August of the following year if he or she earns earnable compensation for 630 to 809 hours during that period and is employed during nine of those months, except that a member may not receive credit for any period prior to the member's employment in an eligible position;"

On page 7, line 26, strike "(ii)" and insert "(iii)"

On page 7, line 27, after "(i)" and insert "or (ii)"

On page 7, line 29, after "for" strike "ninety" and insert "seventy"

Representatives Schmidt, Zellinsky and Betzoff spoke in favor of adoption of the amendments, and Ms. Hine opposed them.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives McLean, Silver and Hine spoke against adoption of the amendments.

POINT OF INQUIRY

Ms. Schmidt yielded to question by Mr. Wang.

Mr. Wang: Representative Schmidt, RCW 44.44.040, which is part of some of the changes that we have adopted over the years dealing with pension reform, requires that an actuarial fiscal note shall be prepared for all amendments which are offered in committee or on the floor of the House of Representatives or the Senate to the pension bill. Has such an actuarial fiscal note been prepared?

Ms. Schmidt: Representative Wang, we have not had an opportunity to ask for that kind of a fiscal note, but I will be happy to hold the bill until one can be prepared. Or I am sure we can wait and have one prepared for action when the bill goes through the Senate.

Ms. Schmidt again spoke in favor of adoption of the amendments, and Mr. Padden spoke in favor of them.

MOTION

Mr. Heavey moved that the House defer further consideration of Substitute House Bill No. 2644 and that the bill hold its place on the regular second reading calendar.

Ms. Brough spoke against the motion, and Mr. Ebersole spoke in favor of it. Ms. Brough again opposed the motion, and Mr. Ebersole again spoke in favor of it.

POINT OF INQUIRY

Mr. Ebersole yielded to question by Ms. Schmidt.

Ms. Schmidt: Representative Ebersole, you have asked for a fiscal note to be drafted on this amendment. Do you have any idea how much time we are talking about to have such a fiscal note drafted?

Mr. Ebersole: No, we don't know how long that will take.

Ms. Schmidt: Do you have any kind of an estimate, as to a day or a month or a week?

Mr. Ebersole: We hope it will be done expeditiously. Representative Schmidt, because we want this good Representative Silver-sponsored bill to pass this body.

Ms. Schmidt spoke against the motion.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be the motion by Representative Heavey to defer further consideration of Substitute House Bill No. 2644.

The Speaker (Mr. O'Brien presiding), being in doubt called upon the House to divide. The result of the division was: Yeas, 62; Nays, 33. The motion was carried.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Ms. Miller, Representatives Schmidt and D. Sommers were excused.

Representative Ferguson appeared at the bar of the House.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1291, by Committee on Natural Resources & Parks (originally sponsored by Representatives Belcher, Brumsickle, Sayan, Wang, K. Wilson, Raiter, Dellwo, Bowman, Day, Rector, Nelson, Todd, Jacobsen and Sprengle)

Designating additional components of the scenic river system.

The bill was read the second time. On motion of Ms. Belcher, Second Substitute House Bill No. 1291 was substituted for Engrossed Substitute House Bill No. 1291, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1291 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher, K. Wilson and Raiter spoke in favor of passage of the bill, and Representatives Beck, Hargrove and Fuhrman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1291, and the bill passed the House by the following vote: Yeas, 64; nays, 30; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Belcher, Bennett, Braddock, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kremen, Leonard, Locke, Meyers R, Miller, Morris, Myers H, Nelson, Nutley, O'Brien,

Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schoon, Scott, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Walker, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 64.

Voting nay: Representatives Ballard, Baugher, Beck, Betrozoff, Bowman, Brooks, Brumsickle, Doty, Forner, Fuhrman, Grant, Hankins, Hargrove, Jones, Kirby, May, McLean, Moyer, Nealey, Padden, Prince, Rayburn, Silver, Smith, Van Luven, Vekich, Wilson S, Wolfe, Wood, Youngsman - 30.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Second Substitute House Bill No. 1291, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1366, by Representatives Haugen, Cole, Vekich, Leonard and Scott

Requiring that booth renting cosmetologists get shop licenses.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 1366 was substituted for House Bill No. 1366, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1366 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1366, and the bill passed the House by the following vote: Yeas, 89; nays, 5; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Smith, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Brough, King R, Silver, Sommers H, Wang - 5.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Second Substitute House Bill No. 1366, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2077, by Representatives Brooks, Dellwo, Ballard, Rust, Rector, Grant, Anderson, Wolfe, Miller, Winsley, D. Sommers, Ferguson, Crane and Jacobsen

Establishing a network for the reporting of cancer cases.

The bill was read the second time. On motion of Mr. Braddock, Second Substitute House Bill No. 2077 was substituted for House Bill No. 2077, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2077 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brooks and Wolfe spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2077, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean,

Meyers R. Miller, Morris, Moyer, Myers H. Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H. Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K. Wilson S. Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Second Substitute House Bill No. 2077, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2122, by Representative Hargrove

Making changes regarding dependency proceedings.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2122 was substituted for House Bill No. 2122, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2122 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Hargrove spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2122, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Second Substitute House Bill No. 2122, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2270 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2336, by Representatives O'Brien, Wineberry, Anderson, Rector, Jones, Baugher, Hargrove, P. King, Ferguson, Jacobsen, Crane, Winsley, Schoon, Wolfe, Locke and Silver

Increasing penalties for the manufacture, sale, or delivery of controlled substances on public buses, and on or near bus stops and public parks.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2336 was substituted for House Bill No. 2336, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2336 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2336, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser,

Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Substitute House Bill No. 2336, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2338, by Representatives Appelwick, R. Meyers, Crane and May

Raising claim limits of actions subject to mandatory arbitration.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 24th Day, January 31, 1990.)

Mr. Crane moved adoption of the committee amendment.

Mr. Padden moved adoption of the following amendment to the committee amendment:

On page 1, line 5, after "~~(thirty-five)~~" strike everything and insert "fifty thousand dollars in all cases"

Mr. Padden spoke in favor of adoption of the amendment to the committee amendment, and Representatives Appelwick and Crane opposed it. Mr. Padden again spoke in favor of the amendment to the committee amendment.

The amendment to the committee amendment was not adopted.

The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2338, and the bill passed the House by the following vote: Yeas, 87; nays, 7; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Ballard, Doty, Nealey, Padden, Smith, Walker, Wolfe - 7.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Engrossed House Bill No. 2338, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that the House defer consideration of House Bill No. 2390 and House Bill No. 2451 and that the bills hold their places on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2457, by Representatives Wolfe, Jones, R. King, Silver, Padden, Walker, Leonard, Tate, Cole, D. Sommers, Moyer and Winsley

Regulating employment listing or employment information services.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2457 was substituted for House Bill No. 2457, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2457 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wolfe spoke in favor of passage of the bill.

The Speaker (Mr. O'Brien presiding) called on Representative Wang to preside.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2457, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Substitute House Bill No. 2457, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that the House immediately consider House Bill No. 2451 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2451, by Representatives Prentice, D. Sommers, Sprenkle, Rayburn, Ferguson, Day, Moyer, Rector, P. King, Wang, Spanel and Brekke

Authorizing advanced registered nurse practitioners to prescribe certain drugs.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2451 was substituted for House Bill No. 2451, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2451 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Prentice, Brooks, Sprenkle and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2451, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Substitute House Bill No. 2451, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2465, by Representatives May, Braddock, Hankins, Leonard, Brooks, Prentice, Miller, Jacobsen, Brough, R. Meyers, Ferguson, S. Wilson, Silver, Sayan, Nealey, Cole, Scott, Horn, Sprenkle, Rust, Vekich, Spanel, Dellwo, Appelwick, Schmidt, Rasmussen, Morris, Anderson, Chandler, Jesernig, Cantwell, Berozoff, Holland, Rector, Wineberry, Wang, Smith and Brekke

Revising the natural death act.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2465, and the bill passed the House by the following vote: Yeas, 88; nays, 6; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Berozoff, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Bowman, Brumsickle, Fuhrman, Hargrove, Padden, Youngsman - 6.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

House Bill No. 2465, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2470, by Representatives Cole, Leonard, Jones, R. King, O'Brien, Basich, Valle, Nelson, Hargrove, Prentice and Wang

Regulating pain management programs in industrial insurance.

The bill was read the second time. Committee on Commerce & Labor recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 2, 1990.)

Ms. Cole moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Walker spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2470, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Engrossed House Bill No. 2470, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2542, by Representatives Youngsman, Appelwick, Padden, Locke, Belcher, Doty, Silver, Nealey, Walker, Rector, Dellwo, Bowman, Horn, Rayburn, Miller, Fuhrman, Kremen, Ballard, May, Schoon, Forner, Wood, Tate, Brumsickle, Rasmussen, Cooper and Sprenkle

Forfeiting vehicles used in illegal transfers of controlled substances.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Youngsman spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2542, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

House Bill No. 2542, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2567, by Representatives Todd, McLean, R. Fisher and Sprenkle; by request of Governor Gardner

Changing provisions relating to state employment.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 24th Day, January 31, 1990.) Committee on Appropriations recommendation: Majority, do pass as amended by Committee on State Government.

Mr. Todd moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

Ms. Silver moved adoption of the following amendment:

On page 19, line 7, strike "(6) The state agency director or authorized designee may authorize the payment of the closing costs associated with the sale of the existing state employee's old residence if (a) the residence is the employee's primary residence, (b) the employee owned and occupied the residence for at least six months before the date on which the employee began working at the new work place, and (c) the employee sold the residence as a result of accepting a position at the new work place. The payment authorized under this subsection shall not exceed three percent of the sale price of the home. An employee receiving payment under this subsection is not eligible for payments under subsection (4) or (5) of this section."

Ms. Silver spoke in favor of adoption of the amendment, and Mr. Todd spoke against it.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Sprenkle spoke against adoption of the amendment.

ROLL CALL

The Clerk called the roll on the adoption of the amendment by Representative Silver to House Bill No. 2567, and the amendment was not adopted by the following vote: Yeas, 33; nays, 61; excused, 4.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Doty, Ferguson, Forner, Fuhrman, Hankins, Haugen, Holland, Horn, Kirby, May, Miller, Moyer, Nealey, Padden, Prince, Schoon, Silver, Smith, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 33.

Voting nay: Representatives Anderson, Appelwick, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, McLean, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 61.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Ms. Silver moved adoption of the following amendment:

On page 21, after line 17, insert:

"(7) Each state agency that makes payments authorized under section 303 or 304 of this act shall file a report with the office of financial management by October 31 of each year describing any payments made during the previous fiscal year. The report shall contain the following information about the twelve month period in which payments were made:

(a) The number of employees relocated by the agency and the reasons the employees were relocated;

(b) The number of employees for whom the agency made payments for relocation assistance; and

(c) The dollar amount of payments made by the agency for each relocation. The dollar amount shall be itemized as follows: Payments for moving household goods and effects, payments for moving a mobile home, payments for the cost of settling a lease, payments for closing costs on the sale of a house, and payments for subsistence, lodging and mileage expenses."

Representatives Silver and Todd spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Todd spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2567, and the bill passed the House by the following vote: Yeas, 83; nays, 11; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Braddock, Brekke, Brooks, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 83.

Voting nay: Representatives Betrozoff, Bowman, Brough, Brumsickle, Doty, Fuhrman, Nealey, Padden, Silver, Smith, Wolfe - 11.

Excused: Representatives Basich, Chandler, Schmidt, Sommers D - 4.

Engrossed House Bill No. 2567, having received the constitutional majority, was declared passed.

Representative Schmidt appeared at the bar of the House.

HOUSE BILL NO. 2602, by Representatives Hine, Moyer, Rayburn, Belcher, Scott, Brooks, Heavey, Nutley, Sayan, Fraser, Miller, Dorn, Rasmussen, Hargrove, G. Fisher, R. Fisher, Rector, Leonard, Wineberry, Brough, Sprenkle, Cole, Jones, Dellwo, Haugen, Day, Ebersole, Anderson, Peery, P. King, Basich, Valle, Wang, Phillips, Winsley, Kremen, Padden, Smith, Forner, Tate, Vekich, Wood, Wolfe, D. Sommers, R. King, Van Luven, Brekke, Bowman, Morris, Cooper, H. Myers, Walker, Todd and Spanel

Changing provisions relating to support services for adoptions.

The bill was read the second time.

Ms. Hine moved adoption of the following amendment by Representatives Hine and Moyer:

On page 10, line 10, after "(4)" strike all of the language in subsection (4) and insert:

"An agreed order entered pursuant to this section may be enforced by a civil action and the prevailing party in that action may be awarded, as part of the costs of the action, a reasonable amount to be fixed by the court as attorneys' fees. The court shall not modify an agreed order under this section unless it finds: (a) that the modification is necessary to serve the best interests of the child adoptee; and (b) that the modification is agreed to by the adoptive parents and the birth parent or parents."

Ms. Hine spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Hine, Moyer and Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2602, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Engrossed House Bill No. 2602, having received the constitutional majority, was declared passed.

The Speaker (Mr. Wang presiding) declared the House to be at ease.

The Speaker (Mr. Wang presiding) called the House to order.

HOUSE BILL NO. 2270, by Representatives Heavey, Ballard, Phillips, Rayburn, Walker, Rasmussen, H. Myers, Todd, Crane, Jacobsen, Wolfe, Ferguson, Day, D. Sommers, Nealey, Doty, Rector, Haugen, Brumsickle, Spanel, Cooper, Silver, K. Wilson and P. King

Regulating transport of food items.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2270 was substituted for House Bill No. 2270, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2270 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Heavey, Phillips, Nealey, Rayburn and McLean spoke in favor of passage of the bill. Mr. Heavey again spoke in favor of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2270, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Second Substitute House Bill No. 2270, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 2706, House Bill No. 2709, and House Bill No. 2801. The motion was carried.

HOUSE BILL NO. 2706, by Representatives Locke, Cantwell, Prince, Spanel, Wineberry, Betzoff, Cooper, Basich, Raiter, Miller, Rector, Rasmussen, Moyer, Youngsman, G. Fisher, Prentice, Kremen, Nelson, Anderson, Valle, P. King, R. King, Ferguson, O'Brien, Jacobsen, Phillips, Pruitt, Wang, Silver, Brekke, Belcher and Sprenkle

Promoting economic diversification for defense-dependent industries and communities.

The bill was read the second time. Committee on Trade & Economic Development recommendation: Majority, do pass substitute. Committee on Appropriations recommendation: Majority, do pass substitute by Committee on Trade & Economic Development as amended by Committee on Appropriations. (For committee amendments, see Journal, 30th Day, February 6, 1990.)

On motion of Mr. Wineberry, Substitute House Bill No. 2706 was substituted for House Bill No. 2706, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2706 was read the second time.

On motion of Mr. Grant, the committee amendment by Committee on Appropriations was adopted.

With consent of the House, the committee amendment to the title was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill.

The Speaker (Mr. Wang presiding) called on Representative R. King to preside.

Representatives Schoon, Heavey, Hankins and Holland spoke against passage of the bill, and Ms. Cantwell spoke in favor of it. Mr. Schoon again spoke against the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2706, and the bill passed the House by the following vote: Yeas, 65; nays, 30; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Belcher, Bennett, Braddock, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Wang, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 65.

Voting nay: Representatives Ballard, Baugher, Beck, Betzoff, Bowman, Brooks, Brumsickle, Doty, Former, Fuhrman, Hankins, Heavey, Holland, Horn, May, McLean, Miller, Moyer, Nealey, Padden, Schmidt, Schoon, Silver, Smith, Walker, Wilson K, Wilson S, Wolfe, Wood, Youngsman - 30.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Engrossed Substitute House Bill No. 2706, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2709, by Representatives Crane and Appelwick

Revising criteria for setting the number of district court judges in each electoral district.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2709 was substituted for House Bill No. 2709, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2709 was read the second time.

Ms. Brough moved adoption of the following amendment by Representatives Brough and Crane:

On page 1, line 12, of the substitute bill, after "population:)" insert "In any county containing a city of more than 400,000 population, the legislative authority of such a county shall establish such separate electoral districts."

Representatives Brough and Crane spoke in favor of adoption of the amendment, and it was adopted.

Mr. Padden moved adoption of the following amendment by Representative D. Sommers:

On page 1, line 14, after "section," insert:

"NEW SECTION, Sec. 2. In any county located east of the Cascade mountain range with a population of more than three hundred thousand there shall be one more full time judge in addition to the number otherwise allowed by RCW 3.34.010 and RCW 3.35.020 when the county legislative authority provides for election by resolution."

Renumber the following sections consecutively.

POINT OF ORDER

Mr. Crane: Mr. Speaker, I believe the amendment is beyond the scope and object of the bill.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute House Bill No. 2709 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2801, by Representatives Forner, Vekich, Smith, Cole, Walker, Bowman, Leonard, Prentice, Fuhrman, May, Brough, Ferguson, Betrozoff, Winsley, Chandler, Wolfe, Horn, Moyer, Brumsickle, Silver, Nealey, Youngsman, Miller and Wood

Clarifying the definition of collection agencies.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2801 was substituted for House Bill No. 2801, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2801 was read the second time.

Ms. Forner moved adoption of the following amendments by Representatives Forner and Vekich:

On page 2, line 15, after "prepares" strike "and" and insert "or"

On page 2, line 23, after "periodically" strike "by a creditor"

Ms. Forner spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Forner spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2801, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser,

Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Engrossed Substitute House Bill No. 2801, having received the constitutional majority, was declared passed.

The Speaker assumed the Chair.

MOTION

Mr. Ebersole moved that the House immediately begin consideration of House Bills on the suspension calendar. The motion was carried.

HOUSE BILL NO. 2901, by Representatives Dellwo, Chandler, P. King, Baugher, Nutley and Winsley; by request of Insurance Commissioner

Modifying the statutes pertaining to the Washington life and disability insurance guaranty association.

The bill was read the second time.

Mr. Zellinsky moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of House Bill No. 2901.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2901, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Prentice - 1.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2901, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1293, by Committee on Trade & Economic Development (originally sponsored by Representatives G. Fisher, Cantwell, Doty, Schoon, Rasmussen, Raiter, Moyer, Rector, R. King, Todd, McLean and P. King; by request of Director of Trade and Economic Development)

Revising provisions for the community economic revitalization board.

The bill was read the second time.

Ms. Cantwell moved that the committee recommendation be adopted and the second substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Second Substitute House Bill No. 1293.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1293, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole,

Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Second Substitute House Bill No. 1293, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1597, by Representatives Patrick, Tate, Sayan, Bowman, Nelson, Todd, Brumsickle and Rust

Establishing a geologists' review board.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 1597.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1597, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 1597, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 1624, by Committee on Natural Resources & Parks (originally sponsored by Representatives Belcher, R. King, K. Wilson, Brumsickle, Haugen, Bowman, Locke, Jacobsen and Sayan)

Regulating the sale of valuable materials from state-owned tidelands and shorelands.

The bill was read the second time.

Ms. K. Wilson moved that the committee recommendation be adopted and the second substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Second Substitute House Bill No. 1624.

Ms. K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1624, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich,

Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Second Substitute House Bill No. 1624, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1653, by Representative Appelwick

Regulating credit agreements.

The bill was read the second time.

Mr. Appelwick moved that the committee recommendation be adopted and the second substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Second Substitute House Bill No. 1653.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1653, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Second Substitute House Bill No. 1653, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2059, by Representatives Sayan, Cantwell, Basich, Van Luven, Jones, Dorn, Ferguson, Rayburn and P. King

Creating the Washington hardwoods commission.

The bill was read the second time.

Ms. Cantwell moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2059.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2059, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2059, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2335, by Representatives Silver, R. Fisher, Prince, Anderson, McLean, Pruitt, Smith, Hankins, Rector, Jacobsen, Winsley, Schoon, Wolfe, Fraser and Kirby

Regulating preservation of historical and abandoned cemeteries.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted (For committee amendment, see Journal, 26th Day, February 2, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 2335.

Ms. Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2335, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Engrossed House Bill No. 2335, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2353, by Representatives R. Fisher, Silver, H. Sommers, McLean, Anderson, Rector and Jacobsen

Changing requirements for state agency use of credit reporting agencies.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of House Bill No. 2353.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2353, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2353, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2378, by Representatives Leonard, Holland, Walker, Cole, Nutley, Pruitt, Prentice, Kirby, Heavey, Ebersole, G. Fisher, Peery, H. Sommers, Miller, Winsley and Wineberry

Changing the authority of educational service district boards with regard to the purchase and sale of property used for the operation of the educational service district.

The bill was read the second time.

Ms. Rasmussen moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2378.

Ms. Leonard spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2378, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2378, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2389, by Representatives G. Fisher, D. Sommers, Rust, Jacobsen, Crane, Valle, Pruitt, Rayburn, P. King, Rector, Phillips and Ferguson; by request of Department of Ecology

Regulating transporting waste material.

The bill was read the second time.

Ms. Rust moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of House Bill No. 2389.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2389, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2389, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2403, by Representatives Rector, Ballard, Peery, Silver, Heavey, Dellwo, Jacobsen, Nelson, Hankins, Miller, H. Sommers, Kirby, Winsley, McLean, Todd, H. Myers and Jones

Adding video telecommunication responsibilities to the department of information services.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2403.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2403, and the bill passed the House by the following vote: Yeas, 93; absent, 2; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Heavey, Vekich - 2.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2403, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I was a "Yes" vote on final passage of Substitute House Bill No. 2403.

MICHAEL HEAVEY, 34th District.

HOUSE BILL NO. 2410, by Representatives Anderson, Wolfe, Prentice, Brooks, Locke, Scott, Miller, Wood, Wineberry and Brekke

Extending medical assistance hospice benefits through the end of this biennium.

The bill was read the second time.

Mr. Day moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of House Bill No. 2410.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2410, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative O'Brien - 1.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2410, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2421, by Representatives Dorn, Belcher, Beck, Rasmussen, Betrozoff and R. King

Requiring safety standards for the operation of jet skis.

The bill was read the second time.

Ms. K. Wilson moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2421.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2421, and the bill passed the House by the following vote: Yeas, 93; absent, 2; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Bennett, Hargrove - 2.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2421, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2436, by Representatives Nutley, Winsley, Leonard, Wood and May

Altering priorities and criteria for evaluation regarding Washington housing trust fund applicants.

The bill was read the second time.

Ms. Nutley moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2436.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2436, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2436, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2463, by Representatives Van Luven, Morris, Silver, Anderson, Hankins, Winsley, Bowman, Beck, Jones, May, Wolfe and Miller

Restricting release of vehicle registration records.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2463.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2463, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2463, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2515, by Representatives P. King, Winsley, Baugher, Chandler, Zellinsky, Beck, Crane and Inslee

Permitting reciprocal insurance exchanges to engage in real estate transactions.

The bill was read the second time.

Mr. Zellinsky moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2515.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2515, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, and Mr. Speaker - 94.

Absent: Representative Zellinsky - 1.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2515, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2524, by Representatives Leonard, Day, Braddock, Crane and Dellwo; by request of Department of Health

Continuing the board of pharmacy and modifying licensures.

The bill was read the second time.

Mr. Day moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2524.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2524, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2524, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2539, by Representatives Wood, Jacobsen, Ferguson, Nealey and Haugen

Amending water and sewer district provisions.

The bill was read the second time.

Ms. Nutley moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2539.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2539, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2539, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2587, by Representatives Prince, Nealey and P. King

Authorizing port districts to spend money on road improvements.

The bill was read the second time.

Ms. Haugen moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2587.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2587, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2587, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2641, by Representatives S. Wilson, Haugen, Schmidt, Zellinsky, R. Fisher and Vekich

Declaring a moratorium on further private ferries.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted (For committee amendment, see Journal, 26th Day, February 2, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 2641.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2641, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Engrossed House Bill No. 2641, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2661, by Representatives Wineberry and Silver; by request of Department of Community Development

Revising provisions for private activity bond allocation ceilings.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2661.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2661, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2661, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2687, by Representatives Rayburn, Ferguson and Haugen

Authorizing municipal utilities to reimburse the city or town for management services.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2687.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2687, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslie, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Wood - 1.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2687, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2705, by Representatives Ballard, Dellwo, Beck, Silver and McLean; by request of Parks and Recreation Commission

Changing provisions relating to winter recreation functions of the state parks and recreation commission.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2705.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2705, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslie, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2705, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2707, by Representatives H. Sommers and Schoon

Changing provisions relating to school district indebtedness.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2707.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2707, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2707, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2719, by Representatives Beck, Belcher and Silver; by request of Parks and Recreation Commission

Requiring reimbursement for state parks and recreation commission costs of plan review and construction approval for winter recreational facilities.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2719.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2719, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2719, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2722, by Representatives Zellinsky, Vekich, Sayan, Schmidt, Haugen, P. King and Cooper

Modifying "rules of the road" as they relate to solid waste collection vehicles.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted (For committee amendment, see Journal, 26th Day, February 2, 1990.) and the engrossed bill was advanced to third reading. The motion was carried.

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 2722.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2722, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee,

Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Prentice - 1.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Engrossed House Bill No. 2722, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2728, by Representatives Brough, Haugen, Ferguson, Hine and G. Fisher

Providing for changing the name of a city or town.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the substitute bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2728.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2728, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2728, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2753, by Representatives Prince, Nealey, Dellwo and Hankins

Rerouting state route number 128 through Red Wolf Crossing.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2753.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2753, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2753, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2802, by Representatives Todd, Fraser, McLean, Belcher, Locke, Brumsickle and Silver; by request of Department of General Administration

Enlarging the department of general administration transportation management authority.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2802.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2802, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2802, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2803, by Representatives G. Fisher, McLean, R. Fisher and Rector; by request of Department of General Administration

Changing provisions relating to state employees operating state-owned vehicles.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2803.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2803, and the bill passed the House by the following vote: Yeas, 92; absent, 3; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives Cole, Dorn, Heavey - 3.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2803, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2810, by Representatives Insee, Betzoff, Dorn, Hankins, Jesernig, Walker, Fraser, Grant, Ballard, S. Wilson, Rayburn, Day, Padden, Crane, Winsley, Smith, Wolfe, R. Meyers, Miller, Rector, Dellwo and Cooper

Modifying exemptions and penalties for tinting or coloring of motor vehicle windows.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2810.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2810, and the bill passed the House by the following vote: Yeas, 93; absent, 2; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Morris, Scott - 2.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2810, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2861, by Representatives Leonard, Winsley, Ferguson, Padden, Nutley, Cooper, Rector, Horn, Anderson, R. Meyers, Inslee, Ballard and Todd

Transferring the responsibilities for the regulation of manufactured housing.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the substitute bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2861.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2861, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2861, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2924, by Representatives Sayan, Belcher, Ferguson, Anderson, Jacobsen, Phillips, Winsley and Nelson

Regulating wild mushroom sales.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted (For committee amendment, see Journal, 26th Day, February 2, 1990.) and the engrossed bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Engrossed House Bill No. 2924.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2924, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Walker - 1.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Engrossed House Bill No. 2924, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2935, by Representatives Horn, Haugen, Kirby, Ferguson, D. Sommers, Wood, Rayburn, Morris, Moyer, Wolfe, Brumsickle, Bowman, Walker, Nealey and Raiter

Modifying the provisions for local government elections.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the substitute bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2935.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2935, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2935, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2959, by Representatives Bennett, Dorn, Pruitt, Brumsickle and G. Fisher

Authorizing school districts to require health insurance for students participating in extracurricular activities.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2959.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2959, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser,

Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2959, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2992, by Representatives Cooper, Ferguson, Haugen, Nealey, Phillips and Raiter

Changing local government bidding practices.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the substitute bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2992.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2992, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2992, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2996, by Representatives Leonard, Winsley, Anderson, Nutley, Holland, Wineberry and Nelson

Modifying property tax exemptions for leased homeless shelters.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the substitute bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 2996.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2996, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 2996, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2997, by Representatives Nutley and Winsley

Changing the requirements of notice in certain unlawful detainer actions.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2997.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2997, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2997, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2998, by Representative Belcher

Exempting certain permits and licenses from the definition of a fee.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of House Bill No. 2998.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2998, and the bill passed the House by the following vote: Yeas, 94; absent, 1; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Absent: Representative Walker - 1.

Excused: Representatives Basich, Chandler, Sommers D - 3.

House Bill No. 2998, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 3001, by Representatives Zellinsky, R. Meyers, Dellwo and Crane; by request of Insurance Commissioner

Concerning solvency protection for health maintenance organizations.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the substitute bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 3001.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3001, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 3001, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 3002, by Representatives Zellinsky, R. Meyers, Dellwo and Crane; by request of Insurance Commissioner

Concerning solvency protection for health care service contractors.

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the substitute bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 3002.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3002, and the bill passed the House by the following vote: Yeas, 95; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 3002, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 3007, by Representative Nealey

Relating to notice of employee pension plans provided by third class cities and fourth class municipalities. (t.o.)

The bill was read the second time.

With consent of the House, the committee recommendation was adopted and the bill was advanced to third reading.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 3007.

POINT OF PARLIAMENTARY INQUIRY

Mr. Schoon: The bill sheet indicates title only, but the bill is actually a two-page bill. I just want to make sure that we are working on the two-page bill, not the title only.

SPEAKER'S REPLY

The Speaker: The committee recommendation was to substitute the bill, Representative Schoon.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3007, and the bill passed the House by the following vote: Yeas, 93; absent, 2; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brække, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Absent: Representatives Meyers R, Scott - 2.

Excused: Representatives Basich, Chandler, Sommers D - 3.

Substitute House Bill No. 3007, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Ms. Miller, Representative Ballard was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1765 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1765, by Representatives Hine, G. Fisher, Peery, Betzoff, Holland, Heavey, Valle, Cole, Dellwo, Pruitt, Cantwell, Todd and Spanel

Establishing the professional educator renewal program.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 1765 was substituted for House Bill No. 1765, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1765 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1765, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brække, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Substitute House Bill No. 1765, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2331, by Representatives H. Myers, Peery, Betrozoff, Jacobsen, Brumsickle, Pruitt, Rector, Spanel, Cooper, Phillips, Rayburn, Jones, Basich, Crane, Winsley, Schoon and Wang

Requiring teachers to complete a course on issues of abuse.

The bill was read the second time.

Ms. H. Myers moved adoption of the following amendments by Representatives H. Myers, Peery and Betrozoff:

On page 1, line 6, after "initial" strike "or continuing"

On page 1, line 7, after "after" strike "August 31, 1990" and insert "August 31, 1991"

Ms. H. Myers spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2331, and the bill passed the House by the following vote: Yeas, 93; absent, 1; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Absent: Representative Rayburn - 1.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Engrossed House Bill No. 2331, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2375, by Representatives Betrozoff, Peery, Brumsickle, Valle, Walker, H. Myers, Rasmussen, Schoon, Winsley, Pruitt, Brough, Moyer, Wolfe, Todd, Haugen, Scott, P. King, Rector, Wood, Doty, Basich, Youngsman, May, Kremen, Ferguson, Wineberry and Horn

Creating ALL KIDS CAN LEARN incentive grants.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2375 was substituted for House Bill No. 2375, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2375 was read the second time.

Mr. Wineberry moved adoption of the following amendments by Representatives Wineberry, Prentice and Locke:

On page 1, beginning on line 9, after "implement" strike everything through "work" on line 10 and insert "instructional methods that have proved successful in enhancing student performance and reducing disproportionality in achievement of minority and nonminority students"

On page 1, line 11, after "that" strike "produce more learning for more" and insert "improve the academic performance of all"

Mr. Wineberry spoke in favor of adoption of the the amendments, and they were adopted.

Mr. Betrozoff moved adoption of the following amendment by Representatives Betrozoff and Peery:

On page 1, after line 21, strike all language through "purpose" on page 2, line 3, and insert:

NEW SECTION. Sec. 3. The superintendent of public instruction may grant funds to school districts for schools that have outcome based education programs that have been in operation for at least two years and have shown significant and continuous improvement in student performance beyond that normally expected from their school populations. Such grants shall

carry out the purposes of the basic education act. Grants shall be of sufficient size and scope, shall be granted for a five-year period, shall be subject to appropriations, and shall conform to the principles underlying the outcomes-driven education process.

Mr. Betrozoff spoke in favor of adoption of the the amendment, and it was adopted.

Mr. Wineberry moved adoption of the following amendment by Representatives Wineberry, Prentice and Locke:

On page 1, line 17 of the amendment, after "act," insert "In school districts where minority pupils exceed twenty-five percent of the student population, the program shall be designed to reduce disproportionality in performance levels of minority and nonminority students."

Mr. Wineberry spoke in favor of adoption of the amendment, and it was adopted.

MOTION FOR RECONSIDERATION

Mr. Ebersole, having voted on the prevailing side, moved that the House immediately reconsider the votes by which the amendments on page 1, beginning on line 9, and on page 1, line 17, by Representative Wineberry and others to Substitute House Bill No. 2375 were adopted. The motion was carried.

RECONSIDERATION

The Speaker stated the question before the House to be adoption of the amendments on page 1, beginning on line 9, and on page 1, line 17, by Representative Wineberry and others to Substitute House Bill No. 2374.

MOTION

On motion of Representative Wineberry, the amendments on page 1, beginning on line 9, and on page 1, line 17, by Representative Wineberry and others to Substitute House Bill No. 2374 were withdrawn.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Betrozoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2375, and the bill passed the House by the following vote: Yeas, 93; nays, 1; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representative Locke - 1.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Engrossed Substitute House Bill No. 2375, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2379, by Representatives Peery, Betrozoff, Dorn, Jacobsen, Hargrove, Holland, Van Luven, P. King, H. Myers, Kirby, Wineberry, Ebersole, May, Ferguson and Rasmussen; by request of Governor Gardner

Creating student enrollment options programs.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2379 was substituted for House Bill No. 2379, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2379 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Peery, Berozoff and Brough spoke in favor of passage of the bill, and Ms. Bowman spoke against it.

The Speaker called on Representative Heavey to preside.

Representatives Smith, McLean and Cole spoke against passage of the bill, and Representatives Wineberry, Holland, K. Wilson and Dorn spoke in favor of it.

The Speaker resumed the Chair.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2379, and the bill passed the House by the following vote: Yeas, 68; nays, 25; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Berozoff, Braddock, Brekke, Brough, Cantwell, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Fuhrman, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, May, Meyers R, Morris, Myers H, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Scott, Silver, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, and Mr. Speaker - 68.

Voting nay: Representatives Baugher, Bowman, Brooks, Brumsickle, Cole, Doty, Hankins, Kirby, Leonard, Locke, McLean, Miller, Moyer, Nealey, Nelson, Prince, Rayburn, Rust, Sayan, Schmidt, Schoon, Smith, Sommers H, Youngsman, Zellinsky - 25.

Absent: Representative Forner - 0.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Second Substitute House Bill No. 2379, having received the constitutional majority, was declared passed.

STATEMENTS FOR THE JOURNAL

When I voted for Second Substitute House Bill No. 2379 on final passage, I pushed my "YEA" button but it did not record. Please add my vote to the record.

ELMIRA FORNER, 47th District.

Please note in the Journal that I intended to vote "Yes" on final passage of Second Substitute House Bill No. 2379.

LORRAINE A. HINE, 33rd District.

My vote on final passage of Second Substitute House Bill No. 2379 was in error. Please change "no" to "aye." Thank you.

DOUG SAYAN, 35th District.

HOUSE BILL NO. 2406, by Representatives D. Sommers, Day, Moyer, Baugher, Dellwo, Gallagher, Schoon, Holland, Rector and Nealey

Limiting the ban on tobacco on public school property.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 2, 1990.)

Mr. G. Fisher moved adoption of the committee amendment. Representatives G. Fisher and Schoon spoke in favor of adoption of the committee amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2406, and the bill passed the House by the following vote: Yeas, 91; nays, 2; absent, 1; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Miller, Prince - 2.

Absent: Representative Fraser - 1.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Engrossed House Bill No. 2406, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2517, by Representatives Phillips, Betrozoff, Cole, Holland, Locke, Wang, O'Brien, Peery, Wineberry, Prentice, Walker, Brekke, Miller, Leonard, Rayburn, Valle, Jacobsen, Appelwick, Pruitt, H. Sommers, Rust, Nelson, Anderson, Brough, Horn, P. King, May, Winsley and McLean

Establishing the magnet school program.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2517 was substituted for House Bill No. 2517, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2517 was read the second time.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Phillips:

On page 1, beginning on line 15, after "schools" strike everything through "areas" on line 16 and insert "that have attendance areas with high percentages of minority students"

Mr. Locke spoke in favor of adoption of the amendment, and it was adopted.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Phillips:

On page 2, line 16, after "rules," strike "if not for the" and insert "without"

Mr. Locke spoke in favor of adoption of the amendment, and it was adopted.

Mr. Locke moved adoption of the following amendments by Representatives Locke and Phillips:

On page 3, line 15, after "grants" insert "in any school"

On page 3, line 16, after "previously" strike "for magnet school programs" and insert "to support that school"

Mr. Locke spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Phillips, Betrozoff, Heavey, Peery and Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2517, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Engrossed Substitute House Bill No. 2517, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2533 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2560, by Representatives Peery and Sprenkle

Permitting educational staff to attend certain out-of-state courses to fulfill continuing education requirements.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 2, 1990.)

Mr. Peery moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2560, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yeas: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Engrossed House Bill No. 2560, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2618, by Representatives G. Fisher, Walker, Peery, Betzoff, Kremen, Cole, Belcher, Phillips, Brumsickle, Hine, H. Myers, Leonard, Nelson, Jones, Anderson, Jacobsen, Wineberry, Winsley, May, Ferguson, Moyer, Todd and Spanel

Creating the parent-teacher partnership task force.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 2, 1990.) Committee on Appropriations recommendation: Majority, do pass as amended by Committee on Education and as further amended by Committee on Appropriations. (For committee amendment, see Journal, 30th Day, February 6, 1990.)

Mr. G. Fisher moved adoption of the committee amendments by Committee on Education and spoke in favor of them. The committee amendments were adopted.

Mr. Grant moved adoption of the committee amendment by Committee on Appropriations and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives G. Fisher and Brumsickle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2618, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Baillard, Basich, Chandler, Sommers D - 4.

Engrossed House Bill No. 2618, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2653, by Representatives G. Fisher, Jacobsen, Peery, Betzoff, Fraser, Belcher, Rector, Spanel, Walker, H. Myers, Valle, Hine, R. Meyers, Anderson, Wineberry, Phillips, Winsley, Wood, Appelwick, Nelson and Schoon

Requiring the superintendent of public instruction and the Henry M. Jackson school of International studies to provide services to develop international education.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2653 was substituted for House Bill No. 2653, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2653 was read the second time.

Ms. Doty moved adoption of the following amendments by Representatives Doty, Peery, Fraser, Van Luven, G. Fisher, Jacobsen, Prince, Rector and Wood:

On page 2, line 24, after "requirements of" insert "sections 1 and 2 of"

On page 2, after line 28, insert the following:

NEW SECTION, Sec. 4. The University of Washington and Washington State University, with the cooperation and assistance of the higher education coordinating board, the department of trade and economic development, the superintendent of public instruction, and institutions of higher education, shall organize and sponsor a conference on international education. The conference shall be held before the end of the 1991 calendar year for legislators, college and university presidents, academic vice-presidents, public school superintendents, and leaders of businesses and industries involved in international trade. The purposes of the conference include, but are not limited to:

(1) Discussing the establishment of cooperative public-private partnerships dedicated to international economic development education;

(2) Developing a strategy for using the combined resources of education and business to market Washington products and expertise abroad;

(3) Creating collaborative relationships within education disciplinary fields to strengthen the connection between primary, secondary, college, and university faculty;

(4) Exploring methods that government and business can use to assist student and faculty exchanges abroad;

(5) Discussing innovative methods that institutions, businesses, and government can use to ensure that Washington's citizens are prepared to thrive in an international world;

(6) Exploring the possible development of a school for international studies, to be held on college campuses during the summer for high school or college students; and

(7) Developing educational and training objectives to implement policy goals recommended by conferees.

NEW SECTION, Sec. 5. The University of Washington and Washington State University, with the assistance of other agencies involved in the conference, shall report the findings and recommendations of the conferees to the legislature by June 30, 1992.

NEW SECTION, Sec. 6. Funding for the purposes of sections 4 and 5 of this act shall be provided by the superintendent of public instruction."

Representatives Doty and G. Fisher spoke in favor of adoption of the amendments, and they were adopted.

With consent of the House, the following amendment by Representative Doty and others to the title was adopted:

On page 1, beginning on line 2 of the title, after "creating" strike "a new section" and insert "new sections"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives G. Fisher and Doty spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2653, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Engrossed Substitute House Bill No. 2653, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2761, by Representatives Peery and Pruitt

Changing provisions relating to the Washington state school directors' association.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2761, and the bill passed the House by the following vote: Yeas, 92; absent, 2; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Absent: Representatives King P, Wilson S - 2.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

House Bill No. 2761, having received the constitutional majority, was declared passed.

HOUSE JOINT RESOLUTION NO. 4228, by Representatives Peery, Betrozoff and Pruitt

Changing voting validation requirements for general obligation bonds for capital purposes.

The resolution was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Mr. Peery spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Resolution No. 4228, and the resolution passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman,

Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

House Joint Resolution No. 4228, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed Substitute House Bill No. 1663 on the regular second reading calendar. The motion was carried.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1663, by Committee on Housing (originally sponsored by Representatives Nutley, Winsley, Leonard, Ballard, Anderson, Jacobsen, Locke, O'Brien, Prentice, Sayan, Wineberry, Ebersole, Brekke, Rust, Nelson and Rector)

Enacting the farmworker housing act.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 1663 was substituted for House Bill No. 1663, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1663 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1663, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dom, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Second Substitute House Bill No. 1663, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2405, by Representatives Rector, Winsley, Nutley, Padden, Anderson, Leonard, Jacobsen, Dellwo, Wang, Brekke, Todd, Moyer, Inslee, Scott, Valle, Wood, Phillips and O'Brien

Establishing the homelessness prevention program.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2405 was substituted for House Bill No. 2405, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2405 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rector spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Rector yielded to question by Ms. Bowman.

Ms. Bowman: Representative Rector, in section 3 of Second Substitute House Bill No. 2405 we direct the Department of Community Development to adopt rules and implement the programs laid out in the act. Subsection (4) of that section states that the department shall adopt rules stating the criteria eligible organizations shall use when entering into contracts with persons or families to make mortgage or rental assistance payments on their behalf. Is it your interpretation of this section that the department may require the mortgage payment or rental assistance payment to be paid directly to the mortgage holder or the landlord?

Ms. Rector: Representative Bowman, your question is well taken. The bill in section 3(4) specifically directs the Department of Community Development to develop rules that the local pilot program must use to govern mortgage or rental assistance payments on behalf of a family. This payment can be made directly to the landlord, mortgage holder, or a joint signature check can be mailed to the landlord or the mortgage holder. This provision also allows the payment to not be counted as income for public assistance purposes.

Ms. Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2405, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Ballard, Basich, Chandler, Sommers D - 4.

Second Substitute House Bill No. 2405, having received the constitutional majority, was declared passed.

MOTION

On motion of Ms. Cole, Representative Gallagher was excused.

HOUSE BILL NO. 2516, by Representatives Todd, Winsley, Nutley, Leonard and Jacobsen

Authorizing building code education and training programs.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2516 was substituted for House Bill No. 2516, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2516 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2516, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith,

Sommers H. Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Substitute House Bill No. 2516, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2536, by Representatives Phillips, Winsley, Todd, Rector, Nutley, Brekke, Anderson, Leonard, Jacobsen, Basich, Locke, Sprenkle and Prentice

Giving local governments the right of first refusal in the purchase of federally assisted housing.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 2536 was substituted for House Bill No. 2536, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2536 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Phillips and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2536, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Substitute House Bill No. 2536, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2906, by Representatives Leonard, Winsley, Nutley, Phillips, Prentice, Cole, Locke, Wineberry, Anderson, Todd, Vekich and Rector

Providing for the clean-up or elimination of contaminated properties.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 2906 was substituted for House Bill No. 2906, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2906 was read the second time.

Mr. Grant moved adoption of the following amendment by Representative Locke:

On page 14, beginning on line 13, strike all of section 14
Renumber sections consecutively and correct internal references accordingly.

Mr. Grant spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Leonard and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2906, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman,

Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Mary, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Engrossed Substitute House Bill No. 2906, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2907, by Representatives Nutley, Winsley and Leonard
Concerning mobile home relocation.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2907 was substituted for House Bill No. 2907, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2907 was read the second time.

Ms. Nutley moved adoption of the following amendment by Representatives Nutley and Winsley:

On page 3, after line 26, insert the following:

"(10) Notwithstanding RCW 59.21.100, it is a violation of this chapter to request or require as a condition of initiating or renewing a tenancy in a mobile home park, a waiver of relocation assistance under this section or any other law or ordinance. Any such waiver, regardless of the date of its execution, is void and unenforceable as contrary to public policy."

Representatives Nutley and Winsley spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Nutley and Winsley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2907, and the bill passed the House by the following vote: Yeas, 82; nays, 8; absent, 3; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Hargrove, Heavey, Hine, Holland, Horn, Jacobsen, Jones, King P, King R, Kirby, Kremen, Leonard, Mary, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, and Mr. Speaker - 82.

Voting nay: Representatives Beck, Grant, Inslee, Jesernig, McLean, Prince, Silver, Zellinsky - 8.

Absent: Representatives Hankins, Haugen, Locke - 3.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Engrossed Substitute House Bill No. 2907, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote "No" on final passage of Engrossed Substitute House Bill No. 2907.

SHIRLEY DOTY, 14th District.

HOUSE BILL NO. 2533, by Representatives Jacobsen, Van Luven, Heavey, Ballard, Hine, Miller, Peery, Cooper, Betrozoff, G. Fisher, Walker, Rector, Dellwo, Scott, Fuhrman, May, Wood, Tate, Brumsickle, Ferguson and Sprenkle

Establishing the local master's degree teacher training program.

The bill was read the second time. On motion of Mr. G. Fisher, Substitute House Bill No. 2533 was substituted for House Bill No. 2533, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2533 was read the second time.

The Clerk read the following amendments by Representatives Spanel, Jacobsen and Peery:

On page 1, line 5, after "establish" strike "the" and insert "a pilot program for the development of"

On page 1, line 6, strike "program" and insert "programs"

On page 1, line 21, after "grants" strike "to develop" and insert "for pilot programs leading to"

On page 3, line 7, after "January 31," strike "1993" and insert "1991"

With consent of the House, Representative Spanel withdrew the amendments.

Ms. Spanel moved adoption of the following amendments by Representatives Spanel, Jacobsen and Peery:

On page 1, line 5, after "establish" strike "the" and insert "a pilot program for the development of"

On page 1, line 21, after "The" insert "pilot"

On page 1, line 21, after "provide" insert "for"

On page 3, line 6, strike "a" and insert "an initial"

On page 3, line 7, after "January 31," strike "1993" and insert "1991"

Ms. Spanel spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2533, and the bill passed the House by the following vote: Yeas, 88; nays, 5; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Beck, McLean, Nealey, Prince, Silver - 5.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Engrossed Substitute House Bill No. 2533, having received the constitutional majority, was declared passed.

MOTION

On motion of Ms. Cole, Representative Baugher was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 1492 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1492, by Representatives Ebersole, D. Sommers, Vekich, Cantwell, Chandler, Jones, Morris, Day, May, R. Meyers, Anderson, P. King and Phillips

Defining chiropractic care.

The bill was read the second time. On motion of Mr. Day, Substitute House Bill No. 1492 was substituted for House Bill No. 1492, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1492 was read the second time.

Ms. Morris moved adoption of the following amendment:

On page 2, line 6, after "health" strike *, as determined by rules of the chiropractic disciplinary board"

Ms. Morris spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1492, and the bill passed the House by the following vote: Yeas, 67; nays, 24; absent, 1; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Belcher, Bennett, Betrozoff, Braddock, Brekke, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Hine, Holland, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, McLean, Meyers R, Miller, Morris, Myers H, Neclley, Nelson, Nutley, Padden, Peery, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Sayan, Scott, Smith, Spanel, Todd, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Youngsman, and Mr. Speaker - 67.

Voting nay: Representatives Beck, Bowman, Brooks, Ferguson, Heavey, Horn, May, Moyer, O'Brien, Phillips, Prentice, Prince, Rust, Schmidt, Schoon, Silver, Sommers H, Sprenkle, Tate, Valle, Van Luven, Wolfe, Wood, Zellinsky - 24.

Absent: Representative Haugen - 1.

Excused: Representatives Ballard, Basich, Baugher, Chandler, Gallagher, Sommers D - 6.

Engrossed Substitute House Bill No. 1492, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 1724 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 1824, by Representatives Wood, Jacobsen, Wineberry and P. King

Regarding tuition waivers for state employees at state institutions of higher education.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 1824 was substituted for House Bill No. 1824, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1824 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Wood spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1824, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones,

King P. King R. Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R. Miller, Morris, Moyer, Myers H. Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H. Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S. Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Ballard, Basich, Baugher, Chandler, Gallagher, Sommers D - 6.

Substitute House Bill No. 1824, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2295, by Representatives Sayan, Wolfe and Basich

Revising provisions for reimbursement to department of social and health services employees for costs related to assaults.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sayan spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2295, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yeas: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Ballard, Basich, Baugher, Chandler, Gallagher, Sommers D - 6.

House Bill No. 2295, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2310, by Representatives H. Sommers, Schoon and Rasmussen; by request of State Treasurer

Modifying the state's ability to lease and lease back land.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2310, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yeas: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Ballard, Basich, Baugher, Chandler, Gallagher, Sommers D - 6.

House Bill No. 2310, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2315, by Representatives R. Meyers, Belcher, Vekich, Brumsickle, Zellinsky, Sayan, Fraser and Pruitt

Creating additional superior court positions in Kitsap and Thurston counties.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2315 was substituted for House Bill No. 2315, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2315 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2315, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raifer, Rasmussen, Rayburn, Reclor, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Ballard, Basich, Baugher, Chandler, Gallagher, Sommers D - 6.

Substitute House Bill No. 2315, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed House Bill No. 1724 on the regular second reading calendar. The motion was carried.

ENGROSSED HOUSE BILL NO. 1724, by Representatives Prentice, Patrick, S. Wilson, Baugher, Walk, Betzoff, Zellinsky, Wood, Todd, R. Fisher, Nelson, Cooper, Holland, Sayan, D. Sommers, Gallagher, Anderson, Cantwell, Leonard, Haugen and Winsley; by request of Legislative Transportation Committee

Establishing criteria for state highway designation.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 30th Day, February 6, 1990.)

Ms. R. Fisher moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

Ms. Schmidt moved adoption of the following amendment by Representatives Schmidt and R. Fisher:

On page 3, after line 25, insert the following:

*NEW SECTION. Sec. 2. The road jurisdiction committee is directed to study the differential financial impact that additions, deletions, or changes to the state highway system may have on the jurisdiction gaining and/or losing jurisdiction over any particular roadway and make recommendations to the legislative transportation committee regarding creation of a fund to address these differential impacts. The recommendations shall also include a funding mechanism that includes a requirement that benefitted jurisdictions pay into the fund for the benefit of jurisdictions negatively impacted by a jurisdictional transfer. The recommendations shall address hardship issues relating to ability to make required payments and shall make recommendations relating to time payments. The committee shall report to the legislative transportation committee by October 1, 1990.

Ms. Schmidt spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered reengrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Prentice spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1724, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer,

Myers H. Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Ballard, Basich, Baugher, Chandler, Gallagher, Sommers D - 6.

Reengrossed House Bill No. 1724, having received the constitutional majority, was declared passed.

Representative Baugher appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2323 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2323, by Representatives Pruitt, Sprenkle, Silver, Phillips, Morris, R. Fisher, G. Fisher, Rayburn, Brumsickle, Fraser, Anderson, H. Myers, Rust, R. Meyers, Dorn, Rector, Basich, Kremen, Todd, Winsley, Schoon, Wolfe, Cooper, Inslee and Kirby

Increasing governmental accountability.

The bill was read the second time. On motion of Mr. Todd, Second Substitute House Bill No. 2323 was substituted for House Bill No. 2323, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2323 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2323, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Second Substitute House Bill No. 2323, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2334, by Representatives Ferguson, Appelwick, Haugen, Jones, Phillips, May, R. Meyers, Hargrove, Heavey, Holland, Winsley, D. Sommers, Wolfe, Fuhrman, Tate, Youngsman, Rasmussen and Raiter

Changing the blood and breath alcohol content standards for intoxication.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2334, and the bill passed the House by the following vote: Yeas, 91; nays, 2; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Nutley, Vekich - 2.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

House Bill No. 2334, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2342, by Representatives Vekich, Zellinsky, R. King, Cole, Schmidt, Leonard, Winsley, Prentice, Ferguson, Sayan and Jones

Licensing fire protection sprinkler system contractors.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2342 was substituted for House Bill No. 2342, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2342 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2342, and the bill passed the House by the following vote: Yeas, 89; nays, 4; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Doty, Nealey, Silver, Wolfe - 4.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Substitute House Bill No. 2342, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2343, by Representatives Fraser, Holland, Wang, Horn and May; by request of Department of Revenue

Expanding the secrecy clause for tax information and administration.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Fraser spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2343, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

House Bill No. 2343, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2348 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2359, by Representatives Valle, Peery, Betrozoff, Holland, Leonard, Rector, Jacobsen, Wineberry, Winsley, Wang, Miller and Van Luven; by request of Superintendent of Public Instruction

Creating the homeless education grant program.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2359 was substituted for House Bill No. 2359, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2359 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Valle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2359, and the bill passed the House by the following vote: Yeas, 91; nays, 2; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Fuhrman, Silver - 2.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Second Substitute House Bill No. 2359, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2373, by Representatives Holland, H. Sommers, Schoon, Wang, Rasmussen, Ferguson, Silver, Todd, Winsley, Van Luven, Rector and Horn

Revising bond information requirements.

The bill was read the second time. Committee on Capital Facilities & Financing recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 2, 1990.)

Ms. Rasmussen moved adoption of the committee amendments. Representatives Rasmussen and Schoon spoke against adoption of the committee amendments. The committee amendments were not adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Schoon and Rasmussen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2373, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

House Bill No. 2373, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

HOUSE BILL NO. 2443, by Representatives O'Brien, Jacobsen, Prince, Anderson, Heavey, Crane, Valle, Winsley, Moyer, P. King, Todd, Day, Rector, Wood, Wineberry and R. King

Establishing the Warren G. Magnuson institute for biomedical research and health professions training.

The bill was read the second time. On motion of Mr. Locke, Second Substitute House Bill No. 2443 was substituted for House Bill No. 2443, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2443 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

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

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2443, and the bill passed the House by the following vote: Yeas, 92; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Absent: Representative Wolfe - 1.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Second Substitute House Bill No. 2443, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2475, by Representatives Ferguson, Haugen, Horn and Nutley

Limiting license fees and taxes that impact certain convention and trade facilities.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2475, and the bill passed the House by the following vote: Yeas, 88; nays, 3; absent, 2; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Sayan, Schmidt, Schoon, Scott, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Voting nay: Representatives Heavey, Rust, Silver - 3.

Absent: Representatives Cantwell, McLean - 2.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

House Bill No. 2475, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

Regarding final passage of House Bill No. 2475, my vote is "yes."

ALEX McLEAN, 12th District.

HOUSE BILL NO. 2513, by Representatives Walker, Rust, D. Sommers, Fraser, G. Fisher, Pruitt, Phillips, Brekke, Betrozoff, Winsley, May, Ferguson and Wolfe

Providing revenue generating authority to counties to fund roadside litter and illegal dumping.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 2513 was substituted for House Bill No. 2513, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2513 was read the second time.

Ms. Walker moved adoption of the following amendment by Representatives Walker and Rust:

On page 1, line 27, after "(2)" strike all material through "residence," on page 2, line 4, and insert "Community service programs established under this section shall involve, but not be limited to, persons convicted of nonviolent, drug-related offenses."

Ms. Walker spoke in favor of adoption of the amendment, and it was adopted.

Ms. Walker moved adoption of the following amendment by Representatives Walker and Rust:

On page 2, after line 9, strike all of section 3 and insert:

"NEW SECTION, Sec. 3. A new section is added to chapter 70.93 RCW to read as follows:

The department shall provide grants to local units of government to establish, conduct, and evaluate community service programs for litter cleanup. Programs eligible for grants under this section shall include, but not be limited to, programs established pursuant to section 2 of this act. The department shall report to the appropriate standing committees of the legislature by December 31, 1991, on the effectiveness of community service litter cleanup programs funded from grants under this section.

Ms. Walker spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment to the title was adopted:

On page 1, line 1 of the title, after "litter;" strike "amending RCW 70.93.194" and insert "adding a new section to chapter 70.93 RCW"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2513, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Engrossed Substitute House Bill No. 2513, having received the constitutional majority, was declared passed.

The Speaker called on Representative Appelwick to preside.

HOUSE BILL NO. 2543, by Representatives Morris, Moyer, Braddock, Holland, Jones, Brooks, H. Myers, Winsley, Nelson, Wineberry, Brekke, Bowman, Sprenkle, Raiter, Leonard, Spanel, Vekich, Brough, Appelwick, Cole, Belcher, Baugher, Peery, Wang, Haugen, Inslee, Hine, R. Fisher, Prentice, Pruitt, R. King, Walker, Rector, Crane, Dellwo, Smith, Horn, Scott, Rayburn, P. King, Valle, Miller, Jacobsen, G. Fisher, Basich, Kremen, May, Schoon, Forner, Locke, Wood, Brumsickle, Youngsman, Todd, Rasmussen, Cooper and Day

Regarding community violence prevention and public security programs.

The bill was read the second time. On motion of Mr. Braddock, Second Substitute House Bill No. 2543 was substituted for House Bill No. 2543, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2543 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Morris and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2543, and the bill passed the House by the following vote: Yeas, 91; nays, 2; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Forner, Fraser, Fuhrman, Grant, Hankins, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Fisher R, Hargrove - 2.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Second Substitute House Bill No. 2543, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2584, by Representatives Haugen, Nealey, Nutley, Ferguson, Nelson, Zellinsky, Wood, Phillips and Raiter

Raising public utility district internal job value limits and creating a small works roster.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 2584 was substituted for House Bill No. 2584, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2584 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2584, and the bill passed the House by the following vote: Yeas, 92; nays, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representative Brumsickle - 1.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Substitute House Bill No. 2584, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2593, by Representatives Belcher, Rust, Dellwo, Jacobsen, Pruitt, Prentice, Fraser, Leonard, Nutley, Locke, R. Fisher, Cole, Vekich, Phillips and Brekke

Modifying requirements for registration of pesticides.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 2593 was substituted for House Bill No. 2593, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2593 was read the second time.

Ms. Belcher moved adoption of the following amendment:

On page 5, beginning on line 20, strike all of section 4

Ms. Belcher spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Belcher, Nealey, McLean and Prince spoke in favor of passage of the bill, and Mr. Baugher opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2593, and the bill passed the House by the following vote: Yeas, 78; nays, 14; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Braddock, Brekke, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Winsley, Wood, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Baugher, Betzoff, Bowman, Brooks, Brumsickle, Fuhrman, McLean, Moyer, Padden, Rayburn, Silver, Smith, Wolte, Youngsman - 14.

Absent: Representative Wineberry - 1.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Engrossed Substitute House Bill No. 2593, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I made a mistake in pushing my voting button on final passage of Engrossed Substitute House Bill No. 2593. Please change my vote from "nay" to "yea."

PETER T. BROOKS, 16th District.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2631 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2636, by Representatives Zellinsky, D. Sommers, Day, Baugher, Van Luven, Kremen, Beck, R. Meyers, Betzoff, R. Fisher, Prince, Jacobsen, Nealey and Cooper

Exempting emergency service tow trucks from weight and load restrictions.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 30th Day, February 6, 1990.)

Mr. R. Meyers moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2636, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Engrossed House Bill No. 2636, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2654, by Representatives Cole, Valle, R. King, Anderson, Scott, Pruitt, Wood, Rust, Basich, Nelson, Belcher, R. Fisher, Dellwo, G. Fisher, Jacobsen, Spanel, Nutley, Wineberry, Fraser, Prentice, Leonard, Wang, Phillips, Holland, Horn, Van Luven, Jones and Brekke

Adopting a policy prohibiting corporal punishment.

The bill was read the second time.

Mr. Hargrove moved adoption of the following amendment by Representatives Hargrove, K. Wilson, Schoon and Padden:

On page 1, section 1, line 8, strike "prohibiting" and insert "regulating"

Representatives Hargrove and Padden spoke in favor of adoption of the amendment, and Representatives Cole, Jones and Heavey spoke against it. Mr. Hargrove again spoke in favor of the amendment.

The Speaker (Mr. Appelwick presiding) stated the question before the House to be adoption of the amendment by Representative Hargrove and others to House Bill No. 2654.

A division was called. The Speaker (Mr. Appelwick presiding) called upon the House to divide. The result of the division was: Yeas - 30; Nays - 63. The amendment was not adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole, May, Van Luven and Leonard spoke in favor of passage of the bill, and Representatives Hargrove and Youngsman opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2654, and the bill passed the House by the following vote: Yeas, 72; nays, 20; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Grant, Hankins, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Myers H, Nelson, Nutley, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Silver, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson S, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Baugher, Brough, Doty, Ferguson, Forner, Fuhrman, Hargrove, Haugen, Jesernig, McLean, Moyer, Nealey, Padden, Prince, Raiter, Schoon, Smith, Wilson K, Wolfe, Youngsman - 20.

Absent: Representative O'Brien - 1.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

House Bill No. 2654, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2739, by Representatives Dellwo, Moyer, Rector, Silver, Day, D. Sommers, Jesernig, Wolfe and Padden

Establishing a license to sell liquor in motels.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Dellwo and Smith spoke in favor of passage of the bill, and Mr. Vekich spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2739, and the bill passed the House by the following vote: Yeas, 84; nays, 8; absent, 1; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 84.

Voting nay: Representatives Doty, Fuhrman, Heavey, Jones, Nealey, Nelson, Vekich, Wang - 8.

Absent: Representative Spanel - 1.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

House Bill No. 2739, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I wish to vote "Yes" on final passage of House Bill No. 2739.

HARRIET SPANEL, 40th District.

HOUSE BILL NO. 2746, by Representatives McLean, Belcher, Brumsickle, Ballard, Appelwick, Silver, Hankins, Miller, Bowman and Todd

Creating a crime of enticement.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2746, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

House Bill No. 2746, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2752, by Representatives Moyer, Jones, Padden, Wolfe, Hargrove, Wineberry, Rector, D. Sommers, Crane, Dellwo, Schmidt, Brumsickle, Winsley, Bowman, Kremen, Heavey, Tate, May, Brough, Kirby, Wood, Schoon, Todd and Day

Pertaining to depictions of minors engaged in sexually explicit conduct.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2752 was substituted for House Bill No. 2752, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2752 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2752, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basch, Chandler, Gallagher, Sommers D - 5.

Substitute House Bill No. 2752, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2819 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2842, by Representatives Hine, G. Fisher, Brooks, Sprenkle, Zellinsky, Prentice, R. Fisher, Sayan, Ballard, Moyer, Todd, Anderson, Winsley, Heavey, Ferguson, Rasmussen and Wineberry

Permitting more discretion in granting disabled parking permits.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 2, 1990.)

Ms. R. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Hine spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2842, and the bill passed the House by the following vote: Yeas, 93; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith,

Sommers H. Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Engrossed House Bill No. 2842, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2858, by Representatives Cole, Smith, R. King, Wolfe, Leonard, Jones, Vekich, Prentice, Walker and Van Luven

Authorizing business entertainment practices for liquor importers, wholesalers, or manufacturers.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2858 was substituted for House Bill No. 2858, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2858 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2858, and the bill passed the House by the following vote: Yeas, 89; nays, 4; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Silver, Smith, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Voting nay: Representatives Fuhrman, Heavey, Peery, Schoon - 4.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Sommers D - 5.

Substitute House Bill No. 2858, having received the constitutional majority, was declared passed.

MOTION

On motion of Ms. Miller, Representative Moyer was excused.

HOUSE BILL NO. 2879, by Representatives Jesernig, Jacobsen, Hankins, Rector, Wood, R. Meyers, Basich, Grant, Prince, Brooks, Dorn, Nelson, Rust, Hargrove, Heavey, Fraser, Bennett, Nealey, Rayburn, Gallagher, H. Myers, Baugher, Miller, Todd, Belcher, G. Fisher, Day, Cooper, Van Luven, Ebersole, Raiter, Wang, Ferguson, D. Sommers, P. King, Dellwo, Wolfe and Wineberry

Establishing the Washington state center for environmental and molecular sciences at Washington State University/Tri-Cities.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 2879 was substituted for House Bill No. 2879, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2879 was read the second time.

Mr. Jesernig moved adoption of the following amendments:

On page 2, line 8, after "Sec. 2." strike all material through "act." on line 17 and insert "By September 1, 1990, Washington State University shall submit to the higher education coordinating board for approval a proposal for the long-term development of a center for environmental and molecular sciences at Washington State University/Tri-Cities."

On page 3, after line 30, strike all material through "act." on page 4, line 23

Renumber the sections consecutively and correct internal references accordingly.

On page 4, beginning on line 24, after "Sec. 6." strike everything through "proposal" on line 27, and insert "The proposal provided for in section 2 of this act"

On page 5, after line 19, strike all material through "28B.30 RCW."

Mr. Jesernig spoke in favor of adoption of the amendments, and they were adopted.

Mr. Locke moved adoption of the following amendment by Representatives Locke and Jesernig:

On page 5, strike all of lines 16 through 19 and insert:

"The higher education coordinating board shall review the proposal. In making its review, the higher education coordinating board shall evaluate both policy and fiscal aspects of the proposal, and shall specifically review the center's proposed role and mission within the context of the development plan for branch campuses of Washington State University. The higher education coordinating board shall make recommendations to the governor and the legislature by January 1, 1991, on: (a) Whether to establish a Washington state center for environmental and molecular sciences, and, if so, (b) the long-term development of the center."

Mr. Locke spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representative Jesernig to the title was adopted

On page 1, beginning on line 2 of the title, strike "adding new sections to chapter 28B.30 RCW; and creating a new section" and insert "and creating new sections"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jesernig, Brooks and Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2879, and the bill passed the House by the following vote: Yeas, 92; excused, 6.

Voting yeas: Representatives Anderson, Appelwick, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Moyer, Sommers D - 6.

Engrossed Substitute House Bill No. 2879, having received the constitutional majority, was declared passed.

MOTION

Mr. R. Meyers moved that the House defer consideration of House Bill No. 2888 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2916, by Representatives Prentice, Vekich, R. King, Leonard, Cole, Basich, K. Wilson and Wineberry

Revising provisions on conditions of employment.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2916 was substituted for House Bill No. 2916, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2916 was read the second time.

Mr. Vekich moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 1, chapter 104, Laws of 1989 and RCW 49.46.130 are each amended to read as follows:

(1) ~~(No employer shall employ any of his employees for a work week longer than forty hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed, except that the provisions of this subsection (1) shall) Except as otherwise provided in section 2 of this 1990 act, no employer shall employ any employee more than forty hours in any work week unless the employee receives compensation for his or her employment at a~~

rate of pay not less than one and one-half times the employee's regular rate of pay for all hours worked over forty hours in the work week.

(2) This section does not apply to:

(a) Any person exempted pursuant to RCW 49.46.010(5) ((as now or hereafter amended and the provision of this subsection shall not apply to));

(b) Employees who request compensating time off in lieu of overtime pay ((nor to));

(c) Any individual employed as a seaman whether or not the seaman is employed on a vessel other than an American vessel((-nor to));

(d) Seasonal employees who are employed at concessions and recreational establishments at agricultural fairs, including those seasonal employees employed by agricultural fairs, within the state provided that the period of employment for any seasonal employee at any or all agricultural fairs does not exceed fourteen working days a year((-nor to));

(e) Any individual employed as a motion picture projectionist if that employee is covered by a contract or collective bargaining agreement which regulates hours of work and overtime pay((-nor to));

(f) An individual employed as a truck or bus driver who is subject to the provisions of the Federal Motor Carrier Act (49 U.S.C. Sec. 3101 et seq. and 49 U.S.C. Sec. 10101 et seq.), if the compensation system under which the truck or bus driver is paid includes overtime pay, reasonably equivalent to that required by this subsection, for working longer than forty hours per week((-;

(2) No public agency shall be deemed to have violated subsection (1) of this section with respect to the employment of any employee in fire protection activities or any employee in law enforcement activities (including security personnel in correctional institutions) if: (a) in a work period of twenty-eight consecutive days the employee receives for tours of duty which in the aggregate exceed two hundred and forty hours; or (b) in the case of such an employee to whom a work period of at least seven but less than twenty-eight days applies, in his work period the employee receives for tours of duty which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in his work period as two hundred forty hours bears to twenty-eight days; compensation at a rate not less than one and one-half times the regular rate at which he is employed. PROVIDED, That this section shall not apply to));

(g) Any individual employed (i) on a farm, in the employ of any person, in connection with the cultivation of the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and furbearing animals and wildlife, or in the employ of the owner or tenant or other operator of a farm in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment; or (ii) ((in packing, packaging, grading, storing or delivering to storage, or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; or (iii) commercial canning, commercial freezing, or any other commercial processing, or)) with respect to services performed in connection with the cultivation, raising, harvesting, and processing of oysters ((or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption. PROVIDED FURTHER, That in)); or

(h) Any industry in which federal law provides for an overtime payment based on a work week other than forty hours ((then provisions of this section shall not apply)); However, the provisions of the federal law regarding overtime payment based on a work week other than forty hours shall nevertheless apply to employees covered by this section without regard to the existence of actual federal jurisdiction over the industrial activity of the particular employer within this state((-PROVIDED FURTHER, That)). For the purposes of this subsection, 'industry' ((as that term is used in this section shall mean)) means a trade, business, industry, or other activity, or branch, or group thereof, in which individuals are gainfully employed (section 3(h) of the Fair Labor Standards Act of 1938, as amended (Public Law 93-259).

(3) No public agency shall be deemed to have violated subsection (1) of this section with respect to the employment of any employee in fire protection activities or any employee in law enforcement activities (including security personnel in correctional institutions) if: (a) in a work period of twenty-eight consecutive days the employee receives for tours of duty which in the aggregate exceed two hundred forty hours; or (b) in the case of such an employee to whom a work period of at least seven but less than twenty-eight days applies, in his or her work period the employee receives for tours of duty which in the aggregate exceed a number of hours which bears the same ratio to the number of consecutive days in his or her work period as two hundred forty hours bears to twenty-eight days; compensation at a rate not less than one and one-half times the regular rate at which he or she is employed.

NEW SECTION, Sec. 2. (1) Except as otherwise provided in this section, no employer may require an employee to work more than eight hours in any work day or more than forty hours in any work week.

(2) Subsection (1) of this section does not prohibit an employee from voluntarily agreeing to work more than eight hours in any work day or more than forty hours in any work week. If

an employee works more than eight hours in any work day or more than forty hours in any work week, he or she shall be compensated:

(a) As provided under RCW 49.46.130 for all hours in excess of forty hours in the work week;

(b) At a rate of pay not less than one and one-half times the employee's regular rate of pay for all hours worked in excess of eight hours up to and including twelve hours in any work day; and

(c) At a rate of pay not less than twice the employee's regular rate of pay for all hours worked in excess of twelve hours in any work day.

(3) Notwithstanding subsection (1) of this section, an employee may be required to work:

(a) Up to ten hours in a work day if the employer's work week is based on four ten-hour days in a work week. An employee shall not be prohibited from voluntarily agreeing to work more than ten hours in a work day. Any employee on a schedule of four ten-hour work days in a work week who works more than ten hours in any work day, up to and including twelve hours, or more than forty hours in a work week shall be compensated at a rate of pay not less than one and one-half times the employee's regular rate of pay. All work performed in excess of twelve hours in a work day shall be compensated at a rate of pay not less than twice the employee's regular rate of pay; or

(b) Up to ten hours in a work day if the employee is covered by the Longshore and Harbor Workers' Compensation Act, 33 U.S.C. Sec. 901 et seq.

(4) If an employee voluntarily chooses to work under a flexible work arrangement, this section shall not apply with respect to the first two hours over eight hours worked in any work day by that employee. 'Flexible work arrangement' includes, but is not limited to:

(a) A daily work schedule containing core time of no more than six work hours during which the employee is required to work, and designated hours of no less than two hours before and/or after the core time, during which the employee selects the time of arrival and the time of departure;

(b) Job sharing with another employee; or

(c) Voluntary leaves of absence without pay, up to one month per year.

(5) If both RCW 49.46.130(1) and this section apply to any of the hours worked by an employee, the employee's compensation for those hours shall be calculated under the provision providing the higher compensation.

(6) The overtime compensation requirements of subsections (1) through (4) of this section do not apply to any employee whose total hours of employment during the work week do not exceed thirty hours.

(7) An employer may not require an employee to work more than one shift in any work day if any of the required shifts consists of less than four consecutive hours.

(8)(a) Unless the employer's employees are covered by a collective bargaining agreement or represented by an exclusive bargaining representative, whether the representative is certified or recognized, the employer may petition to the department for a variance from the requirements in this section with respect to work over eight hours in a work day if at least seventy-five percent of the employer's employees in the affected work unit vote by secret ballot to approve a written proposal for regularly scheduled hours of work in a day consisting of hours not otherwise permitted under this section. The agreement shall not permit the employer to require an employee to work over twelve hours in a work day.

(b) The department shall adopt rules providing for the election procedures and documentation required to apply for a variance under this subsection.

(c) Nothing in this subsection limits the application of RCW 49.46.130 to the employees covered by a variance under this subsection.

(9) This section does not apply to:

(a) Any employer who employs fewer than twenty-five individuals;

(b) Any individual exempt under RCW 49.46.010(5) or 49.46.130(2), except for RCW 49.46.130(2)(f);

(c) Any individual employed in fire protection or law enforcement activities; or

(d) Work performed in emergency situations, as defined by department rule.

No exemption under this section shall be deemed to provide an exemption under RCW 49.46.130.

NEW SECTION. Sec. 3. (1) No employer may discharge or in any manner discriminate against an employee because the employee exercises any of the rights provided in section 2 of this act.

(2) Any employee who believes that he or she has been discharged or otherwise discriminated against in violation of this section may, within thirty days after such violation occurs, file a complaint with the director alleging such discrimination. Upon receipt of the complaint, the director shall cause an investigation to be made as the director deems appropriate. If after investigation, the director determines that the provisions of this section have been violated, the director shall bring an action in the superior court of the county in which the violation is alleged to have occurred against the person or persons alleged to have violated the provisions of this section. If the director determines that the provisions of this section have not been

violated, the employee may institute the action on his or her own behalf within thirty days of receiving notice of the director's determination. In any action under this section, the superior court shall have jurisdiction, for cause shown, to restrain violations of subsection (1) of this section and to order all appropriate relief including rehiring or reinstatement of the employee to his or her former position with back pay.

(3) Within ninety days of the receipt of the complaint filed under this section, the director shall notify the complainant of the determination under subsection (2) of this section.

NEW SECTION. Sec. 4. (1) An employee who reports to work as required by the employer and who is not given work, or is given less than half of the employee's usual or scheduled day's work, shall be paid for the hours in half the usual or scheduled day's work or for four hours of work, whichever is greater, at the employee's regular rate of pay.

(2) Subsection (1) of this section does not apply if:

(a) Operations cannot commence or continue because of threats to employees or property or because of recommendations by civil authorities;

(b) Public utility services are interrupted;

(c) The interruption of work is caused by an Act of God or other cause not within the employer's control;

(d) The employee is on paid standby status and is called to perform assigned work at a time other than the employee's scheduled reporting time;-or

(e) The employee is employed in fire protection or law enforcement activities.

NEW SECTION. Sec. 5. In the case of employees covered by an unexpired collective bargaining agreement the terms of which conflict with sections 2 or 4 of this act, if the agreement expires on or after the effective date of this act, the effective date of sections 2 and 4 of this act with respect to such employees shall be the first day following expiration of the collective bargaining agreement.

NEW SECTION. Sec. 6. Sections 2 through 5 of this act are each added to chapter 49.46 RCW."

Mr. Vekich spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representative Vekich to the title was adopted:

On page 1, line 1 of the title, after "employment;" strike the remainder of the title and insert "amending RCW 49.46.130; and adding new sections to chapter 49.46 RCW."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Prentice, Vekich and R. King spoke in favor of passage of the bill, and Representatives Smith, H. Sommers, Walker, Bowman, McLean and Horn opposed it.

The Speaker resumed the Chair.

Mr. Raiter spoke against passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2916, and the bill passed the House by the following vote: Yeas, 53; nays, 39; excused, 6.

Voting yea: Representatives Anderson, Appelwick, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Hargrove, Heavey, Hine, Jacobsen, Jones, King P, King R, Kremen, Leonard, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rector, Rust, Sayan, Scott, Spanel, Sprengle, Todd, Valle, Van Luven, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Voting nay: Representatives Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Doty, Ferguson, Former, Fuhrman, Grant, Hankins, Haugen, Holland, Horn, Inslee, Jesernig, Kirby, Locke, May, McLean, Miller, Nealey, Padden, Prince, Raiter, Rayburn, Schmidt, Schoon, Silver, Smith, Sommers H, Tate, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 39.

Excused: Representatives Ballard, Basich, Chandler, Gallagher, Moyer, Sommers D - 6.

Engrossed Substitute House Bill No. 2916, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

On final passage of Engrossed Substitute House Bill No. 2916, I inadvertently voted "Yes." My intention was to vote "No."

STEVE VAN LUVEN, 48th District.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2939 and that the bill hold its place on the regular second reading calendar. The motion was carried.

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

REPORTS OF STANDING COMMITTEES

February 8, 1990

HB 2929 Prime Sponsor, Representative Cantwell: Enacting comprehensive growth planning provisions. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Braddock, Brekke, Dorn, Ebersole, Ferguson, Hine, Holland, Inslee, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Doty, May, Nealey and Padden.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, May, McLean, Nealey and Padden.

Absent: Representative Brough.

Passed to Committee on Rules for second reading.

February 9, 1990

SB 6510 Prime Sponsor, Senator Benitz: Revising provisions for registration of telecommunication companies. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Jacobsen, May, R. Meyers, Miller and S. Wilson.

Absent: Representatives Gallagher, Jacobsen and Jesernig.

Passed to Committee on Rules for second reading.

The Speaker (Mr. Appelwick presiding) referred the bills listed on today's supplemental committee reports under the fifth order of business to the committees so designated.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:30 a.m., Monday, February 12, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

SENATE BILL NO. 6816,
 SENATE BILL NO. 6842,
 SENATE BILL NO. 6861,
 SENATE BILL NO. 6862,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6868,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

2SSB 5007 by Committee on Ways & Means (originally sponsored by Senators Lee, McMullen, Anderson, Conner and Johnson)

Establishing the international marketing internship program.

Referred to Committees on Trade & Economic Development/ Appropriations.

SSB 5013 by Committee on Education (originally sponsored by Senator Owen)

Relating to second class school districts changing back to having directors run at-large.

Referred to Committee on Education.

SB 5072 by Senators Pullen, Rasmussen, Newhouse, Hansen, Niemi, Talmadge, Conner, Smith, McCaslin, Nelson, Rinehart, West, Hayner, Kreidler, Madsen, Thorsness, Gaspard, Lee, Sutherland and von Reichbauer

Establishing a law enforcement medal of honor.

Referred to Committee on State Government.

2SSB 5104 by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, Lee and McMullen)

Providing technical assistance for self-help projects.

Referred to Committees on Trade & Economic Development/ Appropriations.

SSB 5132 by Committee on Governmental Operations (originally sponsored by Senators McCaslin and Rasmussen)

Specifying additional requirements for local improvement district notices.

Referred to Committee on Local Government.

SSB 5135 by Committee on Governmental Operations (originally sponsored by Senators McCaslin and Rasmussen)

Limiting the authority of a board of health or health department to require property owners to participate in a local improvement district in order to obtain on-site sewage system permits.

Referred to Committee on Local Government.

3SSB 5203 by Committee on Economic Development & Labor (originally sponsored by Senators Anderson and Lee)

Establishing the Washington state self-employment loan program.

Referred to Committees on Trade & Economic Development/ Appropriations.

ESSB 5290 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, DeJarnatt, Benitz, Rasmussen, Barr and Gaspard)

Enhancing salmon resources.

Referred to Committee on Fisheries & Wildlife.

SB 5593 by Senators Patterson, DeJarnatt, McMullen, Nelson, Thorsness, Barr and von Reichbauer; by request of Department of Transportation

Conforming vehicle length requirements to federal law.

Referred to Committee on Transportation.

- SSB 5723 by Committee on Governmental Operations (originally sponsored by Senators McCaslin and Kreidler; by request of Secretary of State)
Revising procedures for ballot titles and summaries.
Referred to Committee on State Government.
- 2SSB 5993 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Stratton, Newhouse and Hayner)
Promoting the use of one thousand acres leased on the Hanford reservation.
Referred to Committees on Trade & Economic Development/ Appropriations.
- 2SSB 5996 by Committee on Energy & Utilities (originally sponsored by Senators Benitz and Hayner)
Authorizing feasibility study of waste management education.
Referred to Committees on Higher Education/Appropriations.
- SSB 6193 by Committee on Ways & Means (originally sponsored by Senators Saling, Fleming, Bailey, Rinehart, Patrick, Conner, Johnson, Stratton and Sutherland)
Including middle and junior high school students in the mathematics, engineering, and science achievement program.
Referred to Committees on Higher Education/Appropriations.
- SSB 6255 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge, Bailey, Anderson, Hayner, Johnson, Sutherland, McCaslin, Warnke and Patrick)
Increasing penalties for assaulting transit and school bus drivers.
Referred to Committee on Judiciary.
- ESB 6269 by Senators West, Wojahn, Smith, Johnson, McDonald, von Reichbauer and Rasmussen
Providing for a uniform health care insurance claim form.
Referred to Committee on Health Care.
- SB 6292 by Senators Hansen and Rasmussen
Making owners of mosquito infested land responsible for their control.
Referred to Committee on Agriculture & Rural Development.
- SSB 6305 by Committee on Higher Education (originally sponsored by Senators Saling, Vognild, Bauer, Stratton, Smitherman, Warnke, von Reichbauer and Moore)
Changing exemptions for tuition and services and activities fees.
Referred to Committee on Higher Education.
- ESSB 6330 by Committee on Energy & Utilities (originally sponsored by Senators Benitz and Rasmussen; by request of Attorney General)
Amending consumer protection provisions.
Referred to Committee on Judiciary.
- SSB 6377 by Committee on Environment & Natural Resources (originally sponsored by Senators Metcalf, DeJarnatt, Vognild and Kreidler)
Creating penalties for violations of fisheries laws.
Referred to Committee on Fisheries & Wildlife.
- ESSB 6412 by Committee on Environment & Natural Resources (originally sponsored by Senators McDonald, Vognild, Bluechel, Nelson, Warnke, Rinehart, Gaspard, Bailey, Lee, Patrick, Bender, McMullen,

Talmadge, Murray, Williams, Bauer, DeJarnatt, Stratton, Metcalf, Conner, Madsen and Kreidler; by request of Governor)

Funding the acquisition of land for wildlife conservation and outdoor recreation.

Referred to Committees on Natural Resources & Parks/Capital Facilities & Financing.

SSB 6418 by Committee on Ways & Means (originally sponsored by Senators Barr, Warnke, West, Wojahn, Patterson, Rinehart, Smitherman, Newhouse, Owen, Smith, Amondson, Bauer, DeJarnatt, Williams, Talmadge, Hansen, Conner, Madsen and Kreidler; by request of Governor)

Expanding rural health care opportunities.

Referred to Committees on Health Care/Appropriations.

SSB 6453 by Committee on Financial Institutions & Insurance (originally sponsored by Senators Sellar and Barr)

Authorizing the supervisor of banking to examine agricultural lenders participating in loan guaranty programs.

Referred to Committee on Financial Institutions & Insurance.

SB 6454 by Senators Rasmussen, McCaslin, Warnke, Bauer and Johnson

Permitting the conversion of single family residences to include separate living quarters.

Referred to Committee on Housing.

SSB 6474 by Committee on Financial Institutions & Insurance (originally sponsored by Senators Williams, von Reichbauer, Moore, Rinehart, Niemi, Talmadge and Murray)

Changing provisions relating to purchase and sale of property and policy decisions by certain public corporations.

Referred to Committee on Local Government.

SB 6515 by Senators Lee, Williams, Moore, Matson, Talmadge and Warnke; by request of Department of Community Development

Providing for the preservation of historic sites.

Referred to Committees on State Government/Capital Facilities & Financing.

SB 6520 by Senators Lee, Talmadge, Anderson, Sutherland, Patrick, Thorsness, Barr, McMullen, Williams and Bauer

Giving the department of health responsibility for matters relating to nonionizing radiation.

Referred to Committees on Energy & Utilities/Appropriations.

SSB 6531 by Committee on Transportation (originally sponsored by Senator Patterson)

Authorizing port districts to spend money on road improvements.

Referred to Committee on Local Government.

SB 6535 by Senators Lee and Smitherman

Revising provisions for private activity bond allocation ceilings.

Referred to Committee on Capital Facilities & Financing.

SB 6549 by Senators Smith, Sutherland and Bauer

Changing the term "salary" to "compensation" for public utility district employees.

Referred to Committee on Local Government.

- SB 6562 by Senators Craswell, Smitherman, Owen and Kreidler
Creating additional superior court positions in Kitsap and Thurston counties.
Referred to Committees on Judiciary/Appropriations.
- SSB 6600 by Committee on Ways & Means (originally sponsored by Senators Gaspard and McDonald; by request of Economic and Revenue Forecast Council)
Modifying contribution rates to the state retirement systems.
Referred to Committee on Appropriations.
- SB 6653 by Senators Kreidler, Metcalf and Benitz
Clarifying provisions relating to excise taxation of core deposits.
Referred to Committee on Revenue.
- SSB 6663 by Committee on Transportation (originally sponsored by Senators Patterson, DeJarnatt, Thorsness and Rasmussen; by request of Department of Licensing)
Authorizing special license plates and emblems.
Referred to Committee on Transportation.
- SSB 6729 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge, McCaslin, Rasmussen, Newhouse, Niemi, Thorsness, Hayner, Madsen and Patrick)
Providing for DNA identification.
Referred to Committee on Judiciary.
- SSB 6764 by Committee on Education (originally sponsored by Senators Rinehart, Bailey and Fleming)
Creating the learn-in-libraries program.
Referred to Committees on State Government/Appropriations.
- ESSB 6771 by Committee on Energy & Utilities (originally sponsored by Senators Lee, Talmadge, Anderson, McMullen and Patrick)
Studying the placement of electric transmission lines and magnetic fields.
Referred to Committees on Energy & Utilities/Appropriations.
- SB 6791 by Senator Williams
Requiring specific identifying information for credit reports.
Referred to Committee on Financial Institutions & Insurance.
- SB 6816 by Senators Anderson, Bailey and Barr
Exempting milk pumping from the special fuel tax.
Referred to Committee on Transportation.
- SB 6842 by Senator Amondson
Changing considerations of the committee for recycling markets.
Referred to Committee on Environmental Affairs.
- SB 6861 by Senators Bailey, Gaspard, Barr, Hansen and Anderson
Monitoring the impact of certain substances upon the dairy industry.
Referred to Committee on Agriculture & Rural Development.
- SB 6862 by Senators McMullen, Metcalf, Amondson and Sutherland
Creating the Washington hardwoods commission.
Referred to Committee on Trade & Economic Development.

ESSB 6868 by Committee on Children & Family Services (originally sponsored by Senators Stratton, Smith, Bailey, Vognild, Talmadge, Craswell, Owen, McMullen, Saling and West)

Modifying guardianship provisions regarding incapacitated persons.

Referred to Committee on Human Services.

MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker (Mr. R. King presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

On motion of Ms. Cole, Representative Vekich was excused.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: Substitute House Bill No. 2644, Substitute House Bill No. 2709, House Bill No. 2348, House Bill No. 2819, House Bill No. 2939 and House Bill No. 2940. The motion was carried.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4741, by Representatives Hine, Schmidt, Sayan, Zellinsky, Van Luven, Doty, Brumsickle, Wood, Youngsman, Forner, Holland, Silver, McLean, H. Myers, G. Fisher and Spanel

WHEREAS, School teachers, other district employees and state employees may share their positions or work in other types of parttime employment; and

WHEREAS, Job sharing and other types of parttime employment can be beneficial to employers in permitting them to retain skilled and trained employees and to the families of those persons employed in such positions; and

WHEREAS, Retirement benefits are an integral part of an employee's total compensation; and

WHEREAS, The calculation of service credit for retirement benefits for parttime positions has been complex and administratively difficult, particularly for teachers and other district employees;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives direct the Joint Committee on Pension Policy to study the issue of retirement benefits for persons employed in job-share and other parttime positions; and

BE IT FURTHER RESOLVED, That the Joint Committee on Pension Policy study current and past retirement contribution requirements of employees and employers for job-share and other parttime positions.

Ms. Hine moved adoption of the resolution. Representatives Hine and Schmidt spoke in favor of the resolution.

House Floor Resolution No. 90-4741 was adopted.

MOTION

On motion of Mr. Ebersole, the House reverted to the sixth order of business.

SECOND READING

SUBSTITUTE HOUSE BILL NO. 2644, by Committee on Appropriations (originally sponsored by Representatives Silver, Hine, Sayan, McLean, D. Sommers, H. Sommers, Peery and Spanel; by request of Joint Committee on Pension Policy)

Revising provisions relating to retirement systems.

The House resumed consideration of Substitute House Bill No. 2644. (For previous action, see Journal, 33rd Day, February 9, 1990.)

The Speaker (Mr. O'Brien presiding) stated the question before the House to be adoption of the amendments on page 7, lines 25, 26, 27 and 29 by Representative Schmidt and others.

With consent of the House, Representative Schmidt withdrew the amendments.

The Clerk read the following amendment by Representatives Schmidt, Ballard, Brumsickle, Van Luven, Youngsman, Holland, Forner, Wood, Bowman and Zellinsky:

On page 29, line 18, after "system," insert:

"NEW SECTION, Sec. 16. The legislature finds that job sharing is beneficial to employers in permitting them to retain skilled and trained employees and to the families of those persons employed in a shared position. Therefore, with the goal of encouraging job sharing the legislature will study the issue of retirement benefits for certificated personnel who work in eligible positions from seventy to ninety hours a month or six hundred thirty to eight hundred ten hours a year on a contractual basis. The study committee shall consider past contributions made from the 1976-1977 through 1986-1987 years by teachers employed for less than ninety hours a month and past contributions made by school districts for such employees; withdrawal of members who are no longer eligible although employed within a school system; and equity in granting service credits. A report shall be submitted to the full legislature on December 1, 1990."

Renumber the following sections consecutively.

With consent of the House, Representative Schmidt withdrew the amendment.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Silver spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2644, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insole, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Vekich - 1.

Substitute House Bill No. 2644, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute House Bill No. 2709 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2348, by Representatives Rector, Schoon, Cantwell, Prince, Doty, Pruitt, Rayburn, R. Meyers, Dorn, Jones, Wineberry, Kremen, Todd, Winsley, Walker, Wang, Cooper, Brough, H. Myers, Rasmussen and Phillips; by request of Governor Gardner

Establishing an employment training program.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2348 was substituted for House Bill No. 2348, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2348 was read the second time.

Ms. Rector moved adoption of the following amendment by Representatives Rector, Wineberry, Belcher, Locke and Ebersole:

On page 5, line 17, after "trainee," insert "including but not limited to child care,"

Ms. Rector spoke in favor of adoption of the amendment, and it was adopted.

Ms. Rector moved adoption of the following amendments by Representatives Rector, Wineberry, Belcher, Locke and Ebersole:

On page 5, line 21, after "training;" strike "and"

On page 5, line 22, after "(9)" insert "An analysis of current training programs to enable women and minorities to enter occupations and industries in which women and minorities have traditionally been under-represented, and ways of improving such training; and (10)"

Correct internal references accordingly.

Ms. Rector spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rector and Schoon spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2348, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Belrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Vekich - 1.

Engrossed Second Substitute House Bill No. 2348, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote "no" on Substitute House Bill No. 2348, Employment Training Program.

JEAN SILVER, 5th District.

HOUSE BILL NO. 2819, by Representatives Brekke, Hargrove, Padden, Sayan, Jones, Tate, Valle, Prentice, Rayburn, Day, P. King, May, Winsley, Leonard, Walker, Scott, H. Myers, Rector, Cooper, Rasmussen and Van Luven

Creating a children's ombuds.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2819 was substituted for House Bill No. 2819, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2819 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke and Moyer spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Brekke yielded to question by Mr. Hargrove.

Mr. Hargrove: Representative Brekke, under this bill will the ombuds be able to intercede in court proceedings when the ombuds receives a complaint?

Ms. Brekke: No, they cannot. The ombuds will only be able to investigate complaints and will not be a party to any civil or criminal court proceedings.

Mr. Hargrove spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2819, and the bill passed the House by the following vote: Yeas, 95; nays, 2; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Braddock, Wang - 2.

Excused: Representative Vekich - 1.

Substitute House Bill No. 2819, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2939, by Representatives Braddock, Brooks, Morris, Jacobsen, Silver, Holland, Winsley and Baugher; by request of Department of Corrections

Removing population limits at certain correctional institutions.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock and Brooks spoke in favor of passage of the bill, and Representatives Sprengle and Grant opposed it.

MOTION

Mr. Ebersole moved that the House defer further consideration of House Bill No. 2939 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2940, by Representatives R. Meyers, S. Wilson and Zellinsky

Pertaining to vehicle dealer documentary service fees.

The bill was read the second time. On motion of Ms. R. Fisher, Substitute House Bill No. 2940 was substituted for House Bill No. 2940, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2940 was read the second time.

Ms. R. Fisher moved adoption of the following amendment by Representatives R. Fisher, R. Meyers and Schmidt:

On page 2, line 14, after "section," insert "Dealers are required to disclose in any advertisement that a documentary service fee in an amount not to exceed twenty-five dollars may be added to the sale price."

Ms. R. Fisher spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. Meyers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2940, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Silver - 1.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 2940, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 2441, House Bill No. 2488, House Bill No. 2489, House Bill No. 2831, and House Bill No. 2915. The motion was carried.

HOUSE BILL NO. 2441, by Representatives Jacobsen, Miller, Rector, Van Luven, Dellwo, Spanel, Anderson, Pruitt, Wood, Doty and Ferguson

Convening a task force on disabled students in higher education.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 10th Day, January 17, 1990.) Committee on Appropriations recommendation: Majority, do pass as amended by Committee on Higher Education.

Mr. Jacobsen moved adoption of the committee amendment on page 1, after line 20. Representatives Jacobsen and Van Luven spoke in favor of the committee amendment, and it was adopted.

Mr. Jacobsen moved adoption of the committee amendment on page 2, line 13. Mr. Jacobsen spoke in favor of the committee amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2441, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Vekich - 1.

Engrossed House Bill No. 2441, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2488, by Representatives Rector, Miller, Wood, Jacobsen, Fraser, Prince, Jesernig, S. Wilson, Wineberry, Jones, Dellwo, H. Myers, Inslee and Brekke

Providing assistance to single parents in higher education.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rector spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2488, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Vekich - 1.

House Bill No. 2488, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2489, by Representatives Rector, Miller, Jacobsen, Hankins, Spanel, Fraser, Wood, Heavey, Jesernig, Dellwo, S. Wilson, Prentice, Wineberry, Jones, Ferguson, H. Myers, Scott, Inslee and Brekke

Establishing the single parents in higher education assistance program.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 19th Day, January 26, 1990.) Committee on Appropriations recommendation: Majority, do pass as amended by Committee on Higher Education.

Mr. Jacobsen moved adoption of the committee amendment on page 1, beginning on line 26, and spoke in favor of it. The committee amendment was adopted.

Mr. Jacobsen moved adoption of the committee amendment on page 2, line 7 and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rector spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2489, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Vekich - 1.

Engrossed House Bill No. 2489, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2831, by Representatives Jacobsen, Van Luven, Ebersole, Kirby, Sayan, Rector, Anderson, Dellwo, Insee, Prentice, Wang, Belcher, Sprenkle, Miller, Rayburn, Basich, P. King, Crane, Wineberry, Winsley, Ferguson, Leonard and Wood

Establishing the American Indian endowed scholarship program.

The bill was read the second time. Committee on Higher Education recommendation: Majority, do pass substitute. Committee on Appropriations recommendation: Majority, do pass substitute by Committee on Higher Education as amended by Committee on Appropriations. (For committee amendments, see Journal, 30th Day, February 6, 1990.)

On motion of Mr. Grant, Substitute House Bill No. 2831 was substituted for House Bill No. 2831, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2831 was read the second time.

Mr. Grant moved adoption of the committee amendment by Committee on Appropriations and spoke in favor of it. The committee amendment was adopted.

On motion of Mr. Grant, the amendment by Committee on Appropriations to the title was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2831, and the bill passed the House by the following vote: Yeas, 91; nays, 6; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nuttley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolte, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Bowman, Brumsickle, Chandler, Fuhrman, Morris, Silver - 6.

Excused: Representative Vekich - 1.

Engrossed Substitute House Bill No. 2831, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2915, by Representatives Jacobsen, Spanel, Van Luven, Peery and Valle

Changing provisions relating to vocational education.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 2915 was substituted for House Bill No. 2915, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2915 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2915, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Vekich - 1.

Substitute House Bill No. 2915, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Ebersole, the House recessed until 1:00 p.m.

AFTERNOON SESSION

The Speaker (Mr. O'Brien presiding) called the House to order at 1:00 p.m. The Clerk called the roll and all members were present except Representatives Appelwick, Basich, Belcher, Betzoff, Brekke, Gallagher, Haugen, Hine, P. King, Locke, Nealey, Prince, Rector, Sayan, Schoon, Silver, H. Sommers, Sprenkle, Vekich and Wineberry.

With consent of the House, Representative Vekich was excused.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2208 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2208, by Representatives Fraser, Belcher and Jacobsen

Establishing the Washington wildlife rescue coalition.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2208 was substituted for House Bill No. 2208, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2208 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Fraser spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2208, and the bill passed the House by the following vote: Yeas, 78; absent, 19; excused, 1.

Voting yea: Representatives Anderson, Ballard, Baugher, Beck, Bennett, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Heavey, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Schmidt, Scott, Smith, Sommers D, Spanel, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 78.

Absent: Representatives Appelwick, Basich, Belcher, Betzoff, Brekke, Gallagher, Haugen, Hine, King P, Locke, Nealey, Prince, Rector, Sayan, Schoon, Silver, Sommers H, Sprenkle, Wineberry - 19.

Excused: Representative Vekich - 1.

Second Substitute House Bill No. 2208, having received the constitutional majority, was declared passed.

MOTION

On motion of Ms. Miller, Representative Prince was excused.

Representatives Appelwick, Basich, Belcher, Betzoff, Hine, P. King, Nealey, Schoon, Silver and Sprengle appeared at the bar of the House.

HOUSE BILL NO. 2385, by Representatives Sayan, Moyer and Winsley; by request of Department of Social and Health Services

Making technical changes to alcohol and drug treatment laws.

The bill was read the second time. On motion of Ms. Scott, Substitute House Bill No. 2385 was substituted for House Bill No. 2385, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2385 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Scott spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2385, and the bill passed the House by the following vote: Yeas, 88; absent, 8; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 88.

Absent: Representatives Brekke, Gallagher, Haugen, Locke, Rector, Sayan, Sommers H, Wineberry - 8.

Excused: Representatives Prince, Vekich - 2.

Substitute House Bill No. 2385, having received the constitutional majority, was declared passed.

Representative Wineberry appeared at the bar of the House.

MOTION

On motion of Ms. Cole, Representative Rector was excused.

HOUSE BILL NO. 2395, by Representatives Anderson, Brooks, Braddock, Moyer, Locke, Prentice, Jacobsen, Scott and Wineberry

Regarding reimbursement of nursing homes authorized to meet the needs of people with AIDS.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson and Brooks spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2395, and the bill passed the House by the following vote: Yeas, 89; absent, 6; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Brekke, Gallagher, Haugen, Locke, Sayan, Sommers H - 6.

Excused: Representatives Prince, Rector, Vekich - 3.

House Bill No. 2395, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that the House defer consideration of House Bill No. 2425 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2426, by Representatives Vekich, Walker, Chandler and Winsley; by request of Employment Security Department

Revising provisions for employer contributions for unemployment compensation.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2426 was substituted for House Bill No. 2426, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2426 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2426, and the bill passed the House by the following vote: Yeas, 89; absent, 6; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Brekke, Gallagher, Haugen, Locke, Sayan, Sommers H - 6.

Excused: Representatives Prince, Rector, Vekich - 3.

Substitute House Bill No. 2426, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2435, by Representatives Nutley, Vekich and Walker

Authorizing continuing education requirements for land surveyors.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Nutley spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2435, and the bill passed the House by the following vote: Yeas, 89; absent, 6; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 89.

Absent: Representatives Brekke, Gallagher, Haugen, Locke, Sayan, Sommers H - 6.

Excused: Representatives Prince, Rector, Vekich - 3.

House Bill No. 2435, having received the constitutional majority, was declared passed.

Representatives Prince and H. Sommers appeared at the bar of the House.

HOUSE BILL NO. 2455, by Representatives Locke, Silver, H. Sommers, Miller, Pruitt, Rector, Phillips, O'Brien and Ferguson

Authorizing local governments to establish public corporations to finance non-profit corporations.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 2455 was substituted for House Bill No. 2455, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2455 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cooper and Ferguson spoke in favor of passage of the bill, and Mr. Heavey opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2455, and the bill passed the House by the following vote: Yeas, 87; nays, 4; absent, 5; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Grant, Hankins, Hargrove, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 87.

Voting nay: Representatives Fuhrman, Heavey, Padden, Wolfe - 4.

Absent: Representatives Brekke, Gallagher, Haugen, Locke, Sayan - 5.

Excused: Representatives Rector, Vekich - 2.

Substitute House Bill No. 2455, having received the constitutional majority, was declared passed.

Representatives Brekke, Gallagher, Haugen, Locke and Rector appeared at the bar of the House.

HOUSE BILL NO. 2471, by Representatives Cole, R. King, Walker, Scott, Anderson, Pruitt, Peery, Dorn, Rust, Basich, Nelson, G. Fisher, K. Wilson, Leonard, Prentice, Holland, Winsley, Wineberry, Phillips, P. King, Todd, Wang and Brekke

Establishing a before and after school child care pilot program.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2471 was substituted for House Bill No. 2471, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2471 was read the second time.

Ms. Cole moved adoption of the following amendment by Representatives Cole and Peery:

On page 3, line 12, after "revenues," insert "The remaining twenty-five percent of additional costs of a before-and-after school program shall be supported by the local twenty-five percent matching requirement provided by the district."

Ms. Cole spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Betzoff spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2471, and the bill passed the House by the following vote: Yeas, 93; nays, 3; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Baugher, Fuhrman, Kirby - 3.

Absent: Representative Sayan - 1.

Excused: Representative Vekich - 1.

Engrossed Second Substitute House Bill No. 2471, having received the constitutional majority, was declared passed.

Representative Sayan appeared at the bar of the House.

HOUSE BILL NO. 2476, by Representatives Horn, Haugen, Nutley, Ferguson and May

Establishing a formula for allocating the indebtedness incurred by certain lessees.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 2476 was substituted for House Bill No. 2476, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2476 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Horn spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2476, and the bill passed the House by the following vote: Yeas, 96; absent, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, and Mr. Speaker - 96.

Absent: Representative Zellinsky - 1.

Excused: Representative Vekich - 1.

Substitute House Bill No. 2476, having received the constitutional majority, was declared passed.

Representative Vekich appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2485, House Bill No. 2531 and House Bill No. 2571 and that the bills hold their places on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2615, by Representatives Dellwo, Chandler, Nutley, Zellinsky, Insee and Anderson

Excluding commercial paper from "personal property" held by a pawnbroker or second-hand dealer.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Dellwo spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2615, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fraser, Gallagher - 2.

House Bill No. 2615, having received the constitutional majority, was declared passed.

The Speaker assumed the Chair.

HOUSE BILL NO. 2626, by Representatives Wang, Betzoff, Peery, Walker, Holland, G. Fisher, Ebersole, Rasmussen, Phillips, Horn, Pruitt, Dorn, Valle, Jones, K. Wilson, Cole, P. King, Brumsickle, Winsley, Rector, Ferguson, Nealey, Fraser, D. Sommers, Moyer and Spanel

Giving high school credit for high school courses taken in the seventh and eighth grades.

The bill was read the second time. Committee on Education recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 26th Day, February 2, 1990.)

Mr. G. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendments to the title were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2626, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Youngsman, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Wood - 1.

Engrossed House Bill No. 2626, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2630 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2708, by Representatives Haugen, Rayburn, Cooper, Ferguson, Jones, McLean, Braddock and R. Meyers

Authorizing public utility districts to perform sewer inspections.

The bill was read the second time. On motion of Mr. Cooper, Substitute House Bill No. 2708 was substituted for House Bill No. 2708, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2708 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Haugen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2708, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2708, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2716, by Representatives Crane and S. Wilson

Making a person who overloads a truck a codefendant.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 30th Day, February 6, 1990.)

Ms. R. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Crane spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2716, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, McLean - 2.

Engrossed House Bill No. 2716, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2726, by Representatives Schoon, Cantwell, Brumsickle, Moyer, Raiter, H. Myers, Hargrove, Smith, Nealey, Peery and Cooper

Raising the debt funding limitation for certain port districts.

The bill was read the second time. On motion of Ms. Rasmussen, Substitute House Bill No. 2726 was substituted for House Bill No. 2726, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2726 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2726, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2726, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2763, by Representatives Locke and May

Refunding retirement contributions for certain judges.

The bill was read the second time. Committee on Appropriations recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 30th Day, February 6, 1990.)

On motion of Mr. Locke, the committee amendment was adopted.

Mr. May moved adoption of the following amendment by Representatives May and Locke:

On page 1, line 1, after "this system" insert ", or its predecessor."

Mr. May spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. May spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2763, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2763, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2774, by Representatives Rasmussen, Cantwell, Doty, Schoon, Rector, Jesernig, Moyer, Kirby, Wineberry, Raiter, G. Fisher, Tate, Youngsman, P. King, Ferguson, Winsley, Dorn, Betrozoff and Sayan

Providing for economic impact studies of sports events.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2774 was substituted for House Bill No. 2774, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2774 was read the second time.

Ms. H. Sommers moved adoption of the following amendment by Representatives H. Sommers, Rasmussen and Cantwell:

On page 2, line 13, after "(g)" strike "Trade and economic development committees of the senate and the house of representatives" and insert "the house of representatives' trade and economic development committee and the senate economic development and labor committee"

Ms. H. Sommers spoke in favor of adoption of the amendment, and it was adopted.

Ms. H. Sommers moved adoption of the following amendments by Representatives H. Sommers, Rasmussen and Cantwell:

On page 1, line 24, after "estimating the" strike "impact of hosting" and insert "economic impact of"

On page 1, line 28, after "communities," insert "The model shall clearly differentiate between new economic activity generated by a sports event or sports-related capital facility and ongoing local economic activity that is simply redirected to a sports event or a sports-related capital facility."

Ms. H. Sommers spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rasmussen and Doty spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2774, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolte, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Nelson - 1.

Engrossed Second Substitute House Bill No. 2774, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2783, by Representatives Kremen, Schmidt, Hine, R. Fisher, Anderson, Braddock, Holland, Winsley, Jones, P. King, O'Brien, Dellwo, Zellinsky, Heavey, Rayburn, Silver, Betrozoff, Todd and G. Fisher; by request of Department of Licensing

Authorizing special license plates and emblems.

The bill was read the second time. On motion of Ms. R. Fisher, Substitute House Bill No. 2783 was substituted for House Bill No. 2783, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2783 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2783, and the bill passed the House by the following vote: Yeas, 90; nays, 8.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Bennett, Betrozoff, Bowman, Braddock, Brooks, Brumsickle, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Belcher, Brekke, Brough, Cole, Fisher R, Leonard, Schmidt, Wang - 8.

Substitute House Bill No. 2783, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2809, by Representatives H. Myers, Brough, Jones, Tate, Rasmussen, Rector, Forner, Padden, D. Sommers, Cooper, Beck, Dorn, Holland, Morris, Wineberry, R. King, Day, Spanel, P. King, Raiter, Scott, Schoon, Pruitt, Fraser, G. Fisher, Basich, Bowman, Moyer, Dellwo, Peery, Ebersole, Zellinsky, Kremen, Vekich, Belcher, Kirby, Rayburn, May, Winsley, Brumsickle, Doty, Ferguson, Smith, Wolfe, Silver, Bennett, McLean, Todd, Leonard, Sprenkle, Youngsman, Miller, Brekke, Jacobsen, Wood and Van Luven

Allowing certain child abuse victims to testify through closed-circuit television.

The bill was read the second time. Committee on Judiciary recommendation: Majority, do pass substitute. Committee on Appropriations recommendation: Majority, do pass substitute by Committee on Judiciary as amended by Committee on Appropriations. (For committee amendments, see Journal, 30th Day, February 6, 1990.)

On motion of Mr. Crane, Substitute House Bill No. 2809 was substituted for House Bill No. 2809, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2809 was read the second time.

Mr. Grant moved adoption of the committee amendment by Committee on Appropriations and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment by Committee on Appropriations to the title was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Myers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2809, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 2809, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2827, by Representatives Spanel, Brough, Appelwick, Locke, Belcher, Schmidt, Scott, Hine, Wineberry and Wood

Providing for compensatory maintenance and for wage garnishment of maintenance orders.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2827 was substituted for House Bill No. 2827, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2827 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Spanel spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2827, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Ralder, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2827, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 2709, by Committee on Judiciary (originally sponsored by Representatives Crane and Appelwick)

Revising criteria for setting the number of district court judges in each electoral district.

The House resumed consideration of Substitute House Bill No. 2709 on second reading. (For previous action, see Journal, 33rd Day, February 9, 1990.)

The Speaker stated the question before the House to be the Point of Order by Representative Crane regarding the scope and object of the amendment on page 1, line 14, by Representative D. Sommers.

SPEAKER'S RULING

The Speaker: Representative Crane, the Speaker has examined Substitute House Bill No. 2709, which deals with district court election districts and changes the rules on population requirements for redistricted electoral units. The amendment by Representative D. Sommers deals with the number of district court judges authorized by statute and adds an additional district court judge in Spokane County. I think it is clear on the face of this that the amendment broadens the intent of the original legislation. Therefore, I find that your point is well taken, Representative Crane. The amendment is outside the scope and object of the original bill.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2709, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean,

Meyers R. Miller, Morris, Moyer, Myers H. Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Crane - 1.

Engrossed Substitute House Bill No. 2709, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2840, by Representatives R. Fisher, Schmidt and R. Meyers

Creating the position of executive director of the county road administration board.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2840, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2840, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2882 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2882, by Representatives R. Fisher and Schmidt

Authorizing the department of transportation to approve emergency contracts.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 30th Day, February 6, 1990.)

Ms. R. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2882 and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden,

Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2882, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2912 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2932, by Representatives K. Wilson, Miller, Baugher, Smith, Doty, Valle, Hine and R. Fisher

Providing for regional water resource planning.

The bill was read the second time. On motion of Mr. Locke, Substitute House Bill No. 2932 was substituted for House Bill No. 2932, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2932 was read the second time.

Ms. K. Wilson moved adoption of the following amendments:

On page 4, line 3, after "legislature" strike "on water resource policy"

On page 4, line 16, after "legislature" strike "on water resource policy"

Ms. K. Wilson spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives K. Wilson and Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2932, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 2932, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2933, by Representatives Ferguson, Haugen and Crane

Studying local government self insurance pools.

The bill was read the second time. On motion of Mr. Heavey, Substitute House Bill No. 2933 was substituted for House Bill No. 2933, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2933 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Ferguson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2933, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insløe, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Vaile, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2933, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2971 and House Bill No. 2979 and that the bills hold their places on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2986, by Representative Appelwick

Making technical corrections to the alcohol and controlled substances abuse act.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2986 was substituted for House Bill No. 2986, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2986 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2986, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insløe, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Vaile, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngman, Zellinsky, and Mr. Speaker - 98.

Second Substitute House Bill No. 2986, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 3016, by Representatives H. Myers and Belcher

Implementing provisions relating to reserved timbers.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 3016 was substituted for House Bill No. 3016, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 3016 was read the second time.

Ms. Belcher moved adoption of the following amendments by Representatives Belcher and H. Myers:

On page 1, line 19, after "purpose," strike everything down to and including "act." on line 21

On page 2, line 7, after "event" strike "the appropriation in section 2" and insert "that any appropriation made for the purpose"

Ms. Belcher spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Myers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 3016, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Silver, Smith, Sommers D, Spanel, Sprenkle, Tate, Todd, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Schoon, Sommers H, Valle - 3.

Engrossed Substitute House Bill No. 3016, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4030, by Representatives D. Sommers, Dellwo, Moyer, Silver, Rector, Schmidt, R. Fisher, R. Meyers, Fuhrman, Baugher, Prince, Nealey, Rayburn, Ferguson, Hankins, Doty, Forner, Beck, S. Wilson, Wolfe, Tate, Van Luven, Padden and Brough

Requesting that the new Division Street Bridge in Spokane be named the Sam Guess Memorial Bridge.

The memorial was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Mr. D. Sommers spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4030, and the memorial passed the House by the following vote: Yeas, 91; nays, 7.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 91.

Voting nay: Representatives Fraser, Gallagher, Leonard, Meyers R, Prentice, Vekich, Wang - 7.

House Joint Memorial No. 4030, having received the constitutional majority, was declared passed.

HOUSE CONCURRENT RESOLUTION NO. 4429, by Representatives H. Myers, Miller, Nelson, Hankins, Cooper, Beck, Raiter, G. Fisher, Phillips, Belcher, D. Sommers, Jacobsen, Anderson, Pruitt, Rector, Wood, Dellwo, R. King, Ferguson, P. King and Todd

Creating a joint select committee on seismic events.

The resolution was read the second time. On motion of Mr. Nelson, Substitute House Concurrent Resolution No. 4429 was substituted for House Concurrent Resolution No. 4429, and the substitute resolution was placed on the second reading calendar.

Substitute House Concurrent Resolution No. 4429 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Ms. H. Myers spoke in favor of passage of the resolution.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Concurrent Resolution No. 4429, and the resolution was adopted by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Concurrent Resolution No. 4429, having received the constitutional majority, was declared adopted.

MOTION

Mr. Ebersole moved that the House immediately begin consideration of the House Bills on the suspension calendar. The motion was carried.

HOUSE BILL NO. 2154, by Representatives Belcher, Dellwo, Hargrove, Locke and H. Myers

Regarding retirement benefits.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the second substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Second Substitute House Bill No. 2154.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2154, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Second Substitute House Bill No. 2154, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2251, by Representatives Dellwo, Winsley, Rector, Betzoff, K. Wilson, Inslee, D. Sommers, McLean and Brumsickle

Prohibiting auto transfer brokers from transferring vehicles without transferring title.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2251.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2251, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2251, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2262, by Representative Walker

Compensating bailee's for services rendered for unclaimed property.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2262.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2262, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2262, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2267, by Representatives R. King, Bowman, Haugen, Morris, Sayan, Brumsickle, Vekich, Basich, Raiter, Brooks, Spanel, Smith, Jacobsen, May, S. Wilson, R. Meyers, McLean, Holland, Jones and Kremen; by request of Department of Fisheries

Providing a funding mechanism for regional fisheries enhancement groups.

The bill was read the second time.

Mr. Grant moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2267.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2267, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt,

Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2267, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2341, by Representatives R. Meyers, Schmidt, Zellinsky, Jones, Rector, Baugher, Hargrove, Basich, Jesernig, Winsley, Schoon and Kirby

Creating a felony for tampering with fire fighting equipment with the intent to commit a felony.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2341.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2341, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2341, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2346, by Representatives Jacobsen, Appelwick, Jones and Prentice

Adding submarine veterans of World War II to the list of organizations represented on the veterans affairs advisory committee.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2346.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2346, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2346, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2387, by Representatives Ballard, R. Meyers, McLean and Hankins

Impounding abandoned vehicles within eight hours.

The bill was read the second time.

Mr. R. Meyers moved that the committee recommendation be adopted (For committee amendments, see Journal, 30th Day, February 6, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2387.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2387, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2387, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2399, by Representatives Baugher, McLean, Kirby, Brumsickle, Todd, D. Sommers, Brooks, Kremen, Inslee, Gallagher, Vekich and K. Wilson

Amending raffle provisions.

The bill was read the second time.

Ms. Cole moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2399.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2399, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2399, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2401, by Representatives Grant, Brooks, Cantwell and Doty

Increasing limits for associate development organization expenditures.

The bill was read the second time.

Ms. Cantwell moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2401.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2401, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2401, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2413, by Representatives Wood, Rector, Locke, Prince, Ebersole, Dellwo, Miller, Anderson, Jacobsen, Peery, Wineberry, Day, Winsley, Brumsickle, Wolfe, P. King, Wang, Forner, Horn, Youngsman, May, Kremen and Ferguson

Including middle and junior high school students in the mathematics, engineering, and science achievement program.

The bill was read the second time.

Mr. Grant moved that the committee recommendation be adopted (For committee amendments, see Journal, 24th Day, January 31, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2413.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2413, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2413, having received the constitutional majority, was declared passed.

ENGROSSED HOUSE BILL NO. 2429, by Representatives R. Meyers and Scott

Establishing penalties for attempts by vessel operators to elude pursuing law enforcement vessels.

The bill was read the second time.

Mr. Heavey moved that the committee recommendation be adopted (For committee amendments, see Journal, 24th Day, January 31, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2429.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2429, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell,

Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2429, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2438, by Representatives Sprenkle, Holland, Jacobsen, Anderson, Valle, Miller and Ferguson

Providing reimbursement to state library employees injured while working in state correctional institutions and offices.

The bill was read the second time.

Mr. Todd moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2438.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2438, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2438, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2461, by Representatives Van Luven, Heavey, Schmidt, Prentice, Haugen, Fraser, Brekke, Silver, May, Miller and P. King

Prohibiting the sale by public agencies of emergency vehicle equipment that may not be lawfully used.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2461.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2461, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2461, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2473, by Representatives Rayburn, Smith, Nealey, Chandler, Baugher, Prince and Kirby

Revising provisions for the subdivision of land that is in whole or in part within an irrigation district and that has been previously platted by the United States.

The bill was read the second time.

Mr. Kremen moved that the committee recommendation be adopted (For committee amendment, see Journal, 26th Day, February 2, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2473.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2473, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2473, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2633, by Representatives Appelwick, P. King and Valle

Amending the uniform commercial code.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2633.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2633, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2633, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2689, by Representatives Vekich, Cole and Prentice

Requiring registration or licensure of labor relations consultants.

The bill was read the second time.

Ms. Cole moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2689.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2689, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Beck - 1.

House Bill No. 2689, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2698, by Representatives Jones, Wolfe, Walker, Prentice, Rector and Cole

Revising provisions for the reopening of industrial insurance claims.

The bill was read the second time.

Ms. Cole moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2698.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2698, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2698, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2715, by Representatives Vekich, Smith and R. King; by request of Department of Licensing

Pertaining to the registration of engineers.

The bill was read the second time.

Mr. Vekich moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2715.

Mr. Vekich spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2715, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R,

Fornier, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2715, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2772, by Representatives Vekich and Walker; by request of Employment Security Department

Revising provisions for disqualification from unemployment compensation benefits.

The bill was read the second time.

Mr. Vekich moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2772.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2772, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Fornier, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2772, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2808, by Representatives H. Myers and Appelwick

Changing the requirements for appointing court commissioners.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2808.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2808, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Fornier, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2808, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2823, by Representatives Fraser, May, Nelson, Crane, Belcher, Phillips, Winsley and Scott

Providing for an enhanced 911 system.

The bill was read the second time.

Mr. Grant moved that the committee recommendation be adopted (For committee amendments, see Journal, 26th Day, February 2, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2823.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2823, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2823, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2850, by Representatives Raiter, Doty, Cantwell, Rayburn and Wineberry

Revising provisions for the Washington economic development finance authority.

The bill was read the second time.

Mr. Wineberry moved that the committee recommendation be adopted (For committee amendments, see Journal, 26th Day, February 2, 1990.) and the engrossed bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Engrossed House Bill No. 2850.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2850, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2850, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2887, by Representatives Appelwick, P. King, May and Wood

Concerning modifying parenting plans.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2887.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2887, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2887, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2890, by Representative Belcher

Changing provisions relating to payment of deferred compensation.

The bill was read the second time.

Mr. Crane moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2890.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2890, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2890, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2921, by Representatives Insee, Doty, Baugher, Rayburn, Hargrove and Vekich

Establishing an industrial growth demonstration pilot project in Yakima county.

The bill was read the second time.

Mr. Wineberry moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2921.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2921, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden,

Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2921, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2952, by Representatives Kremen, McLean, Nealey, Baugher, Hine, Rayburn and Jacobsen

Extending the organic food certification program to packing sheds and wholesale distributors.

The bill was read the second time.

Mr. Grant moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2952.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2952, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Absent: Representative Braddock - 1.

Substitute House Bill No. 2952, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2956, by Representatives Nelson, Miller, Jesernig, Sprenkle, May, Grant, Cooper, Hankins, Dellwo, Baugher, R. Meyers, Rust, Brooks, Holland, Appelwick, Moyer, Ballard, Prince, Bennett, Dorn, Jacobsen, Valle, Crane, Brumsickle, Ebersole, Fuhrman, Van Luven, Horn, Rector and Silver; by request of Office of Financial Management

Revising provisions for the management of low-level radioactive waste.

The bill was read the second time.

Mr. Nelson moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 2956.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2956, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2956, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2989, by Representatives Peery and R. Fisher

Delaying required registration for freight brokers and forwarders.

The bill was read the second time.

Ms. R. Fisher moved that the committee recommendation be adopted and the bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of House Bill No. 2989.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2989, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2989, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 3006, by Representatives Wineberry, Appelwick, Locke, Anderson, Nelson and Spanel

Creating the minority justice commission.

The bill was read the second time.

Mr. Grant moved that the committee recommendation be adopted and the substitute bill be advanced to third reading. The motion was carried.

The Speaker (Mr. O'Brien presiding) stated the question before the House to be final passage of Substitute House Bill No. 3006.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 3006, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 3006, having received the constitutional majority, was declared passed.

MOTION

Mr. Heavey moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 2979, House Bill No. 2531 and House Bill No. 2425. The motion was carried.

HOUSE BILL NO. 2979, by Representative Appelwick

Regulating forfeited firearms.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2979 was substituted for House Bill No. 2979, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2979 was read the second time.

Ms. Nutley moved adoption of the following amendment by Representatives Nutley and Appelwick:

On page 2, after line 17, insert the following:

"(2) Upon any violation under subsection (1) of this section, a proceeding for forfeiture of a firearm shall be deemed commenced by the seizure of the firearm by a law enforcement agency. The law enforcement agency under whose authority the seizure was made shall, within fifteen days following the seizure, file with the court and serve on the owner of the firearm and on any person having any known right or interest therein notice of the seizure and intended forfeiture of the firearm. The notice shall state: (a) the date of seizure, (b) that the person receiving notice may, within forty-five days after the seizure, claim that the firearm should be returned to him or her as provided in subsection (3) of this section by petitioning the court for a hearing, and (c) that an order of forfeiture may be entered by the court authorizing disposal of the firearm if a petition is not filed in a timely manner. The notice may be served by any method authorized by law or court rule, including service by any form of mail requiring a return receipt. A hearing before the court shall be scheduled if any person petitions the court claiming that the firearm should be returned to him or her pursuant to subsection (3) of this section. If no person petitions the court in a timely manner, the firearm shall be deemed forfeited."

Renumber the remaining subsections and correct internal references.

POINT OF ORDER

Mr. Padden: Thank you, Mr. Speaker. I would ask for a ruling on scope and object on this amendment.

MOTION

Mr. Ebersole moved that the House defer further consideration of Substitute House Bill No. 2979 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2531, by Representatives Day, D. Sommers, Braddock, Rector and Dellwo; by request of Department of Health

Changing provisions relating to nursing home administration.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2531 was substituted for House Bill No. 2531, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2531 was read the second time.

Mr. Day moved adoption of the following amendments by Representatives Day and Braddock:

On page 9, line 2, strike subsection 2 and renumber the remaining subsections accordingly

On page 9, after line 10, insert a new section as follows:

NEW SECTION. Sec. 12. Effective July 1, 1991, section 7, chapter 57, Laws of 1975 1st ex. sess., section 2, chapter 243, laws of 1977 ex. sess., section 65, chapter 279, laws of 1984 and RCW 18.52.070 are each repealed."

Mr. Day spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2531, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van

Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 2531, having received the constitutional majority, was declared passed.

MOTIONS

Mr. Ebersole moved that the House defer consideration of House Bill No. 2425 and that the bill hold its place on the regular second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider House Bill No. 2485 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2485, by Representatives Rector, Vekich, Prentice, Leonard, Jones and Dellwo

Qualifying as a self-insurer of industrial insurance.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Vekich and Rector spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2485, and the bill passed the House by the following vote: Yeas, 98.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2485, having received the constitutional majority, was declared passed.

The Speaker resumed the Chair.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2072 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2072, by Representatives Belcher, Anderson, Wineberry, Nelson, Locke, Leonard, Appelwick, Nutley, Cole, Jacobsen, Wang and R. King

Adjusting the human rights commission's jurisdiction over specified types of discrimination.

The bill was read the second time. On motion of Mr. Todd, Substitute House Bill No. 2072 was substituted for House Bill No. 2072, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2072 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Anderson, Wineberry, Pruitt, Belcher and Heavey spoke in favor of passage of the bill, and Representatives Hargrove, Fuhrman and Schoon opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2072, and the bill passed the House by the following vote: Yeas, 51; nays, 47.

Voting yea: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Dellwo, Ebersole, Fisher G, Fisher R, Fraser, Grant, Heavey, Hine, Jacobsen, Jones, King P, King R, Leonard, Locke, Miller, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, and Mr. Speaker - 51.

Voting nay: Representatives Ballard, Baugher, Beck, Bennett, Betrozoff, Bowman, Brunsickle, Chandler, Day, Dorn, Doty, Ferguson, Forner, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Holland, Horn, Inslee, Jesernig, Kirby, Kremen, May, McLean, Meyers R, Morris, Moyer, Nealey, Padden, Rayburn, Rector, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 47.

Substitute House Bill No. 2072, having received the constitutional majority, was declared passed.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4742, by Representatives Wineberry, Ballard, Crane, Ferguson, Jones, Prince, Valle, Inslee, Miller, Belcher, Hargrove, Locke, Leonard, Prentice, Zellinsky, Sprengle, May, Phillips, R. Fisher, Youngsman, Tate, Van Luven, Walker, Wood, Nutley, Bowman, Rector, H. Myers, Fraser, Todd, Anderson, Rector, Ebersole, Nelson, Vekich, Sayan, Rayburn, Brekke, Hine, R. Meyers, Dorn, O'Brien, Silver, Betrozoff, Holland and Brough

WHEREAS, Recent events in South Africa are hopeful signs that the seeds of democracy beginning to flourish throughout the world are also taking root in this country of apartheid; and

WHEREAS, President F.W. de Klerk of South Africa has recently recognized the African National Congress (ANC) as the legitimate voice of opponents to the apartheid system in South Africa and removed the ban that has outlawed the congress for thirty years; and

WHEREAS, President de Klerk has freed ANC leader Nelson Mandela, who suffered imprisonment as a political detainee for twenty-eight years; and

WHEREAS, The economic sanctions imposed by the United States on the South African government in the Anti-Apartheid Act passed by the United States Congress in 1986 have played an important role in moving the South African government toward loosening its grip on opposition forces; and

WHEREAS, The structure of apartheid that put Mr. Mandela in prison and outlawed the voices of opposition continues to dictate political and economic discrimination against South Africa's nearly twenty million non-white citizens; and

WHEREAS, The state of emergency under which South African citizens have lived since 1986 continues to deny its non-white citizens the right of free movement, the right of congregation, and the right to vote; and

WHEREAS, More than three hundred fifty political prisoners remain illegally detained in South African jails; and

WHEREAS, In its 1987 session, the Washington State House of Representatives passed anti-apartheid divestiture legislation, supporting the national Conference of State Legislatures, which voted in its 1985 convention in Seattle to condemn the apartheid practices of the South African government;

WHEREAS, The Washington State House of Representatives prays that:

(1) President de Klerk grant freedom to all political prisoners, put an immediate end to the state of emergency, and enter swiftly into reconciliation and negotiations with Nelson Mandela, Archbishop Desmond Tutu, the Reverend Allen Boesak and other anti-apartheid leaders to install a system of democracy where the rights of all individuals are protected regardless of race;

(2) The South African government carry its efforts further by putting an end to political trials and executions, and by removing any and all restrictions on the free movement of South African citizens and the press;

(3) South Africa endorse the principles of democracy by adopting a new constitution that grants the right to all citizens, regardless of race, creed or sex, to vote for and receive representation in their government in a free and fair election; and

(4) The United States Congress not lift or relax economic sanctions until the South African government has undertaken irreversible actions to dismantle apartheid and instituted a democratic system of government.

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives of the State of Washington support President Bush's invitation to meet with Nelson Mandela and President de Klerk, and urge President Bush to convene a joint meeting with both leaders to promote the goals of racial equality and human rights for all South African citizens.

Mr. Wineberry moved adoption of the resolution and spoke in favor of it.

House Floor Resolution No. 90-4742 was adopted.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 9:00 a.m., Tuesday, February 13, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Tuesday, February 13, 1990

The House was called to order at 9:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representative Brumsickle. On motion of Ms. Bowman, Representative Brumsickle was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Carm Pierce and Krista Hamilton. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia

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

MESSAGE FROM THE SENATE

February 10, 1990

Mr. Speaker:

The Senate has passed:

	SENATE BILL NO. 6086,
	SUBSTITUTE SENATE BILL NO. 6232,
	SUBSTITUTE SENATE BILL NO. 6239,
	SUBSTITUTE SENATE BILL NO. 6247,
ENGROSSED SECOND	SUBSTITUTE SENATE BILL NO. 6274,
	SUBSTITUTE SENATE BILL NO. 6276,
	SUBSTITUTE SENATE BILL NO. 6326,
	SENATE BILL NO. 6334,
	SENATE BILL NO. 6370,
	SENATE BILL NO. 6433,
SECOND SUBSTITUTE	SENATE BILL NO. 6440,
	SENATE BILL NO. 6450,
	SENATE BILL NO. 6451,
ENGROSSED SUBSTITUTE	SENATE BILL NO. 6452,
ENGROSSED SUBSTITUTE	SENATE BILL NO. 6499,
ENGROSSED SUBSTITUTE	SENATE BILL NO. 6501,
	ENGROSSED SENATE BILL NO. 6506,
	SENATE BILL NO. 6567,
	SENATE BILL NO. 6568,
	SUBSTITUTE SENATE BILL NO. 6585,
	SUBSTITUTE SENATE BILL NO. 6594,
	SENATE BILL NO. 6630,
	SUBSTITUTE SENATE BILL NO. 6639,
	SENATE BILL NO. 6652,
	SUBSTITUTE SENATE BILL NO. 6664,
	SUBSTITUTE SENATE BILL NO. 6667,
	SUBSTITUTE SENATE BILL NO. 6696,
ENGROSSED SUBSTITUTE	SENATE BILL NO. 6726,
SECOND SUBSTITUTE	SENATE BILL NO. 6731,
	SUBSTITUTE SENATE BILL NO. 6734,
	SENATE BILL NO. 6741,
SECOND SUBSTITUTE	SENATE BILL NO. 6779,
SECOND SUBSTITUTE	SENATE BILL NO. 6780,
	SENATE BILL NO. 6822,
	SUBSTITUTE SENATE BILL NO. 6836,
	SUBSTITUTE SENATE BILL NO. 6859,

SENATE JOINT MEMORIAL NO. 8023.

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

SB 6086 by Senators Vognild and Johnson

Allowing retirement credit for prior service.

Referred to Committee on Appropriations.

SSB 6232 by Committee on Ways & Means (originally sponsored by Senators Lee, Bailey and Craswell)

Providing a tax credit for certain real property.

Referred to Committee on Revenue.

SSB 6239 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge, Madsen and Moore)

Authorizing service of process by mail in district courts.

Referred to Committee on Judiciary.

SSB 6247 by Committee on Law & Justice (originally sponsored by Senators Nelson, Vognild and Sellar)

Restricting civil actions to appoint receivers to manage real property.

Referred to Committee on Judiciary.

E2SSB 6274 by Committee on Ways & Means (originally sponsored by Senator West)

Establishing regional health promotion and disease prevention districts.

Referred to Committees on Health Care/Appropriations.

SSB 6276 by Committee on Children & Family Services (originally sponsored by Senators Sutherland and Bauer)

Delineating examples of parental behavior that would represent a manifest danger to a child.

Referred to Committee on Human Services.

SSB 6326 by Committee on Ways & Means (originally sponsored by Senator Owen)

Authorizing a southern Puget Sound water quality program.

Referred to Committees on Environmental Affairs/Appropriations.

SB 6334 by Senator Metcalf

Expanding the uses of rights of way over state lands.

Referred to Committee on Natural Resources & Parks.

SB 6370 by Senators von Reichbauer, DeJarnatt, Patrick, McCaslin and Thorsness

Changing provisions relating to changing the name of a city or town.

Referred to Committee on Local Government.

SB 6433 by Senators von Reichbauer, Smitherman, Matson, Moore, Johnson, Stratton, West, Patrick, Sellar, Saling, McCaslin, Metcalf, Bailey, Craswell, Owen, Sutherland, McMullen, Hansen, Conner, Anderson, Kreidler, Bluechel, Barr, Wojahn, Amondson, Lee, Madsen, Nelson, Gaspard, Newhouse and Bauer

Exempting insurance agents, brokers, and solicitors from the business and occupation tax.

Referred to Committee on Revenue.

2SSB 6440 by Committee on Ways & Means (originally sponsored by Senators von Reichbauer, Rasmussen, Matson, Smitherman, Johnson, Stratton, West, Patrick, Sellar, Bauer, Saling, McCaslin, Metcalf, Bailey, Craswell, Moore, Owen, Williams, Sutherland, McMullen, Conner, Kreidler, Lee, Nelson, Amondson, Gaspard, Hansen, Anderson, Barr, Bluechel, Wojahn, Newhouse, Madsen and Hayner)

Providing amnesty and tax credits for insurance agents, brokers, and solicitors.

Referred to Committee on Revenue.

SB 6450 by Senator McDonald

Expanding the secrecy clause for tax information and administration.

Referred to Committee on Revenue.

SB 6451 by Senators McDonald and Hayner

Modifying the cigarette tax.

Referred to Committee on Revenue.

ESSB 6452 by Committee on Ways & Means (originally sponsored by Senators von Reichbauer, Gaspard, McDonald, Newhouse and Lee)

Clarifying "annual leave" for purposes of the school district leave sharing program.

Referred to Committees on State Government/Appropriations.

ESSB 6499 by Committee on Law & Justice (originally sponsored by Senators Nelson, Vognild, Newhouse, Rasmussen, Thorsness, Murray, Patrick, Bender, Rinehart, Bailey, Madsen and Bauer)

Authorizing a surcharge or district court filing fees to fund dispute resolution centers.

Referred to Committee on Judiciary.

ESSB 6501 by Committee on Agriculture (originally sponsored by Senators Barr, Hansen, Bailey, Newhouse, Gaspard and Bauer)

Creating a central filing system for security interests in farm crops.

Referred to Committee on Judiciary.

ESB 6506 by Senators McCaslin, Amondson, Nelson, Johnson, Barr, Saling, Anderson, Bailey, West, Stratton, Rasmussen and von Reichbauer

Clarifying use of wood pellet burning stoves during periods of local impaired air quality.

Referred to Committee on Environmental Affairs.

SB 6567 by Senators Lee and Smitherman; by request of Employment Security Department

Revising the definition of benefit year for unemployment compensation.

Referred to Committee on Commerce & Labor.

SB 6568 by Senators Lee and Smitherman; by request of Employment Security Department

Revising provisions for unemployment compensation overpayments.

Referred to Committee on Commerce & Labor.

SSB 6585 by Committee on Environment & Natural Resources (originally sponsored by Senator Metcalf)

Including mussels and clams as enhanced food fish for tax purposes.

Referred to Committee on Revenue.

SSB 6594 by Committee on Ways & Means (originally sponsored by Senators Johnson, Saling, Moore, Niemi, Nelson, Bauer, Rasmussen, Patrick and Smith; by request of Joint Committee on Pension Policy)

Changing provisions relating to the department of retirement systems.

Referred to Committee on Appropriations.

SB 6630 by Senators Barr and Hansen

Revising provisions for the subdivision of land that is in whole or in part within an irrigation district and that has been previously platted by the United States.

Referred to Committee on Agriculture & Rural Development.

SSB 6639 by Committee on Ways & Means (originally sponsored by Senators McDonald, McMullen, Bluechel, Niemi, Patrick, Warnke, Metcalf, Vognild, Bailey, Conner, Talmadge, Rinehart, Williams, Murray, Moore and von Reichbauer)

Authorizing a real estate excise tax for the acquisition of conservation areas.

Referred to Committee on Revenue.

SB 6652 by Senators McDonald, Gaspard and Hayner

Revising penalties on cigarette taxes.

Referred to Committee on Revenue.

SSB 6664 by Committee on Economic Development & Labor (originally sponsored by Senators McDonald, Gaspard, Warnke and Rasmussen; by request of Department of Licensing)

Amending the business license center act.

Referred to Committees on Trade & Economic Development/ Appropriations.

SSB 6667 by Committee on Ways & Means (originally sponsored by Senators McDonald, Bailey and Hayner)

Transferring power and duty to enforce cigarette and tobacco laws to the liquor control board.

Referred to Committees on Commerce & Labor/Revenue.

SSB 6696 by Committee on Environment & Natural Resources (originally sponsored by Senator Metcalf)

Allowing shrimp bottom trawling in certain areas.

Referred to Committee on Fisheries & Wildlife.

ESSB 6726 by Committee on Environment & Natural Resources (originally sponsored by Senators Owen, Metcalf and Patrick)

Providing funds for firearm range facilities.

Referred to Committees on Fisheries & Wildlife/Appropriations.

2SSB 6731 by Committee on Ways & Means (originally sponsored by Senators McCaslin and Sutherland)

Including absentee ballots in state-wide election abstracts.

Referred to Committee on State Government.

SSB 6734 by Committee on Ways & Means (originally sponsored by Senators Wojahn, Johnson, Williams, Barr, Kreidler, von Reichbauer, Stratton, Madsen and McCaslin)

Improving administration of historical activities and programs.

Referred to Committees on State Government/Appropriations.

SB 6741 by Senators Amondson, Owen, Metcalf and Sutherland

Modifying permit requirements for substantial developments on shorelines as they relate to utility extensions.

Referred to Committee on Environmental Affairs.

2SSB 6779 by Committee on Ways & Means (originally sponsored by Senators Barr, Madsen, Newhouse, Hansen, Benitz and Williams)

Providing for regional water resource planning.

Referred to Committees on Natural Resources & Parks/ Appropriations.

2SSB 6780 by Committee on Ways & Means (originally sponsored by Senators Newhouse, Hansen, Barr, Madsen, Bailey and Anderson)

Establishing farmworker housing inspection procedures and standards.

Referred to Committees on Housing/Appropriations.

SB 6822 by Senators Bluechel, Gaspard, Amondson and Barr

Exempting small timber harvesters from business and occupation tax.

Referred to Committee on Revenue.

SSB 6836 by Committee on Environment & Natural Resources (originally sponsored by Senators Barr, Owen, Patterson and Metcalf)

Creating the Lake Roosevelt wildlife mitigation demonstration project.

Referred to Committees on Fisheries & Wildlife/Appropriations.

SSB 6859 by Committee on Ways & Means (originally sponsored by Senators McDonald, Gaspard, Hayner, Vognild, Bluechel, Sellar, Warnke, Saling, Owen, Cantu, Amondson, Johnson, Moore, Newhouse, Smith, Bauer and Sutherland)

Clarifying the tax status of computer software.

Referred to Committee on Revenue.

SJM 8023 by Senators Amondson, Sutherland, Anderson, Barr, Murray, McMullen, von Reichbauer, Lee, Patterson, Johnson, Vognild, DeJarnatt, Patrick, Madsen, Bauer, Sellar, Smith, Saling, Owen, Stratton, West, Moore, Newhouse, Kreidler, McDonald, Warnke and Hayner

Pertaining to forest lands.

Referred to Committee on Natural Resources & Parks.

MOTION

On motion of Mr. Heavey, the bills and memorial listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider Engrossed House Bill No. 1055 on the regular second reading calendar. The motion was carried.

ENGROSSED HOUSE BILL NO. 1055, by Representatives R. Fisher, Chandler, Zellinsky, Fraser, D. Sommers and Smith

Financing fire protection for state-owned buildings.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 5th Day, January 12, 1990.)

Mr. Todd moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered reengrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Reengrossed House Bill No. 1055, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslie, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brunsickle - 1.

Reengrossed House Bill No. 1055, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1394, by Representatives Rayburn and Baugher

Revising irrigation district bidding requirements.

The bill was read the second time. Committee on Agriculture & Rural Development recommendation: Majority, do pass substitute as amended. (For committee amendment, see Journal, 5th Day, January 12, 1990.)

On motion of Ms. Rayburn, Substitute House Bill No. 1394 was substituted for House Bill No. 1394, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 1394 was read the second time.

Ms. Rayburn moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rayburn and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1394, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslie, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brumsickle - 1.

Engrossed Substitute House Bill No. 1394, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1978, by Representatives Jacobsen, Nelson and Belcher

Revising provisions for application of the state building code.

The bill was read the second time. On motion of Mr. Todd, Second Substitute House Bill No. 1978 was substituted for House Bill No. 1978, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 1978 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jacobsen spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1978, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brumsickle - 1.

Second Substitute House Bill No. 1978, having received the constitutional majority, was declared passed.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2023, by Committee on Trade & Economic Development (originally sponsored by Representatives G. Fisher, Cantwell, Schoon, Winsley, Ferguson and Tate)

Providing for technology development and commercialization.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2023 was substituted for Engrossed Substitute House Bill No. 2023, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2023 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives R. Meyers and Doty spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 2023, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brumsickle - 1.

Second Substitute House Bill No. 2023, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2333, by Representatives Rasmussen, Rayburn, Kremen, Moyer, McLean, Bowman, Dorn, Spanel, Rust, Jesernig, Rector, Youngsman and Kirby

Disposing of wastes in agricultural areas.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rasmussen and Nealey spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2333, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Beck - 1.

Excused: Representative Brumsickle - 1.

House Bill No. 2333, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2340, by Representatives R. Meyers, Schmidt, Zellinsky, Jones, Hargrove, Rector, Winsley and Rasmussen

Prohibiting the installation of inoperable fire protection sprinkler systems.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2340, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brumsickle - 1.

House Bill No. 2340, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2362, by Representatives R. King, Smith, Prentice, Walker, Vekich, Cole, Jones, Wang, Leonard, Basich, Rector, Winsley and Wolfe

Providing incentives for state agencies and institutions of higher education to participate in industrial insurance safety programs and return-to-work programs.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2362, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brumsickle - 1.

House Bill No. 2362, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2414, by Representatives Rust, D. Sommers, Nelson, Walker, Pruitt, Brekke, Sprenkle, Fraser, Valle, Jacobsen, Van Luven and Phillips

Regulating ozone-depleting substances.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass substitute. Committee on Appropriations recommendation: Majority, do pass substitute by Committee on Environmental Affairs as amended by Committee on Appropriations. (For committee amendments, see Journal, 30th Day, February 6, 1990.)

On motion of Mr. Grant, Substitute House Bill No. 2414 was substituted for House Bill No. 2414, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2414 was read the second time.

Mr. Grant moved adoption of the committee amendments by Committee on Appropriations and spoke in favor of them. The committee amendments were adopted.

Mr. Grant moved adoption of the following amendments by Representatives Grant and Rust:

On page 2, after line 36, insert:

"(16) 'Off-road commercial equipment' means: (a) a motor vehicle for which licensure is not required under Title 46 RCW; or (b) a crane or similar piece of heavy equipment used commercially in the construction or silvacultural industry which is mobile but not self-propelled and which is designed for use out-of-doors and not as a part or component of any permanent structure or facility."

On page 3, line 7, after "atmosphere," insert "This subsection does not apply to off-road commercial equipment."

On page 3, line 19, after "service" insert ". This section does not apply to a regulated refrigerant purchased for the recharge of the air conditioning system of off-road commercial equipment and sold or offered for sale at an establishment which specializes in the sale of off-road commercial equipment or parts or service for such equipment."

Representatives Grant and D. Sommers spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust, Nelson, Schoon and Grant spoke in favor of passage of the bill, and Representatives Youngsman, Silver and Horn opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2414, and the bill passed the House by the following vote: Yeas, 57; nays, 38; absent, 2; excused, 1.

Voting yea: Representatives Appelwick, Basich, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P,

King R, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, and Mr. Speaker - 57.

Voting nay: Representatives Ballard, Baugher, Beck, Betzoff, Bowman, Brooks, Brough, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, Kirby, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Rayburn, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 38.

Absent: Representatives Anderson, Rector - 2.

Excused: Representative Brumsickle - 1.

Engrossed Substitute House Bill No. 2414, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

My voting machine malfunctioned. I would have voted "yes" on final passage of Engrossed Substitute House Bill No. 2414.

CAL ANDERSON, 43rd District.

HOUSE BILL NO. 2452, by Representatives R. King, Nelson, Vekich, Smith, Walker, Jones, Winsley and R. Meyers

Providing for safety in Washington navigable waters.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2452 was substituted for House Bill No. 2452, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2452 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2452, and the bill passed the House by the following vote: Yeas, 90; nays, 5; absent, 2; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Betzoff, Braddock, Brekke, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Beck, Bowman, Brooks, McLean, Silver - 5.

Absent: Representatives Sprengle, Wilson K - 2.

Excused: Representative Brumsickle - 1.

Substitute House Bill No. 2452, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2494 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2495, by Representatives H. Myers, Peery, G. Fisher, Brough, Phillips, Jacobsen and P. King

Creating a uniform entry to practice assessment for teacher certification candidates.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. H. Myers spoke in favor of passage of the bill, and Mr. Beck opposed it.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2495, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Beck - 1.

Excused: Representative Brumsickle - 1.

House Bill No. 2495, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2503, by Representatives Vekich, Walker, R. King and Winsley; by request of Department of Labor and Industries

Allowing supplemental pension funds to be invested.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Cole and Smith spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2503, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brumsickle - 1.

House Bill No. 2503, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2544, by Representatives Nelson and Jacobsen

Providing an alternate lien and foreclosure process for sewer charges.

The bill was read the second time. On motion of Ms. Haugen, Substitute House Bill No. 2544 was substituted for House Bill No. 2544, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2544 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2544, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean,

Meyers R. Miller, Morris, Moyer, Myers H. Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Brumsickle - 1.

Substitute House Bill No. 2544, having received the constitutional majority, was declared passed.

Representative Brumsickle appeared at the bar of the House.

MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 2859, House Bill No. 2390, House Bill No. 2630, House Bill No. 2971 and Substitute House Bill No. 2979. The motion was carried.

HOUSE BILL NO. 2859, by Representatives Todd, Ebersole, Padden and Wolfe

Making changes in county legislative authority.

The bill was read the second time. Committee on State Government recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 26th Day, February 2, 1990.)

Mr. Todd moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

Mr. Jones moved adoption of the following amendments:

On page 1, line 20, after "county" strike "with a population of three thousand or more"

On page 5, line 3, after "county" strike "with a population of three hundred thousand or more"

Representatives Jones and Haugen spoke in favor of adoption of the amendments, and Representatives Padden and Nutley spoke against them. The amendments were adopted.

The Clerk read the following amendment by Representative Todd:

On page 1, line 21, after "three" insert "hundred"

With consent of the House, Mr. Todd withdrew the amendment.

Mr. Padden moved adoption of the following amendment:

On page 1, line 24, after "election," insert "At least twenty percent of the signatures on the petition shall come from each of the existing commissioner districts."

Representatives Padden and Todd spoke in favor of adoption of the amendment, and it was adopted.

Ms. Fraser moved adoption of the following amendment:

On page 5, after line 5, insert a new section as follows:

"NEW SECTION, Sec. 9. This act shall take effect January 1, 1993."

Representatives Fraser and Haugen spoke in favor of adoption of the amendment, and Representatives Padden, Ferguson, Wolfe and Horn spoke against it.

The Speaker stated the question before the House to be adoption of the amendment by Representative Fraser.

A division was called. The Speaker called upon the House to divide. The result of the division was: Yeas - 56; Nays - 38. The amendment was adopted.

With consent of the House, the following amendment by Representative Fraser to the title was adopted:

On page 1, line 2 of the title, strike "and adding new sections to chapter 36.32 RCW" and insert "adding new sections to chapter 36.32 RCW; and providing for an effective date"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Todd and Wolfe spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2859, and the bill passed the House by the following vote: Yeas, 90; nays, 8.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 90.

Voting nay: Representatives Basich, Dellwo, Haugen, Kirby, Morris, Prince, Raiter, Rayburn - 8.

Engrossed House Bill No. 2859, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2390, by Representatives Rust, Phillips, Jacobsen, Nelson, Valle, Pruitt, Sprenkle, P. King, Heavey, Hine, R. Fisher, Rector, Dellwo, Basich, O'Brien, Spanel, Brekke and Crane; by request of Governor Gardner

Regulating hazardous substances and waste.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass substitute. Committee on Revenue recommendation: Majority, do pass substitute by Committee on Environmental Affairs as amended by Committee on Revenue. (For committee amendments, see Journal, 29th Day, February 5, 1990.)

On motion of Ms. Rust, Substitute House Bill No. 2390 was substituted for House Bill No. 2390, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2390 was read the second time.

Mr. Wang moved adoption of the committee amendments by Committee on Revenue and spoke in favor of them. The committee amendments were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Rust and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2390, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed Substitute House Bill No. 2390, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2630, by Representatives Jesernig, R. Meyers, Ballard, Hargrove, Padden, H. Myers, Moyer, Rayburn, D. Sommers, Wineberry, Hankins, Inslee, Dorn, G. Fisher, R. Fisher, R. King, Appelwick, Vekich, Sprenkle, Wang, Crane, Grant, Rasmussen, Zellinsky, McLean, Baugher, Kremen, Walker, Wood, Rector, Cooper, Dellwo, Sayan, Gallagher, Schmidt, Peery, Fraser, Basich, Prentice, Leonard, Pruitt, Scott, Phillips, Winsley, Betzoff, Jones, Ebersole, Brekke, Morris, Braddock, Todd, Spanel and Anderson

Abrogating the professional rescuer doctrine.

The bill was read the second time. On motion of Mr. Crane, Substitute House Bill No. 2630 was substituted for House Bill No. 2630, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2630 was read the second time.

Mr. Jesernig moved adoption of the following amendment by Representatives Jesernig, Schmidt, R. Meyers, Hargrove, Padden, Forner and Inslee:

On page 1, line 6, after "(1)" strike all material through "operation." on line 11 and insert "The common law professional rescuer doctrine shall not apply where an injury is caused by negligence that is the proximate cause of the injury, and is separate and independent from any negligent act that gave rise to the need for rescue and arises subsequent to the commencement of the rescue operation."

Renumber remaining subsections accordingly.

Representatives Jesernig and Schmidt spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jesernig spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2630, and the bill passed the House by the following vote: Yeas, 96; nays, 1; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumstick, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Prince - 1.

Absent: Representative Sommers H - 1.

Engrossed Substitute House Bill No. 2630, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2971, by Representatives Wineberry, Padden, Nutley, Baugher, Leonard, Winsley, Anderson, Locke, O'Brien, Jacobsen, Crane, Rayburn, P. King, Walker and Forner

Requiring drug prevention plans for assisted housing.

The bill was read the second time. On motion of Ms. Nutley, Substitute House Bill No. 2971 was substituted for House Bill No. 2971, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2971 was read the second time.

Mr. Wineberry moved adoption of the following amendment by Representatives Wineberry, Nutley and Padden:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 7, chapter 161, Laws of 1983 and RCW 43.180.070 are each amended to read as follows:

The commission shall adopt a general plan of housing finance objectives to be implemented by the commission during the period of the plan. The commission shall adopt a plan no later than December 15, (~~1983~~) 1990. The commission may exercise the powers authorized under this chapter prior to the adoption of the initial plan. In developing the plan, the commission shall consider and set objectives for:

- (1) The use of funds for single-family and multifamily housing;
- (2) The use of funds for new construction, rehabilitation, including refinancing of existing debt, and home purchases;
- (3) The housing needs of low-income and moderate-income persons and families, and of elderly or mentally or physically handicapped persons;
- (4) The use of funds in coordination with federal, state, and local housing programs for low-income persons;
- (5) The use of funds in urban, rural, suburban, and special areas of the state;
- (6) The use of financing assistance to stabilize and upgrade declining urban neighborhoods;
- (7) The use of financing assistance for economically depressed areas, areas of minority concentration, reservations, and in mortgage-deficient areas;
- (8) The geographical distribution of bond proceeds so that the benefits of the housing programs provided under this chapter will be available to address demand on a fair basis throughout the state;
- (9) The use of financing assistance for implementation of cost-effective energy efficiency measures in dwellings; and
- (10) The existence of a drug prevention plan for each multifamily housing project financed in whole or in part through the commission.

The plan shall include an estimate of the amount of bonds the commission will issue during the term of the plan and how bond proceeds will be expended.

The plan shall be adopted by resolution of the commission following at least one public hearing thereon, notice of which shall be made by mailing to the clerk of the governing body of each county and by publication in the Washington State Register no more than forty and no less than twenty days prior to the hearing. A draft of the plan shall be made available not less than thirty days prior to any such public hearing. At least every two years, the commission shall report to the legislature regarding implementation of the plan.

Prior to December 31, (~~1983~~) 1990, the commission shall submit the plan to the chief clerk of the house and secretary of the senate for transmittal to and review by the appropriate standing committees. The commission may periodically update the plan. Proposed changes of the plan shall be submitted to the chief clerk of the house and secretary of the senate for transmittal to and review by the appropriate standing committees. This submittal of proposed changes shall occur at least fourteen days before final adoption of the changes by the commission.

The commission shall adopt rules designed to result in the use of bond proceeds in a manner consistent with the plan. These rules shall be adopted and in full force and effect by February 1, (~~1984~~) 1991. The commission may periodically update its rules.

The commission is not required to adopt a plan or rules for the use of the proceeds of bonds issued prior to February, 1984. This section is designed to deal only with the use of bond proceeds and nothing in this section shall be construed as a limitation on the commission's authority to issue bonds.

NEW SECTION, Sec. 2. A new section is added to chapter 43.180 RCW to read as follows:

(1) The commission shall include a provision in its regulatory agreement that requires owners of the multifamily housing project, financed in whole or in part through the commission, to develop a drug prevention plan.

(2) The commission shall develop a model drug prevention plan to be used by multifamily applicants requesting assistance through the commission.

(3) The drug prevention plan shall include activities to be undertaken by the owner to aid in the prevention and control of illegal drug activities at multifamily housing developments. The elements of the drug prevention plan shall include but not be limited to: Tenant screening for prior drug-related problems in accordance with federal and state laws; on-site property management; and distribution of anti-drug education materials.

(4) The commission shall notify the mortgage lender, the mortgage insurer, and such other parties as determined necessary by the commission when the owner of a multifamily housing project that received financing through the commission fails to make a good faith effort to maintain a drug-free environment as outlined in the drug prevention plan required in subsection (1) of this section.

(5) The commission and department of community development shall develop an agreement to approve a revised drug prevention plan for assisted housing developments that receive financial assistance through the commission and the housing trust fund created under chapter 43.185 RCW.

NEW SECTION, Sec. 3. A new section is added to chapter 43.185 RCW to read as follows:

(1) In addition to the priorities and criteria for evaluating applications for assistance prescribed in RCW 43.185.070, the department shall consider drug prevention plans of eligible organizations that request loan or grant assistance.

(2) The department shall include provisions in its contracts to eligible organizations that provide penalties against eligible organizations that fail to make a good faith effort to maintain a drug-free environment in projects financed in whole or in part through the Washington housing trust fund, as created in RCW 43.185.030.

NEW SECTION, Sec. 4. A new section is added to chapter 43.63A RCW to read as follows:

(1) The department shall develop a model drug prevention plan to be used by applicants requesting assistance through the Washington housing trust fund under chapter 43.185 RCW.

(2) The drug prevention plan shall include activities to be undertaken by the applicant to aid in the prevention and control of illegal drug activities at housing developments. The elements of the drug prevention plan shall include but are not limited to: Tenant screening for prior drug-related problems in accordance with federal and state laws; on-site property management; and distribution of anti-drug educational materials.

(3) The department and the Washington state housing finance commission shall develop an agreement to approve a revised drug prevention plan for assisted housing developments that receive financial assistance through the housing trust fund created under chapter 43.185 RCW and the Washington state housing finance commission created under chapter 43.180 RCW."

Mr. Wineberry spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Wineberry, Nutley and Padden to the title was adopted:

On page 1, line 2 of the title, after "housing;" strike the remainder of the title and insert "amending RCW 43.180.070; adding a new section to chapter 43.180 RCW; adding a new section to chapter 43.185 RCW; and adding a new section to chapter 43.63A RCW."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Wineberry spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2971, and the bill passed the House by the following vote: Yeas, 96; absent, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Deilwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Zellinsky, and Mr. Speaker - 96.

Absent: Representatives May, Youngsman - 2.

Engrossed Substitute House Bill No. 2971, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 2979, by Committee on Judiciary (originally sponsored by Representative Appelwick)

Regulating forfeited firearms.

The House resumed consideration of Substitute House Bill No. 2979 on second reading. (For previous action, see Journal, 36th Day, February 12, 1990, Afternoon Session.)

The Speaker stated the question before the House to be the Point of Order by Representative Padden regarding the scope and object of the amendment on page 2, line 17, by Representatives Nutley and Appelwick.

With consent of the House, Representative Padden withdrew his Point of Order.

The Speaker stated the question before the House to be adoption of the amendment on page 2, line 17, by Representatives Nutley and Appelwick.

With consent of the House, Representative Nutley withdrew the amendment.

Ms. Nutley moved adoption of the following amendment by Representatives Nutley and Appelwick:

On page 2, after line 17, insert the following:

"(2) Upon any violation under subsection (1) of this section, a proceeding for forfeiture of a firearm shall be deemed commenced by the seizure of the firearm by a law enforcement agency. The law enforcement agency under whose authority the seizure was made shall, within fifteen days following the seizure, file with the court and serve on the owner of the firearm and on any person having any known right or interest therein notice of the seizure and intended forfeiture of the firearm. The notice shall state: (a) the date of seizure, (b) that the person receiving notice may, within forty-five days after the seizure, claim that the firearm should be returned to him or her as provided in subsection (3) of this section by petitioning the court for a hearing, and (c) that an order of forfeiture may be entered by the court authorizing disposition of the firearm in accordance with this section if a petition is not filed in a timely manner. The notice may be served by any method authorized by law or court rule, including service by any form of mail requiring a return receipt. A hearing before the court shall be scheduled if any person petitions the court claiming that the firearm should be returned to him or her pursuant to subsection (3) of this section. If no person petitions the court in a timely manner, the firearm shall be deemed forfeited."

Renumber the remaining subsections and correct internal references.

Representatives Nutley and Padden spoke in favor of adoption of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment by Representatives Anderson, Appelwick, Nelson, Heavey, Brekke, Scott, H. Sommers, Ferguson, May, Wineberry, Locke, R. Fisher, O'Brien, Jacobsen, Leonard, Prentice, Rust, Valle and Phillips:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. Section 1, chapter 172, Laws of 1935 as last amended by section 1, chapter 232, Laws of 1983 and RCW 9.41.010 are each amended to read as follows:

(1) 'Short firearm' or 'pistol' as used in this chapter means any firearm with a barrel less than twelve inches in length.

(2) 'Crime of violence' as used in this chapter means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, rape in the second degree, kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, burglary in the second degree, and robbery in the second degree;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, which is comparable to a felony classified as a crime of violence in subsection (2) (a) of this section; and

(c) Any federal or out-of-state conviction for an offense comparable to a felony classified as a crime of violence under subsection (2) (a) or (b) of this section.

(3) 'Firearm' as used in this chapter means a weapon or device from which a projectile may be fired by an explosive such as gunpowder.

(4) 'Commercial seller' as used in this chapter means a person who has a federal firearms license.

(5) 'Antique firearms' as used in this chapter means any firearm manufactured on or before 1918.

Sec. 2. Section 2, chapter 223, Laws of 1988 as amended by section 8, chapter 222, Laws of 1989 and RCW 9.41.098 are each amended to read as follows:

(1) The superior courts and the courts of limited jurisdiction of the state may order forfeiture of a firearm which is proven to be:

(a) Found concealed on a person not authorized by RCW 9.41.060 or 9.41.070 to carry a concealed pistol: PROVIDED, That it is an absolute defense to forfeiture if the person possessed a valid Washington concealed pistol license within the preceding two years and has not become ineligible for a concealed pistol license in the interim. Before the firearm may be returned, the person must pay the past due renewal fee and the current renewal fee;

(b) Commercially sold to any person without an application as required by RCW 9.41.090;

(c) Found in the possession or under the control of a person at the time the person committed or was arrested for committing a crime of violence or a crime in which a firearm was used or displayed or a felony violation of the uniform controlled substances act, chapter 69.50 RCW;

(d) Found concealed on a person who is in any place in which a concealed pistol license is required, and who is under the influence of any drug or under the influence of intoxicating

liquor, having 0.10 grams or more of alcohol per two hundred ten liters of breath or 0.10 percent or more by weight of alcohol in the person's blood, as shown by analysis of the person's breath, blood, or other bodily substance:

(e) Found in the possession of a person prohibited from possessing the firearm under RCW 9.41.040;

(f) Found in the possession of a person free on bail or personal recognizance pending trial, appeal, or sentencing for a crime of violence or a crime in which a firearm was used or displayed, except that violations of Title 77 RCW shall not result in forfeiture under this section;

(g) Found in the possession of a person found to have been mentally incompetent while in possession of a firearm when apprehended or who is thereafter committed pursuant to chapter 10.77 or 71.05 RCW;

(h) Known to have been used or displayed by a person in the violation of a proper written order of a court of general jurisdiction; or

(i) Known to have been used in the commission of a crime of violence or a crime in which a firearm was used or displayed or a felony violation of the uniformed controlled substances act, chapter 69.50 RCW.

(2) Upon order of forfeiture, the court in its discretion shall order destruction of any firearm that is illegal for any person to possess. All firearms legal for citizen possession that are judicially forfeited or forfeited due to failure to make a claim under RCW 63.32.010, 63.40.010, or 63.35.020 ~~(shall)~~ may be destroyed or submitted for auction to commercial sellers once a year if the submitting agency has accumulated at least ten firearms authorized for sale. If a city, county or other political subdivision of the state chooses to destroy such firearms the city, county or other political subdivision of the state shall enact an ordinance or resolution providing for the destruction of the firearms. Antique firearms are exempted from destruction. Law enforcement agencies may conduct joint auctions for the purpose of maximizing efficiency. A maximum of ten percent of such firearms may be retained for use by local law enforcement agencies and the Washington state patrol. Before submission for auction or destruction, a court may temporarily retain forfeited firearms if needed for evidence.

~~(a) The proceeds from any sale shall be divided as follows: (The local jurisdiction and the Washington state patrol shall retain its costs, including actual costs of storage and sale, and shall forward the remainder to the state department of wildlife for use in its firearms training program pursuant to RCW 77.32.155.)~~

~~(i) The agency submitting the surplus firearms for sale may retain sixty percent of the total proceeds from the sale of the firearms, to be used for law enforcement purposes only. Forty percent of the total proceeds shall go to the firearms range account. All costs incurred in selling the surplus firearms shall be paid from the portion retained by the law enforcement agency;~~

~~(ii) In lieu of selling surplus firearms at auction a law enforcement agency may trade the surplus firearms to a licensed dealer in exchange for departmental service weapons or other firearms or police equipment, to be used for law enforcement purposes by the agency. When surplus firearms are exchanged for the described equipment, the agency shall retain all of the proceeds.~~

~~(b) If a firearm is delivered to a law enforcement agency and the agency no longer requires use of the firearm, the agency shall dispose of the firearm ~~(by auction)~~ as provided by this subsection. The public auctioning agency shall, as a minimum, maintain a record of all forfeited firearms by manufacturer, model, caliber, serial number, date and circumstances of forfeiture, and final disposition. The records shall be open to public inspection and copying.~~

~~(3) The court shall order the firearm returned to the owner upon a showing that there is no probable cause to believe a violation of subsection (1) of this section existed or the firearm was stolen from the owner or the owner neither had knowledge of nor consented to the act or omission involving the firearm which resulted in its forfeiture.~~

~~(4) A law enforcement officer of the state or of any county or municipality may confiscate a firearm found to be in the possession of a person under circumstances specified in subsection (1) of this section. After confiscation, the firearm shall not be surrendered except: (a) To the prosecuting attorney for use in subsequent legal proceedings; (b) for disposition according to an order of a court having jurisdiction as provided in subsection (1) of this section; or (c) to the owner if the proceedings are dismissed or as directed in subsection (3) of this section."~~

POINT OF ORDER

Mr. Padden: Thank you, Mr. Speaker. I would like a ruling as to the scope and object of this amendment.

MOTIONS

Mr. Ebersole moved that the House defer further consideration of Substitute House Bill No. 2979 and that the bill hold its place on the regular second reading calendar. The motion was carried.

Mr. Ebersole moved that the House immediately consider House Bill No. 2570 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2570, by Representatives Sprenkle, Walker, Fraser, Pruitt, May, G. Fisher, Brekke, R. King, R. Meyers, Spanel, Winsley, Todd, Rasmussen and Cooper

Requiring the department of ecology to develop a waste reduction, recycling, and procurement plan for state agencies.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2570 was substituted for House Bill No. 2570, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2570 was read the second time.

Mr. Sprenkle moved adoption of the following amendment by Representatives Sprenkle and Peery:

On page 4, after line 3, insert the following:

NEW SECTION. Sec. 4. The legislature finds that the state's timber resources and its proximity to states and countries without such resources has provided, and should continue to provide, a healthy export market for its old newspapers. The legislature also finds that existing domestic markets for old newspaper need to be enhanced in order to stabilize the price of the old newspaper collected through local recycling programs. The legislature therefore finds that the state's newspapers should use newsprint containing secondary fiber to the maximum extent economically practicable.

NEW SECTION. Sec. 5. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Newsprint user' means a person who uses newsprint in a commercial printing or publishing operation.

(2) 'Secondary fiber' means paper fiber reclaimed from newspapers, mixed waste paper, and other postconsumer or preconsumer paper products. Secondary fiber does not include mill broke.

(3) 'Newsprint' means uncoated paper, whether supercalendered or machine finished, of the type generally used for, but is not limited to, the publication of newspapers, commercial advertising inserts, directories, or commercial advertising mailers, which is made primarily from mechanical woodpulp combined with some chemical woodpulp. 'Newsprint' includes paper made from old newspapers which have been deinked, using the recycled pulp in lieu of virgin pulp. 'Newsprint' includes all grades of paper sold as newsprint, supercalendered (SC) uncoated groundwood, or machine finished (MF) uncoated groundwood.

(4) 'Department' means the department of ecology.

(5) 'Mixed waste paper' means assorted low value grades of paper that have not been separated into individual grades at the point of collection.

NEW SECTION. Sec. 6. (1) Newsprint users shall file a statement with the department by March 31 of each year certifying the total number of tons of newsprint used during the past calendar year and the number of tons of secondary fiber in the newsprint. The statement shall declare whether the guidelines established under section 9 of this act have been met for the past year, and if not met, a statement explaining why the guidelines were not met.

(2) Any newsprint user who fails to file a statement with the department by March 31 of any year, or who files false or misleading information, shall be subject to a civil penalty, assessed by the department, of up to one thousand dollars.

NEW SECTION. Sec. 7. (1) The department shall appoint a task force involving the department of trade and economic development, environmental groups, newsprint mills, newspaper publishers, exporters of paper fiber, and any other entity deemed appropriate by the department. Each year, the department, in conjunction with the task force, shall monitor:

(a) The availability, quality, and price of newsprint containing secondary fiber; and

(b) Other factors, as determined appropriate by the department, that may affect the ability of newsprint users to achieve the goals established in section 9 of this act.

(2) Each year, the department shall publish a report, at the department's expense, in each newspaper filing a statement pursuant to section 6 of this act. The report shall describe:

(a) The state-wide average of secondary fiber used in newsprint;

(b) The use of secondary fiber by the newsprint user publishing the report;

(c) The state-wide recycling rate for newspapers; and

(d) The disposition of newspapers not being remanufactured into newsprint.

NEW SECTION. Sec. 8. Each person supplying a newsprint user with newsprint shall certify the amounts of secondary fiber content contained in each shipment to each newsprint user. If the newsprint supplied to a newsprint user contains mixed waste paper the supplier shall certify the amount of such paper contained in each shipment to each newsprint user. If the newsprint contains no secondary fiber, the supplier shall so certify.

NEW SECTION. Sec. 9. (1) Each newsprint user shall, purchase newsprint containing secondary fiber to the maximum extent economically practicable. The following goals concerning

the secondary fiber content of newsprint used in the state shall be collectively sought by newsprint users on an annual basis:

- (a) On and after January 1, 1992, ten percent;
- (b) On and after January 1, 1994, twenty percent;
- (c) On and after January 1, 1996, twenty-five percent; and
- (d) On January 1, 2001, and thereafter, thirty percent.

(2) These goals shall apply on an industry-wide basis, and not on individual newsprint users. If the department finds that: (a) The goals established under subsection (1) of this section are not met after any given year; and (b) except for such factors beyond the control of newsprint users, no significant factors had prevented newsprint users from attaining such goals; then the department shall prepare rules prescribing the use of newsprint containing secondary fiber. In preparing such rules, the department may revise the goals established in this section as the department deems appropriate.

(3) If the department finds that the conditions described in subsection (2) of this section apply after a second consecutive year, the department shall adopt the rules prepared during the previous year.

NEW SECTION. Sec. 10. For the purposes of section 9 of this act, newsprint containing mixed waste paper shall be considered as containing twice its certified value.

NEW SECTION. Sec. 11. Sections 4 through 10 of this act shall constitute a new chapter in Title 70 RCW."

Renumber remaining sections consecutively and correct internal references accordingly.

POINT OF ORDER

Ms. Scott: I would like to request a ruling on the scope and object of the amendment, please.

SPEAKER'S RULING

The Speaker: Representative Scott, your Point of Order is not a difficult call. House Bill No. 2570 basically asks the Department of Ecology to develop a waste reduction, recycling and procurement plan for state agencies and for local government. The amendment, which would also be outside the scope because it is the exact duplicate of a bill before us, offers to encourage the newspaper industry to make plans to begin using more recycled newsprint. As much as I agree with the intent of the amendment, Representative Scott, I find that your point is well taken. The amendment is outside the scope and object of the bill before us.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Sprenkle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2570, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2570, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 2425 and House Bill No. 2571. The motion was carried.

HOUSE BILL NO. 2425, by Representatives Rasmussen, Dorn, McLean, Ebersole, Rayburn, Heavey, Van Luven, Kirby, Spanel, Walker, K. Wilson, Betzoff, Brumsickle, Jesernig, Moyer, Raiter, Winsley, Wood, S. Wilson, Brough, Fuhrman, Wolfe, Miller, Sprenkle, Todd, Crane, Smith, Rector, Wineberry, Forner, Tate, Basich, Youngsmann, Zellinsky, May, O'Brien and Ferguson

Authorizing revocation of driving privileges for violation of drug and alcohol laws.

The bill was read the second time.

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt, Zellinsky, Padden and R. Meyers:

On page 2, line 28, after "shall" insert ", except as provided in subsection (4) of this section."

On page 3, after line 11, insert the following:

"(4) With respect to a person over the age of seventeen but under the age of twenty-one convicted of a violation of chapter 66 RCW, the court may suspend the notification required by subsection (1) of this section pending the attendance by the person at a department of licensing approved alcohol abuse awareness class."

On page 3, line 17, after "shall" insert ", except as provided in subsection (4) of this section."

On page 4, after line 1, insert the following:

"(4) With respect to a person over the age of seventeen but under the age of twenty-one convicted of a violation of chapter 66 RCW, the court may suspend the notification required by subsection (1) of this section pending the attendance by the person at a department of licensing approved alcohol abuse awareness class."

On page 4, line 7, after "shall" insert ", except as provided in subsection (4) of this section."

On page 4, after line 28, insert the following:

"(4) With respect to a person over the age of seventeen but under the age of twenty-one convicted of a violation of chapter 66 RCW, the court may suspend the notification required by subsection (1) of this section pending the attendance by the person at a department of licensing approved alcohol abuse awareness class."

On page 4, line 34, after "shall" insert ", except as provided in subsection (4) of this section."

On page 5, after line 20, insert the following:

"(4) With respect to a person over the age of seventeen but under the age of twenty-one convicted of a violation of chapter 66 RCW, the court may suspend the notification required by subsection (1) of this section pending the attendance by the person at a department of licensing approved alcohol abuse awareness class."

Representatives Schmidt and Rasmussen spoke in favor of adoption of the amendments.

Mr. Heavey demanded an electric roll call vote.

With consent of the House, Mr. Heavey withdrew his demand for an electric roll call vote.

The amendments by Representative Schmidt and others were adopted.

Ms. Schmidt moved adoption of the following amendments by Representatives Schmidt, Zellinsky and R. Meyers:

On page 2, line 26, strike "((eighteen)) twenty-one" and insert "eighteen"

On page 5, after line 20, add the following:

"NEW SECTION. Sec. 6.

(1) The house of representatives committee on judiciary and the senate committee on law and justice shall jointly study ways of deterring persons between the ages of seventeen and twenty-one from illegally using alcohol. The study shall concentrate on offenses involving alcohol other than driving while under the influence of alcohol. The committee shall consider alternatives including but not limited to increasing criminal penalties and civil sanctions other than those relating to driving privileges.

(2)The committee shall present any recommendations for legislation to the legislature by December 1, 1990."

Representatives Schmidt, R. Meyers, Horn, Zellinsky and Vekich spoke in favor of adoption of the amendments, and Representatives Rasmussen, Hargrove, Heavey and Wineberry spoke against them. Ms. Schmidt again spoke in favor of the amendments.

The Speaker stated the question before the House to be adoption of the amendments by Representative Schmidt and others.

A division was called. The Speaker called upon the House to divide. The result of the division was: Yeas - 55; Nays - 43. The amendments were adopted.

Mr. Wineberry moved adoption of the following amendment by Representatives Wineberry, H. Myers, Rasmussen, Jones, Appelwick, Padden and Crane:

On page 5, after line 20, add:

*Sec. 6. Section 1, chapter 5, Laws of 1973 as last amended by section 5, chapter 407, Laws of 1985 and RCW 46.20.391 are each amended to read as follows:

(1) Any person licensed under this chapter who is convicted of an offense relating to motor vehicles for which suspension or revocation of the driver's license is mandatory, other than vehicular homicide or vehicular assault, or who is convicted of an offense for which revocation is imposed under RCW 46.20.265, may, subject to the restrictions of this section, submit to the department an application for an occupational driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is engaged in an occupation or trade that makes it essential that the petitioner operate a motor vehicle, may issue an occupational driver's license and may set definite restrictions as provided in RCW 46.20.394. No person may petition for, and the department shall not issue, an occupational driver's license that is effective during the first thirty days of any suspension or revocation imposed under RCW 46.61.515. A person aggrieved by the decision of the department on the application for an occupational driver's license may request a hearing as provided by rule of the department.

(2) An applicant for an occupational driver's license is eligible to receive such license only if:

(a) Within one year immediately preceding the present conviction, the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) Within five years immediately preceding the present conviction, the applicant has not been convicted of driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor under RCW 46.61.502 or 46.61.504, of vehicular homicide under RCW 46.61.520, or of vehicular assault under RCW 46.61.522; and

(c) The applicant is engaged in an occupation or trade that makes it essential that he or she operate a motor vehicle; and

(d) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The director shall cancel an occupational driver's license upon receipt of notice that the holder thereof has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense that pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. The cancellation is effective as of the date of the conviction, and continues with the same force and effect as any suspension or revocation under this title.

NEW SECTION. Sec. 7. A new section is added to chapter 46.20 RCW to read as follows:

(1) Any person whose privilege to drive has been revoked under RCW 46.20.265 may submit to the department an application for a treatment driver's license. The department, upon receipt of the prescribed fee and upon determining that the petitioner is participating in an alcohol or controlled substance abuse treatment program approved by the department that makes it essential that the petitioner operate a motor vehicle, may issue a treatment driver's license and may set such restrictions as the department deems necessary to insure that the person uses the license only for the purpose of traveling to and from the treatment program. No person may petition for, and the department shall not issue, a treatment driver's license that is effective during the first thirty days of any revocation. A person aggrieved by the decision of the department on the application for a treatment driver's license may request a hearing as provided by rule of the department.

(2) An applicant for a treatment driver's license is eligible to receive the license only if:

(a) Within one year immediately preceding the present conviction, the applicant has not been convicted of any offense relating to motor vehicles for which suspension or revocation of a driver's license is mandatory; and

(b) Within five years immediately preceding the present conviction, the applicant has not been convicted of driving or being in actual physical control of a motor vehicle while under the influence of intoxicating liquor under RCW 46.61.502 or 46.61.504, of vehicular homicide under RCW 46.61.520, or of vehicular assault under RCW 46.61.522; and

(c) The applicant files satisfactory proof of financial responsibility pursuant to chapter 46.29 RCW.

(3) The director shall cancel a treatment driver's license upon receipt of notice that the holder of the license has been convicted of operating a motor vehicle in violation of its restrictions, or of an offense that pursuant to chapter 46.20 RCW would warrant suspension or revocation of a regular driver's license. The cancellation is effective as of the date of the conviction, and continues with the same force and effect as any suspension or revocation under this title."

Mr. Wineberry spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendments to the title were adopted:

On page 1, line 2 of the title, after "46.20.265," insert "46.20.391."

On page 1, line 2 of the title, strike "and"

On page 1, line 3 of the title, after "69.52.070" insert "; and adding a new section to chapter 46.20 RCW"

On page 1, line 3 of the title, after "69.52.070" insert "; and creating a new section"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rasmussen spoke in favor of passage of the bill, and Representatives Nutley and R. Fisher spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2425, and the bill passed the House by the following vote: Yeas, 77; nays, 21.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G. Fomer, Fraser, Fuhrman, Hankins, Hargrove, Haugen, Heavey, Hine, Horn, Jacobsen, Jesernig, Jones, King P. Kirby, Kremen, Locke, May, McLean, Meyers R. Miller, Moyer, Myers H. Nealey, Nelson, O'Brien, Padden, Peery, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Sommers D. Sommers H. Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 77.

Voting nay: Representatives Baugher, Belcher, Betzoff, Chandler, Cole, Fisher R. Gallagher, Grant, Holland, Insee, King R. Leonard, Morris, Nutley, Phillips, Prentice, Silver, Smith, Vekich, Wang, Wilson S - 21.

Engrossed House Bill No. 2425, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2571, by Representatives Sprenkle, Walker, Valle, D. Sommers, Rust, Schoon, Brekke, G. Fisher, Pruitt, Fraser, May, Spanel and Todd

Exempting motor freight carriers who haul recyclables from certain utilities and transportation commission regulation.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 17th Day, January 24, 1990.)

Ms. Rust moved adoption of the committee amendments and spoke in favor of them. The committee amendments were adopted.

Mr. Sprenkle moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 81.80 RCW to read as follows:

(1) It is unlawful for a motor vehicle transporting recovered materials to perform a transportation service for compensation upon the public highways of this state without first having received a permit from the commission. The permits shall be granted upon a finding that the motor carrier is fit, willing, and able to provide transportation of recovered materials, and upon payment of the appropriate filing fee authorized by this chapter for other applications for operating authority, including payment of the annual regulatory fee imposed by RCW 81.80-.320. The carriers are subject to the safety of operations and insurance requirements of the commission, but are not subject to rate regulation by the commission.

(2) The provisions of this section apply to motor vehicles when:

(a) Transporting recovered materials from a site generating more than fifty cubic yards of recovered material per month to a reprocessing facility or an end-use manufacturing site;

(b) Transporting recovered materials from a reprocessing facility to an end-use manufacturing site; and

(c) Transporting recovered mixed waste paper from a reprocessing facility to an energy recovery facility.

(3) For the purposes of this section, the following definitions shall apply:

(a) 'Recovered materials' means those commodities collected for recycling or reuse, such as papers, glass, plastics, used wood, metals, yard waste, used oil, and tires, that if not collected for recycling would otherwise be destined for disposal or incineration. 'Recovered materials' shall not include any wood waste or wood byproduct generated from a logging, milling, or chipping activity;

(b) 'Reprocessing facility' means a facility accepting or purchasing recovered materials and preparing those materials for resale;

(c) 'Mixed waste paper' means assorted low-value grades of paper that have not been separated into individual grades of paper at the point of collection; and

(d) 'Energy recovery facility' means a facility designed to burn mixed waste paper as a fuel, except that such term does not include mass burn incinerators.

NEW SECTION, Sec. 2. (1) The department of trade and economic development, in conjunction with the utilities and transportation commission and the department of ecology, shall evaluate the effect of exempting motor vehicles transporting recovered materials from rate regulation as provided under section 1 of this act. The evaluation shall, at a minimum, describe the effect of such exemption on:

(a) The cost and timeliness of transporting recovered materials within the state;

(b) The volume of recovered materials transported within the state;

(c) The number of safety violations and traffic accidents related to transporting recovered materials within the state; and

(d) The availability of service related to transporting recovered materials from rural areas of the state.

(2) The department shall report the results of its evaluation to the appropriate standing committees of the legislature by October 1, 1993.

(3) The commission, after consulting with the department of ecology, shall adopt rules requiring persons transporting recovered materials to submit information as may be required by the commission to determine the type, volume, and destination of the recovered materials. In adopting such rules, the commission shall include procedures to ensure the confidentiality of proprietary information."

Mr. Sprenkle spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representative Sprenkle to the title was adopted:

On page 1, line 2 of the title, after "regulation;" strike the remainder of the title and insert "adding a new section to chapter 81.80 RCW; and creating a new section."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sprenkle and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2571, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumstickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2571, having received the constitutional majority, was declared passed.

MOTION

On motion of Mr. Ebersole, the House recessed until 1:25 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:25 p.m. The Clerk called the roll and all members were present except Representatives Baugher, Bennett, Gallagher, Hine, P. King, Leonard, Tate and Zellinsky.

HOUSE BILL NO. 2575, by Representatives McLean, R. Meyers, Ballard and Silver

Regarding nonappearance by occupant of motor vehicle.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. McLean spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2575, and the bill passed the House by the following vote: Yeas, 90; absent, 8.

Voting yeas: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, and Mr. Speaker - 90.

Absent: Representatives Baugher, Bennett, Gallagher, Hine, King P, Leonard, Tate, Zellinsky - 8.

House Bill No. 2575, having received the constitutional majority, was declared passed.

Representatives Baugher, Bennett, Gallagher, Hine, P. King, Leonard, Tate and Zellinsky appeared at the bar of the House.

SUBSTITUTE HOUSE BILL NO. 2979, by Committee on Judiciary (originally sponsored by Representative Appelwick)

Regulating forfeited firearms.

The House resumed consideration of Substitute House Bill No. 2979 on second reading. (For previous action, see today's Journal, Morning Session.)

The Speaker stated the question before the House to be the Point of Order by Representative Padden regarding the scope and object of the striking amendment by Representative Anderson and others.

SPEAKER'S RULING

The Speaker: Representative Padden, the Speaker has examined Substitute House Bill No. 2979 and the striking amendment. Substitute House Bill No. 2979 amends the law, dealing with disposal of forfeited firearms, by adding an additional method for disposition of such firearms. The new disposal method allows law enforcement agencies to trade forfeited weapons for other firearms or police equipment. The bill also amends the law on the disposition of the proceeds from the sale of forfeited firearms. The striking amendment by Representative Appelwick and others, in addition to making these changes, allows law enforcement agencies to dispose of forfeited firearms by destroying them. The Speaker is ruling that destroying forfeited firearms is an additional form of disposition and that it does clarify. My ruling is that it is within the intent of Substitute House Bill No. 2979 and that your point is not well taken.

The Clerk read the following amendment by Representatives Nutley and Appelwick to the amendment by Representative Anderson and others:

On page 3, after line 39 of the amendment, insert the following:

(2) Upon any violation under subsection (1) of this section, a proceeding for forfeiture of a firearm shall be deemed commenced by the seizure of the firearm by a law enforcement agency. The law enforcement agency under whose authority the seizure was made shall, within fifteen days following the seizure, file with the court and serve on the owner of the firearm and on any person having any known right or interest therein notice of the seizure and intended forfeiture of the firearm. The notice shall state: (a) the date of seizure, (b) that the person receiving notice may, within forty-five days after the seizure, claim that the firearm should be returned to him or her as provided in subsection (3) of this section by petitioning the court

for a hearing, and (c) that an order of forfeiture may be entered by the court authorizing disposal of the firearm if a petition is not filed in a timely manner. The notice may be served by any method authorized by law or court rule, including service by any form of mail requiring a return receipt. A hearing before the court shall be scheduled if any person petitions the court claiming that the firearm should be returned to him or her pursuant to subsection (3) of this section. If no person petitions the court in a timely manner, the firearm shall be deemed forfeited."

Remember the remaining subsections and correct internal references.

With consent of the House, Representative Appelwick withdrew the amendment to the amendment.

Mr. Appelwick moved adoption of the following amendment by Representatives Nutley and Appelwick to the amendment by Representative Anderson and others:

On page 3, after line 39 of the amendment, insert the following:

"(2) Upon any violation under subsection (1) of this section, a proceeding for forfeiture of a firearm shall be deemed commenced by the seizure of the firearm by a law enforcement agency. The law enforcement agency under whose authority the seizure was made shall, within fifteen days following the seizure, file with the court and serve on the owner of the firearm and on any person having any known right or interest therein notice of the seizure and intended forfeiture of the firearm. The notice shall state: (a) the date of seizure, (b) that the person receiving notice may, within forty-five days after the seizure, claim that the firearm should be returned to him or her as provided in subsection (3) of this section by petitioning the court for a hearing, and (c) that an order of forfeiture may be entered by the court authorizing disposition of the firearm in accordance with this section if a petition is not filed in a timely manner. The notice may be served by any method authorized by law or court rule, including service by any form of mail requiring a return receipt. A hearing before the court shall be scheduled if any person petitions the court claiming that the firearm should be returned to him or her pursuant to subsection (3) of this section. If no person petitions the court in a timely manner, the firearm shall be deemed forfeited."

Remember the remaining subsections and correct internal references.

Mr. Appelwick spoke in favor of adoption of the amendment to the amendment, and it was adopted.

The Speaker stated the question before the House to be adoption of the amendment by Representative Anderson and others as amended.

Representatives Appelwick and Wineberry spoke in favor of the amendment as amended, and Representatives Padden and Vekich spoke against it.

Mr. Anderson demanded an electric roll call vote, and the demand was sustained.

Representatives Wolfe and Horn spoke against adoption of the amendment as amended, and Representatives Haugen and Ferguson spoke in favor of it.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment by Representative Anderson and others as amended to Substitute House Bill No. 2979, and the amendment as amended was adopted by the following vote: Yeas, 59; nays, 38; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bennett, Betrozoff, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Dellwo, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Haugen, Heavey, Hine, Holland, Inslee, Jacobsen, Jones, Leonard, Locke, May, Miller, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Van Luvan, Wang, Wilson K, Wineberry, Wood, Youngsman, and Mr. Speaker - 59.

Voting nay: Representatives Ballard, Baugher, Bowman, Brooks, Brough, Brumsickle, Chandler, Day, Dorn, Doty, Fomer, Fuhrman, Grant, Hankins, Hargrove, Horn, Jesernig, King P, King R, Kirby, Kremen, McLean, Meyers R, Moyer, Nealey, Padden, Prince, Rector, Schmidt, Silver, Smith, Sommers D, Tate, Vekich, Walker, Wilson S, Wolfe, Zellinsky - 38.

Absent: Representative Winsley - 1.

With consent of the House, the following amendment by Representative Appelwick to the title was adopted:

On page 1, line 1 of the title, after "RCW" insert "9.41.010."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2979, and the bill passed the House by the following vote: Yeas, 69; nays, 29.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bennett, Berozoff, Braddock, Brekke, Brooks, Cantwell, Chandler, Cole, Cooper, Crane, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Gallagher, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, Leonard, Locke, May, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Sayan, Schoon, Scott, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, and Mr. Speaker - 69.

Voting nay: Representatives Ballard, Baugher, Bowman, Brough, Brumsickle, Day, Dellwo, Dorn, Forner, Fuhrman, Grant, Hankins, King R, Kirby, Kremen, McLean, Meyers R, Nealey, Padden, Prince, Rector, Schmidt, Silver, Smith, Sommers D, Vekich, Walker, Wolfe, Zellinsky - 29.

Engrossed Substitute House Bill No. 2979, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2577, by Representatives Morris, R. King, S. Wilson and Haugen; by request of Department of Wildlife

Allowing the issuance of special hunting permits.

The bill was read the second time.

Ms. Morris moved adoption of the following amendment:

On page 1, line 7, after "~~((post mature male~~" strike "~~trophy quality~~)" and insert ") trophy quality"

Ms. Morris spoke in favor of adoption of the amendment, and it was adopted.

Ms. Morris moved adoption of the following amendment:

On page 1, line 11, after "director," insert "The commission shall adopt rules defining 'trophy quality' for each species involved in hunts using an auction, sealed bid, or raffle."

Ms. Morris spoke in favor of adoption of the amendment, and it was adopted.

Ms. Bowman moved adoption of the following amendments:

On page 1, line 10, after "through" strike "bid or"

On page 1, line 14, after "sold" strike "at auction," and insert "~~((at auction))~~"

On page 1, line 14, after "by raffle" strike ", or by sealed bid"

Representatives Bowman, Cole and Rector spoke in favor of adoption of the amendments, and Mr. R. King opposed them. The amendments were adopted.

The Clerk read the following amendment by Representative Morris:

On page 1, line 16, after "purposes," insert "Sale of permits or tags by auction or sealed bid shall be used in combination with sale by raffle."

With consent of the House, Ms. Morris withdrew the amendment.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2577, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Baugher, Beck, Belcher, Bennett, Berozoff, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich,

Walker, Wang, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Basich, Brough, King R - 3.

Engrossed House Bill No. 2577, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2578, by Representatives Jones, Winsley, Vekich, Leonard, Crane, Cole, Prentice, R. King, Day, Wineberry, Wang, Fraser, Rector, Dellwo, Scott and Todd; by request of Department of Labor and Industries

Changing provisions relating to prevailing wage law.

The bill was read the second time. On motion of Ms. Cole, Substitute House Bill No. 2578 was substituted for House Bill No. 2578, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2578 was read the second time.

Mr. Day moved adoption of the following amendment by Representatives Day, Vekich and Jones:

On page 4, after line 19, insert the following:

"Sec. 4. Section 4, chapter 63, Laws of 1945 as last amended by section 2, chapter 130, Laws of 1982 and RCW 39.12.040 are each amended to read as follows:

(1) Before payment is made by or on behalf of the state, or any county, municipality, or political subdivision created by its laws, of any sum or sums due on account of a public works contract, it shall be the duty of the officer or person charged with the custody and disbursement of public funds to require the contractor and each and every subcontractor from the contractor or a subcontractor to submit to such officer:

(a) A statement in writing certifying the rate of hourly wage paid each classification of laborers, workers, or mechanics employed on the public work, listing each worker's name, social security number, and hours worked in each classification, and certifying that no laborer, worker, or mechanic employed on the public work has been paid less than the prevailing rate of wage or less than the minimum rate of wage specified in the contract. The certificate and statement shall be verified by the oath of the contractor or subcontractor; and

(b) A 'Statement of Intent to Pay Prevailing Wages'. For a contract in excess of ten thousand dollars, the statement of intent to pay prevailing wages shall include:

~~((+))~~ (i) The contractor's registration certificate number; and

~~((#))~~ (ii) The prevailing rate of wage for each classification of workers entitled to prevailing wages under RCW 39.12.020 and the estimated number of workers in each classification.

(2) Each statement of intent to pay prevailing wages must be approved by the industrial statistician of the department of labor and industries before it is submitted ~~((to said officer))~~ under subsection (1) of this section. Unless otherwise authorized by the department of labor and industries, each voucher claim submitted by a contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the prefilled statement or statements of intent to pay prevailing wages on file with the public agency. Following the final acceptance of a public works project, it shall be the duty of the officer charged with the disbursement of public funds, to require the contractor and each and every subcontractor from the contractor or a subcontractor to submit to such officer an 'Affidavit of Wages Paid' before the funds retained according to the provisions of RCW 60.28.010 are released to the contractor. Each affidavit of wages paid must be certified by the industrial statistician of the department of labor and industries before it is submitted ~~((to said officer))~~ under subsection (1) of this section."

Representatives Day, Vekich and Jones spoke in favor of adoption of the amendment, and Representatives Walker and Smith opposed it. The amendment was adopted.

With consent of the House, the following amendment by Representative Day and others to the title was adopted:

On page 1, line 2 of the title, after "39.12.065," strike "and" and after "39.12.070" insert "and 39.12.040"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jones spoke in favor of passage of the bill, and Representatives Walker, Smith and Wolfe opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2578, and the bill passed the House by the following vote: Yeas, 59; nays, 37; absent, 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wineberry, Winsley, and Mr. Speaker - 59.

Voting nay: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Hargrove, Holland, Horn, Kirby, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Raiter, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Wolfe, Wood, Youngsman - 37.

Absent: Representatives Wilson K, Zellinsky - 2.

Engrossed Substitute House Bill No. 2578, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2610, by Representatives Sayan, Moyer, Scott, Winsley, Leonard, Wineberry, Anderson, Cooper, Raiter, Brekke and Belcher

Revising provisions for public assistance.

The bill was read the second time. On motion of Mr. Sayan, Substitute House Bill No. 2610 was substituted for House Bill No. 2610, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2610 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Sayan and Moyer spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2610, and the bill passed the House by the following vote: Yeas, 92; nays, 2; absent, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 92.

Voting nay: Representatives Fuhrman, Silver - 2.

Absent: Representatives Baugher, Beck, Ferguson, Kremen - 4.

Substitute House Bill No. 2610, having received the constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I was denied an opportunity to vote on final passage of Substitute House Bill No. 2610. I was seated in my seat on the floor at the time the vote was taken. I would have voted for the bill.

PETE KREMEN, 42nd District.

HOUSE BILL NO. 2624, by Representatives Fraser, Jacobsen, Doty, Belcher, G. Fisher, Brumsickle, Peery, Rasmussen, Haugen, P. King, Moyer, Bowman and Walker

Regulating exchange student placement agencies.

The bill was read the second time. On motion of Mr. Jacobsen, Second Substitute House Bill No. 2624 was substituted for House Bill No. 2624, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2624 was read the second time.

Ms. Fraser moved adoption of the following amendment by Representatives Fraser, Jacobsen, Doty, Van Luven, G. Fisher, Bowman, Rector, Peery, Bennett and Haugen:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. It is the intent of the legislature:

(1) To protect the health, safety, and welfare of foreign students studying in Washington;

(2) To promote quality education and living experiences for foreign students living in Washington;

(3) To promote international awareness among Washington residents, by encouraging Washington residents to interact with foreign students;

(4) To encourage public confidence in foreign student placement agencies; and

(5) To encourage and assist with compliance with federal immigration regulations, United States information agency regulations, and nationally established guidelines.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Exchange student placement agency' means a foreign student placement agency.

(2) 'Foreign student placement agency' means a person, partnership, corporation, or other entity that provides services to foreign students under the age of twenty-one for the purpose, in whole or in part, of allowing the students an opportunity to study in the United States, but does not include:

(a) Any nonprofit organization that does not charge an agency administrative fee for the foreign student services and that makes a suitable placement in the home of a member of the nonprofit organization or in a home well known to and recommended by the president of the nonprofit organization;

(b) Any institution of higher education as defined in RCW 28B.10.016;

(c) Any postsecondary private institution which awards an associate of arts or bachelor of arts degree;

(d) Any school which is a component of the Washington common school system; and

(e) Any approved private school, authorized by law to issue a high school diploma.

(3) 'Department' means the department of licensing.

(4) 'Director' means the director of the department of licensing.

(5) 'Suitable placement' means placement of a foreign student with a host family or a school operated dormitory which provides a healthful and safe living environment, which provides adequate living space and an adequate diet for the student, which supports the educational goals of the student, and which does not require the student to provide services in exchange for the placement.

(6) 'Student' means a foreign student instructed at a postsecondary education institution in Washington for one academic quarter or more; or a foreign student instructed at public or approved private secondary schools in Washington for one-half an academic year or more.

NEW SECTION, Sec. 3. It shall be unlawful for any person or other entity to operate in this state as a foreign student placement agency, unless the agency is licensed pursuant to the provisions of this chapter.

NEW SECTION, Sec. 4. (1) Each foreign student placement agency shall have the following obligations and shall keep records in Washington of services rendered to host families and students. The records and obligations shall include:

(a) The name, home address, and telephone number of the student to whom services are provided or promised;

(b) A statement that in the judgment of the placement agency each student placed in a publicly supported educational institution has sufficient English language capabilities to benefit from the educational program;

(c) The name, address, and phone number of the host family with whom the student is placed, which shall be on file at least seven days prior to the student's arrival in the state of Washington;

(d) The amount of the foreign student placement agency's fee or fees charged to a student by the American and the international organization and an itemization of the services attributable to individual portions of the fee or fees;

(e) A complete copy of any written agreements entered into between the agency and students and the host families which must include a signed agreement from the host family to provide a suitable placement;

(f) Proof of health and accident insurance policies which are in force in the state of Washington for the appropriate period for each student; and

(g) Copies of visas and other federal documents required for the students to remain in the United States.

(2) Unless otherwise provided by the rules adopted by the director, the records shall be maintained for a period of one year from the date on which the student arrives in the state. For purposes of investigating a complaint or otherwise assuring compliance with this chapter and rules adopted thereunder, the records shall be subject to inspection by the department at the place at which they are kept, upon at least three days written notice.

NEW SECTION. Sec. 5. A foreign student placement agency shall provide each student and host family with an informational document regarding the agency services, in English, which shall have printed on it or attached to it a copy of this chapter and shall contain at a minimum the following:

(1) The name, address, and telephone number of the foreign student placement agency, including an emergency telephone hot-line available twenty-four hours a day, which is regularly answered by agency staff or representatives, or a live answering service, which can page agency staff twenty-four hours a day, and the telephone number of the appropriate division within the department of licensing;

(2) Trade name of the foreign student placement agency, if any;

(3) The amount of the fee to be charged the student, and an itemization of the services attributable to individual portions of the fee or the method of computation of the fee, and the time and method of payments;

(4) The name and address of the financial institution in which the trust account required in section 11 of this act will be deposited;

(5) The name, address, and phone number of the carriers providing insurance coverage as provided in section 4(1)(f) of this act; and

(6) The name, address, and phone number of the agency representative located nearest to the host family.

NEW SECTION. Sec. 6. (1) The director shall administer this chapter and shall adopt rules for enforcing and carrying out this chapter.

(2) The director shall appoint an advisory committee composed of representatives from foreign student placement agencies, United States immigration and naturalization service, office of the superintendent of public instruction, host parents, foreign students, resident students, representatives of public and private high schools and institutions of postsecondary education. These individuals shall advise the director on implementation of this chapter, including development of rules. The members shall serve at the discretion of the director.

(3) The director shall have supervisory and investigative authority over all foreign student placement agencies.

(4) The director may investigate the individuals responsible for screening and selecting host families and determining suitable placement in terms of their suitability and competence to perform these duties.

(5) The director shall have the power to compel the attendance of witnesses and the production of documents by the issuance of subpoenas, to administer oaths, and to take testimony and proofs concerning all matters pertaining to the administration of this chapter.

(6) Upon receipt of a complaint, the director may investigate the living conditions and circumstances of the student. Persons authorized to conduct the investigation must be determined by the department to be competent to conduct such investigation. The investigation may include a criminal background check.

(7) All records and other information received or compiled by the department in the investigation of a complaint, including the complaint itself, shall be exempt from public inspection and copying, pursuant to RCW 42.17.310(1) (d) and (e).

NEW SECTION. Sec. 7. (1) Every applicant for a foreign student placement agency license shall file with the director a written application stating:

(a) The name, address, and phone numbers of the applicant;

(b) The street and number of the building in which the business of the agency is to be conducted;

(c) The name and phone number of the person who is to have the general management of the agency;

(d) The name under which the business of the agency is to be carried on;

(e) The name, address, phone number, and occupation or employer of anyone holding over twenty percent interest in the agency;

(f) The name, address, and phone numbers and occupation or employer of the officers and directors of the agency, which shall be signed and sworn to by the president and secretary of the corporation;

(g) Business relationships with organizations in which officers, board members, or agency employees have a financial interest;

(h) A unified business identifier number;

(i) The type or types of immigration visas used to bring students to the United States;

(j) A student orientation procedure;

(k) The names and addresses of all partners of the business, which shall be signed and sworn to by all of them, and which shall also state whether or not the applicant is, at the time of making the application, or has at any previous time been, engaged in or interested in or employed by anyone engaged in the business of a foreign student placement agency;

(l) The applicant accepts responsibility for assuring suitable placements for all students;

(m) The applicant accepts responsibility for meeting the responsibilities to students that are advertised in agency brochures or other advertisements;

(n) The applicant accepts responsibility for arranging suitable assistance to students upon their arrival and departure from the state;

(o) The applicant has in place a dispute resolution mechanism that allows for both students and host families to express their views to the placement agency as it makes decisions about the suitability of placement of a student;

(p) The name, address, and qualifications of the individuals responsible for screening host families and determining suitable placement; and

(q) The address at which the records required by section 4 of this act are or will be kept.

The application shall be signed by the applicant and sworn to before a notary public.

(2) The director shall establish a renewal procedure whereby the licensee shall only be required to update information provided in the original license application.

(3) The application shall require disclosure of any officer, manager, or holder of more than twenty percent interest in the business who has been convicted of a crime involving moral turpitude, dishonesty, or corruption relating to the conduct of a foreign student placement agency or has had any judgment entered against such person in any civil action involving fraud, misrepresentation, or conversion.

(4) The application shall contain a copy of the articles of incorporation or partnership agreement covering the agency.

(5) All applications for foreign student placement agency licenses shall be accompanied by a copy of the form of any agreement and fee schedule to be used between the agency and students or host families.

(6) All applications shall be accompanied by one copy each of all promotional materials and advertisements used in recruiting students.

(7) An organization which sets standards for high quality international educational travel and monitors compliance with those standards may be authorized by an agency to submit a license application on behalf of the agency. However, the agency on whose behalf a license is sought shall certify in writing the accuracy of the information submitted on its behalf. The director shall develop rules for considering the eligibility of such organizations for this application procedure.

NEW SECTION. Sec. 8. A foreign student placement agency license shall expire December 31st of each year. A license shall not be issued upon application for reinstatement until all fees and penalties previously accrued under this chapter have been paid.

NEW SECTION. Sec. 9. A license granted under this chapter is not transferable. A foreign student placement agency shall not permit any person not mentioned in the license application to become connected with the business as an owner, member, or officer without notifying the director and modifying the license application.

NEW SECTION. Sec. 10. The director shall determine the fee to be charged for original applications, renewals, and late renewals. The fees shall be set at a level sufficient to recover the costs of administering this chapter. The director may establish a sliding fee scale based on the number of students placed in Washington.

NEW SECTION. Sec. 11. A separate trust account shall be established and maintained by each license applicant or licensee for all funds to be disbursed to students or host families. The director shall have the authority to examine financial records in such trust accounts. The trust account shall be established and administered pursuant to rules promulgated by the director.

NEW SECTION. Sec. 12. In accordance with chapter 34.05 RCW, the director may by order deny, suspend, or revoke the license of any foreign student placement agency if he or she finds that the applicant or licensee or any director or officer or individual managing a program in Washington:

(1) Was previously the holder of a license issued under this chapter, which was revoked for cause and never reissued by the director, or which license was suspended for cause and the terms of the suspension have not been fulfilled;

(2) Has been found guilty of any crime involving moral turpitude, dishonesty, or corruption relating to the conduct of a foreign student placement agency or has had any judgment entered against such person in any civil action involving fraud, misrepresentation, or conversion. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence is suspended or deferred. Nothing in this section abrogates rights granted under chapter 9.96A RCW;

(3) Has made a false statement of a material fact in his or her application or in any data attached to the application;

(4) Fails to provide a suitable placement for a foreign student with whom the agency has contracted for services unless the contract is terminated pursuant to the contractual agreement of the student and agency;

(5) Has violated any provisions of this chapter, or failed to comply with any rule or regulation issued by the director pursuant to this chapter;

(6) Has violated any requirement of federal law pertaining to students, including but not limited to immigration requirements;

(7) Fails to provide a promised or agreed upon airline ticket for the student's return to his or her home country;

(8) Has failed to make a good faith effort to assure the student's safe and timely departure from the United States; or

(9) Fails to maintain records as required in section 4 of this act.

NEW SECTION. Sec. 13. (1) The director may refer evidence as may be available to the director concerning violations of this chapter or of any rule adopted under this chapter to the attorney general or the prosecuting attorney of the county in which the alleged violation arose. The attorney general or prosecuting attorney may, in his or her discretion, with or without the reference and in addition to any other action that might be commenced, bring an action in the name of the state against any person to restrain the doing of any act or practice prohibited by this chapter. This chapter shall be considered in conjunction with chapters 9.04 and 19.86 RCW and the powers and duties of the attorney general and the prosecuting attorney as provided in chapters 9.04 and 19.86 RCW shall apply against all persons subject to this chapter.

(2) In the enforcement of this chapter, the attorney general or prosecuting attorney may accept an assurance of discontinuance from a person deemed in violation of this chapter. The assurance shall be in writing and shall be filed with and subject to the approval of the superior court of the county in which the alleged violator resides or has the principal place of business, or in Thurston county.

(3) Any person who violates the terms of any court order or temporary or permanent injunction issued under this chapter, shall be subject to a civil penalty of not more than two thousand dollars per violation. For the purpose of this section, the superior court issuing an injunction shall retain continuing jurisdiction and the attorney general or the prosecuting attorney acting in the name of the state may petition for the recovery of civil penalties.

(4) The director may refer evidence as may be available to the director concerning violations of this chapter or of any rule adopted under this chapter to the United States immigration and naturalization service, the United States internal revenue service, or other federal law enforcement agencies.

NEW SECTION. Sec. 14. The director shall reassign students from an agency whose license is suspended or revoked prior to a student's departure from Washington. The director shall reassign students to an appropriate licensed agency, subject to the agreement of the receiving agency.

NEW SECTION. Sec. 15. (1) A foreign student placement agency may not bring or maintain a cause of action in any court of this state for compensation for, or seeking equitable relief in regard to, services rendered to students or host families unless the agency alleges and proves that at the time of rendering the services or contracting for the services, it was validly licensed under this chapter.

(2) Any person who gives consideration of any kind to any foreign student placement agency for the placement of foreign students in this state when the agency is not validly licensed under this chapter shall have a cause of action against the agency. Any court having jurisdiction may enter judgment for treble the amount of the consideration paid, plus reasonable attorneys' fees and costs.

NEW SECTION. Sec. 16. The legislature finds and declares that any violation of this chapter substantially affects the public interest and is an unfair and deceptive act or practice and unfair method of competition in the conduct of trade or commerce as set forth in RCW 19.86.020.

NEW SECTION. Sec. 17. It is a gross misdemeanor for any person to operate a foreign student placement agency in this state unless he or she is licensed as required by this chapter.

Sec. 18. Section 2, chapter 172, Laws of 1967 as last amended by section 912, chapter 176, Laws of 1988 and RCW 74.15.020 are each amended to read as follows:

For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless otherwise clearly indicated by the context thereof, the following terms shall mean:

(1) 'Department' means the state department of social and health services;

(2) 'Secretary' means the secretary of social and health services;

(3) 'Agency' means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers or persons with developmental disabilities for services rendered:

(a) 'Group-care facility' means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(b) 'Child-placing agency' means an agency which places a child or children for temporary care, continued care, or for adoption;

(c) 'Maternity service' means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(d) 'Day-care center' means an agency which regularly provides care for a group of children for periods of less than twenty-four hours;

(e) 'Foster-family home' means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) 'Crisis residential center' means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036.

(4) 'Agency' shall not include the following:

(a) Persons related by blood or marriage to the child, expectant mother, or persons with developmental disabilities in the following degrees: Parent, grandparent, brother, sister, step-parent, stepbrother, stepsister, uncle, aunt, and/or first cousin;

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person does not engage in such activity on a regular basis, or where parents on a mutually cooperative basis exchange care of one another's children, or persons who have the care of an exchange student in their own home;

(d) A person, partnership, corporation or other entity that provides services to foreign students under the age of twenty-one for the purpose, in whole or in part, of allowing the students an opportunity to study in the United States;

(e) Nursery schools or kindergartens which are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

~~((f))~~ (f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

~~((g))~~ (g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

~~((h))~~ (h) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and boarding homes licensed under chapter 18.20 RCW;

~~((i))~~ (i) Licensed physicians or lawyers;

~~((j))~~ (j) Facilities providing care to children for periods of less than twenty-four hours whose parents remain on the premises to participate in activities other than employment;

~~((k))~~ (k) Facilities approved and certified under chapter 71A.22 RCW;

~~((l))~~ (l) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

~~((m))~~ (m) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a preplacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

~~((n))~~ (n) An agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

~~((o))~~ (o) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter.

(5) 'Requirement' means any rule, regulation or standard of care to be maintained by an agency.

NEW SECTION. Sec. 19. Sections 1 through 17 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 20. 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. 21. This act shall take effect January 1, 1991."

Ms. Fraser spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representative Fraser and others to the title was adopted:

On page 1, line 1 of the title, after "services;" strike the remainder of the title and insert "amending RCW 74.15.020; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Fraser spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2624, and the bill passed the House by the following vote: Yeas, 72; nays, 26.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers R, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Ballard, Beck, Betrozoff, Brough, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, Kirby, May, McLean, Miller, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Van Luven, Wolfe, Wood, Youngsman - 26.

Engrossed Second Substitute House Bill No. 2624, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2649, by Representatives Jones, R. Fisher, Prince, Wood, Zellinsky, D. Sommers and Basich

Authorizing the department of transportation to place conditions on rail line salvage.

The bill was read the second time. On motion of Mr. R. Meyers, Substitute House Bill No. 2649 was substituted for House Bill No. 2649, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2649 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Jones spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2649, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2649, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2667, by Representatives Phillips, Nutley, Nelson, Holland, Wang, Hankins, Wineberry and Anderson

Changing provisions relating to low-income home energy assistance and creating a joint select committee on low-income home energy assistance.

The bill was read the second time.

Ms. H. Myers moved adoption of the following amendment by Representatives H. Myers, Nelson, Phillips and Hankins:

On page 10, line 25, after "weatherization," insert "careful consideration of ways to provide weatherization and furnace efficiency improvements for oil-heated homes occupied by low-income persons."

Ms. H. Myers spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2667, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed House Bill No. 2667, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2688 and House Bill No. 2724 and that the bills take their places at the bottom of the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2780, by Representatives Fraser, Belcher, Haugen, Brumsickle, Sayan, Wang, Bowman and Holland

Changing provisions relating to levies.

The bill was read the second time. On motion of Mr. Pruitt, Substitute House Bill No. 2780 was substituted for House Bill No. 2780, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2780 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Fraser and Holland spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2780, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2780, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2792, by Representatives Day, D. Sommers, R. King, Vekich, Dellwo, Wolfe and Rector

Regulating podiatric physicians and surgeons.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2792 was substituted for House Bill No. 2792, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2792 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2792, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Substitute House Bill No. 2792, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2796, by Representatives Brekke, Prentice and Anderson
Pertaining to birth certificates.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Brekke and Wolfe spoke in favor of passage of the bill, and Representatives Schoon, Silver and Van Luven opposed it. Ms. Brekke again spoke in favor of the bill.

POINT OF INQUIRY

Ms. Brekke yielded to question by Ms. Silver.

Ms. Silver: To whom would the information go--what agency?

Ms. Brekke: The information, I believe, is part of the public health information. It remains private. It would be available for research when someone can get genuine research access to records. This was a request from the School of Public Health at the University of Washington and a professor there who indicated that it had long been a problem to not be able to have this piece of information to use for research.

Ms. Silver: The Legislature would not be able to get that information?

Ms. Brekke: No, I don't think it is at all available to anything other than ...

Ms. Silver: You don't think?

Ms. Brekke: I believe it is not.

Ms. Silver: You believe it is not?

Ms. Brekke: It is not.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2796, and the bill passed the House by the following vote: Yeas, 69; nays, 29.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Beck, Belcher, Bennett, Braddock, Brekke, Brooks, Brough, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Meyers R, Miller, Morris, Moyer, Myers H, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Wolfe, Zellinsky, and Mr. Speaker - 69.

Voting nay: Representatives Ballard, Betrozoff, Bowman, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Haugen, Heavey, Holland, Horn, Locke, May, McLean, Nealey, Prince, Schoon, Silver, Smith, Tate, Van Luven, Walker, Wilson S, Winsley, Wood, Youngsman - 29.

House Bill No. 2796, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2855, by Representatives Ferguson, Phillips, Cooper, Wood and Haugen

Changing provisions relating to lessee improvements to municipal airports.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Ferguson and Cooper spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2855, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2855, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2857 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2868, by Representatives Spanel, Haugen, S. Wilson and R. King

Changing provisions relating to sea urchin endorsements.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2868, and the bill passed the House by the following vote: Yeas, 95; absent, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Todd, Valle, Van Luven, Vekich, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Absent: Representatives Grant, Tate, Walker - 3.

House Bill No. 2868, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2892, by Representatives R. King, Bowman, Sayan and Basich

Providing for the siting of floating finfish aquaculture facilities.

The bill was read the second time. On motion of Mr. R. King, Substitute House Bill No. 2892 was substituted for House Bill No. 2892, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2892 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. R. King spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2892, and the bill passed the House by the following vote: Yeas, 95; nays, 2; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Belcher, Bennett, Betzoff, Bowman, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Beck, Braddock - 2.

Absent: Representative King P - 1.

Substitute House Bill No. 2892, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2914, by Representatives Betzoff and Brumsickle

Revising provisions for school levies for construction, modernization, or remodeling of school facilities.

The bill was read the second time. On motion of Ms. H. Sommers, Substitute House Bill No. 2914 was substituted for House Bill No. 2914, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2914 was read the second time.

MOTION

Mr. Ebersole moved that the House defer further consideration of House Bill No. 2914 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2917, by Representatives Braddock, Schoon, Sprengle and Wang

Changing provisions relating to physician assistants.

The bill was read the second time. On motion of Mr. Braddock, Substitute House Bill No. 2917 was substituted for House Bill No. 2917, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2917 was read the second time.

Mr. Brooks moved adoption of the following amendments by Representatives Moyer and Prentice:

On page 2, line 2, after "board" insert ", that includes a minimum of thirty hours in pharmacology."

On page 2, line 6, insert "In addition, all physician assistants shall accumulate fifteen continuing education credit hours in pharmacology every two years."

Mr. Brooks spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2917, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Betrozoff, Moyer, Wolfe - 3.

Engrossed Substitute House Bill No. 2917, having received the constitutional majority, was declared passed.

STATEMENTS FOR THE JOURNAL

I intended to vote "Yes" on final passage of Engrossed Substitute House Bill No. 2917.

JOHN W. BETROZOFF, 45th District.

I voted inadvertently against Engrossed Substitute House Bill No. 2917 due to distraction in a conversation. I sponsored an amendment to standardize teaching in narcotic prescription between nurse practitioners and medical assistants and feel that the bill in its amended fashion benefits the users of the medical system.

JOHN A. MOYER, 6th District.

I inadvertently voted against Engrossed Substitute House Bill No. 2917 because of distraction on the floor at the time of voting. My vote should have been for the bill for the following reasons: (1) It strengthens the physician assistant bill, and (2) it is needed to bring the law up to meet current standards of practice.

CHARLES R. WOLFE, 4th District.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2929 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2937, by Representatives H. Sommers, Phillips, Appelwick, Locke, Nelson, Anderson, Jacobsen, Valle, Crane, Leonard and O'Brien

Providing a definition of "public market."

The bill was read the second time.

Mr. Wolfe moved adoption of the following amendment:

On page 1, line 23, after "housing," insert "However, property condemned as part of a public market, that is not used for low-income or moderate-income housing at the time of condemnation, may not be converted to low-income or moderate-income housing purposes."

Mr. Wolfe spoke in favor of adoption of the amendment, and Ms. H. Sommers spoke against it. The amendment was not adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2937, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2937, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2942, by Representatives R. King, Ballard, R. Meyers, Rayburn, McLean, Bowman, Peery, Basich, P. King, Scott, Cole, Crane, Rasmussen, O'Brien, Hine and Dellwo

Requiring progress reports on the recreational fisheries enhancement plan.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2942, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

House Bill No. 2942, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2955, by Representatives Dellwo, Chandler, Zellinsky, Beck, Anderson, Baugher, Day, Crane and Dorn

Pertaining to motor vehicle service contracts.

The bill was read the second time. On motion of Mr. Dellwo, Substitute House Bill No. 2955 was substituted for House Bill No. 2955, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2955 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2955, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Absent: Representative King P - 1.

Substitute House Bill No. 2955, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of House Bill No. 2972 and that the bill hold its place on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2988, by Representatives Locke, Prince, Ferguson, H. Sommers, Anderson, Wineberry and Nelson

Funding low-income housing near the state convention and trade center.

The bill was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2988, and the bill passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives Fuhrman, Padden - 2.

House Bill No. 2988, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2999, by Representatives Jacobsen, Locke, H. Sommers, Ebersole, Miller, Prince, S. Wilson, Holland, Rector, Winsley, Crane, Basich, Wineberry, Ferguson, Bennett, Spanel and O'Brien; by request of State Board for Community College Education

Revising provisions for compensation for community college officers and employees.

The bill was read the second time. On motion of Mr. Jacobsen, Substitute House Bill No. 2999 was substituted for House Bill No. 2999, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2999 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Jacobsen and Doty spoke in favor of passage of the bill, and Ms. Silver spoke against it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2999, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Fuhrman, Padden, Silver - 3.

Substitute House Bill No. 2999, having received the constitutional majority, was declared passed.

HOUSE JOINT MEMORIAL NO. 4031, by Representatives Sayan, Prentice, D. Sommers, Fraser, Nealey, Brumsickle, Todd, Wood, Doty, Dellwo, Horn, Baugher, Kirby, Grant, Rasmussen, Wineberry, Padden, Holland, Heavey, Hine, Pruitt, Jones, Smith, Morris, K. Wilson, Basich, Crane, H. Sommers, Brekke, Chandler, Belcher, Anderson, Hargrove, Cantwell, Brough, Ballard, G. Fisher, Silver, P. King, Winsley, Rayburn, Rector, Haugen, Zellinsky, Valle, Sprenkle, Bowman, Cooper, Kremen, Scott, Miller and Nelson

Requesting support for veterans who were exposed to toxic chemicals.

The memorial was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4031, and the memorial passed the House by the following vote: Yeas, 96; nays, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Lockø, May, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Velkich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representatives McLean, Prince - 2.

House Joint Memorial No. 4031, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2912, House Bill No. 2857 and Substitute House Bill No 2914 on the regular second reading calendar and House Bill No. 2939 and Engrossed House Bill No. 2745 on the third reading calendar. The motion was carried.

HOUSE BILL NO. 2912, by Representative Braddock

Making technical corrections in department of health statutes.

The bill was read the second time.

Mr. Braddock moved adoption of the following amendments by Representatives Braddock, Brooks and Prentice:

Beginning on page 93, strike section 162

Renumber the remaining sections consecutively.

Beginning on page 114, strike section 195 and section 196

Renumber the remaining sections consecutively.

Beginning on page 116, strike sections 198 through 200

Renumber the remaining sections consecutively.

On page 230, after line 15, insert the following:

*Sec. 368. Section 2, chapter 284, Laws of 1961 as last amended by section 1, chapter 116,

Laws of 1987 and RCW 18.71.015 are each amended to read as follows:

There is hereby created a board of medical examiners consisting of six individuals licensed to practice medicine in the state of Washington, one individual who is registered as a ~~((physician's))~~ physician assistant under chapter 18.71A RCW ~~((who shall be entitled to vote only on matters directly related to physicians' assistants)), and ((one individual who is not a physician))~~ two individuals who are not physicians, to be known as the Washington state board of medical examiners.

The board shall be appointed by the governor. ~~((The members of the first board shall be appointed within thirty days after March 21, 1961, to serve the following terms: One member for one year, one member for two years, one member for three years, one member for four years, one member for five years, and the physician's assistant for a term of five years, from the date of their appointment, or until their successors are duly appointed and qualified.))~~ On expiration of the term of any member, the governor shall appoint for a period of five years an individual of similar qualifications to take the place of such member. Each member shall hold office until

the expiration of the term for which such member is appointed or until a successor shall have been appointed and shall have qualified.

Each member of the board shall be a citizen of the United States, must be an actual resident of this state, and, if a physician, must have been licensed to practice medicine in this state for at least five years.

The board shall meet as soon as practicable after appointment and elect a ~~((chairman))~~ chair and a ~~((secretary))~~ vice-chair from its members. Meetings shall be held at least four times a year and at such place as the board shall determine and at such other times and places as the board deems necessary. A majority of the board members serving shall constitute a quorum for the transaction of board business.

It shall require the affirmative vote of a majority of ~~((the members))~~ a quorum of the board to carry any motion or resolution, to adopt any rule, to pass any measure, or to authorize or deny the issuance of any certificate.

Each member of the board shall be compensated in accordance with RCW 43.03.240 and in addition thereto shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060. Any such expenses shall be paid from funds appropriated to the department ~~((of licensing)).~~

Any member of the board may be removed by the governor for neglect of duty, misconduct, or malfeasance or misfeasance in office.

Vacancies in the membership of the board shall be filled for the unexpired term by appointment by the governor.

Sec. 369. Section 1, chapter 2, Laws of 1983 as last amended by section 4, chapter 48, Laws of 1988 and RCW 18.71.030 are each amended to read as follows:

Nothing in this chapter shall be construed to apply to or interfere in any way with the practice of religion or any kind of treatment by prayer; nor shall anything in this chapter be construed to prohibit:

(1) The furnishing of medical assistance in cases of emergency requiring immediate attention;

(2) The domestic administration of family remedies;

(3) The administration of oral medication of any nature to students by public school district employees or private elementary or secondary school employees as provided for in chapter 28A.31 RCW, as now or hereafter amended;

(4) The practice of dentistry, osteopathy, osteopathy and surgery, nursing, chiropractic, podiatry, optometry, naturopathy or any other healing art licensed under the methods or means permitted by such license;

(5) The practice of medicine in this state by any commissioned medical officer serving in the armed forces of the United States or public health service or any medical officer on duty with the United States veterans administration while such medical officer is engaged in the performance of the duties prescribed for him or her by the laws and regulations of the United States;

(6) The practice of medicine by any practitioner licensed by another state or territory in which he or she resides, provided that such practitioner shall not open an office or appoint a place of meeting patients or receiving calls within this state;

(7) The practice of medicine by a person who is a regular student in a school of medicine approved and accredited by the board ~~((PROVIDED, HOWEVER, THAT)),~~ however, the performance of such services be only pursuant to a regular course of instruction or assignments from his or her instructor, or that such services are performed only under the supervision and control of a person licensed pursuant to this chapter;

(8) The practice of medicine by a person serving a period of postgraduate medical training in a program of clinical medical training sponsored by a college or university in this state or by a hospital accredited in this state ~~((PROVIDED, THAT)),~~ however, the performance of such services shall be only pursuant to his or her duties as a trainee;

(9) The practice of medicine by a person who is regularly enrolled in a ~~((physician's))~~ physician assistant program approved by the board ~~((PROVIDED, HOWEVER, THAT)),~~ however, the performance of such services be only pursuant to a regular course of instruction in said program ~~((AND PROVIDED FURTHER, THAT))~~ and such services are performed only under the supervision and control of a person licensed pursuant to this chapter;

(10) The practice of medicine by a registered ~~((physician's))~~ physician assistant which practice is performed under the supervision and control of a physician licensed pursuant to this chapter;

(11) The practice of medicine, in any part of this state which shares a common border with Canada and which is surrounded on three sides by water, by a physician licensed to practice medicine and surgery in Canada or any province or territory thereof;

(12) The administration of nondental anesthesia by a dentist who has completed a residency in anesthesiology at a school of medicine approved by the board of medical examiners ~~((PROVIDED, THAT)),~~ however, a dentist allowed to administer nondental anesthesia shall do so only under authorization of the patient's attending surgeon, obstetrician, or psychiatrist ~~((AND PROVIDED FURTHER, THAT))~~ and the medical disciplinary board shall have jurisdiction to

discipline a dentist practicing under this exemption and enjoin or suspend such dentist from the practice of nondental anesthesia according to the provisions of chapter 18.72 RCW and chapter 18.130 RCW;

(13) Emergency lifesaving service rendered by a physician's trained mobile intravenous therapy technician, by a physician's trained mobile airway management technician, or by a physician's trained mobile intensive care paramedic, as defined in RCW 18.71.200, if the emergency lifesaving service is rendered under the responsible supervision and control of a licensed physician;

(14) The provision of clean, intermittent bladder catheterization for students by public school district employees or private school employees as provided for in RCW 18.88.295 and 28A.31.160.

Sec. 370. Section 1, chapter 55, Laws of 1983 and RCW 18.78.005 are each amended to read as follows:

The purpose of this chapter is to protect the health of the general public and to provide for the establishment and enforcement of standards for licensing practical nurses. Any person offering to practice as a licensed practical nurse or using any title, representation, sign, or device to indicate that the person is practicing as a practical nurse or licensed practical nurse in this state shall submit evidence that he or she is qualified to practice and shall be licensed as provided in this chapter.

Sec. 371. Section 2, chapter 222, Laws of 1949 as last amended by section 3, chapter 55, Laws of 1983 and RCW 18.78.020 are each amended to read as follows:

There is hereby created a board to be known and designated as the 'Washington state board of practical nursing.' The board of practical nursing shall be composed of five members, appointed by the governor as follows:

(1) Two members shall be licensed practical nurses who shall have had not less than five years' actual experience as a licensed practical nurse and who have practiced as a practical nurse within two years of appointment;

(2) Two members shall be licensed registered nurses who have no less than five years' experience in the practice of nursing, one of whom shall be a registered nurse actively engaged in instructing in an approved practical nursing course, and one of whom shall be a registered nurse supervisor of licensed practical nurses;

~~((2))~~ (3) There shall be one public member who does not derive his or her livelihood primarily from the provision of health services and is not:

- (a) A present or former member of another licensing board;
- (b) A licensed health professional; or
- (c) An employee of a health care facility((?));

~~((3) Two members shall be licensed practical nurses who shall have had not less than five years' actual experience as a licensed practical nurse and who have practiced as a practical nurse within two years of appointment.))~~

Sec. 372. Section 3, chapter 222, Laws of 1949 as amended by section 4, chapter 55, Laws of 1983 and RCW 18.78.030 are each amended to read as follows:

~~((On July 24, 1983, the members of the board shall be appointed to serve as follows:~~

- ~~(1) One licensed practical nurse for a term of five years;~~
- ~~(2) One registered nurse for a term of four years;~~
- ~~(3) One licensed practical nurse for a term of three years;~~
- ~~(4) One registered nurse for a term of two years; and~~
- ~~(5) One public member for a term of one year.~~

~~Thereafter all appointments shall be for terms of five years each.)) Vacancies occurring on the board shall be filled for the unexpired term by appointment of the governor, who also may remove any member from the board for neglect of duty required by law, ((or)) for incompetency, or for unprofessional ((or disorderly)) conduct as defined in chapter 18.130 RCW. All appointments shall be for terms of five years each. No person may serve as a member of the board for more than two consecutive terms, except that a member who is filling less than one-half of an uncompleted term shall be eligible for two full terms in addition to the uncompleted term. Board members shall serve until a successor is appointed.~~

The board shall meet at least quarterly at times and places it designates. It shall hold such other meetings during the year as may be deemed necessary to transact its business. A majority of the board currently serving shall constitute a quorum at any meeting.

Sec. 373. Section 4, chapter 222, Laws of 1949 as last amended by section 47, chapter 287, Laws of 1984 and RCW 18.78.040 are each amended to read as follows:

Each board member shall be compensated in accordance with RCW 43.03.240 and shall be paid travel expenses while away from home in accordance with RCW 43.03.050 and 43.03.060. The ~~((members of the))~~ board shall appoint ~~((a chairman and a secretary from among its entire members, who shall serve until his or her successor is appointed by the board))~~ officers annually.

Sec. 374. Section 5, chapter 222, Laws of 1949 as last amended by section 4, chapter 211, Laws of 1988 and RCW 18.78.050 are each amended to read as follows:

The board shall conduct examinations for all applicants for licensure under this chapter and shall certify qualified applicants for licensure to the department ~~((of licensing for licens- ing))~~. The board in consultation with the state board for community college education and the superintendent of public instruction shall also determine and formulate what constitutes the curriculum for ~~((an))~~ approved practical nursing ~~((program))~~ schools/programs and shall establish criteria for minimum standards for schools/programs preparing persons for licensure under this chapter. The board shall establish criteria for licensure by endorsement.

The board may adopt rules or issue advisory opinions in response to questions from professional health associations, health care practitioners, and consumers in this state concerning licensed practical nurse practice. The board shall establish criteria for proof of reasonable currency of knowledge and skill as a basis for safe practice ~~((after three years inactive or lapsed status))~~ of practical nursing.

The board shall adopt such rules as are necessary to fulfill the purposes of this chapter pursuant to chapter ~~((34.04))~~ 34.05 RCW.

Sec. 375. Section 7, chapter 55, Laws of 1983 and RCW 18.78.055 are each amended to read as follows:

An institution desiring to conduct a school/program of practical nursing shall apply to the board and submit evidence satisfactory to the board that: (1) It is prepared to carry out the approved curriculum for an approved practical nursing school/program; and (2) it is prepared to meet other standards established by this chapter and by the board.

If in the opinion of the board ~~((the curriculum of a program of))~~ a school/program of practical nursing meets the requirements of this chapter and the board, the program shall be approved.

All approved practical nursing ~~((programs))~~ schools/programs in the state shall be surveyed and the board shall review written reports of each survey. The surveys shall be conducted periodically as determined by the board. If the board determines that an approved practical nursing ~~((program))~~ school/program is not maintaining the curriculum standards or other standards required ~~((for approval, the board shall give))~~ by the board written notice shall be given specifying the deficiencies. Failure to correct the deficiencies within a period of time specified by the board shall result in the suspension of the program's approval.

Sec. 376. Section 6, chapter 222, Laws of 1949 as last amended by section 1, chapter 212, Laws of 1988 and RCW 18.78.060 are each amended to read as follows:

An applicant for a license to practice nursing as a licensed practical nurse shall submit to the board written evidence, on a form provided by the board, verified under oath, that the applicant:

- (1) Is at least eighteen years of age;
- (2) Is of good moral character;
- (3) Is of good physical and mental health;
- (4) Has completed at least a tenth grade course or its equivalent, as determined by the board;

(5) Has completed an approved program ~~((of not less than nine months))~~ for the education of practical nurses, or its equivalent, as determined by the board~~(:);~~;

(6) Has provided written information or completed other requirements of the board;

(7) The applicant at the time of such submission shall not be in violation of chapter 18.130 RCW or any provisions of this chapter.

To be licensed as a practical nurse, each applicant shall be required to pass an examination in such subjects as the board may determine within the scope of and commensurate with the work to be performed by a licensed practical nurse. Upon approval by the board, the department shall issue an interim permit authorizing the applicant to practice nursing as authorized under this chapter pending notification of the results of the first licensing examination following verification of satisfactory completion of an approved program of practical nursing. Any applicant failing to pass ~~((such an))~~ the examination may apply for reexamination. If the applicant fails the examination, the interim permit expires upon notification and is not renewable. Upon passing ~~((such))~~ the examination ~~((as determined by the board, the director shall issue))~~ a license shall be issued to the applicant ~~((a license))~~ to practice as a licensed practical nurse, providing the license fee is paid by the applicant and the applicant meets all other requirements of the board.

Sec. 377. Section 9, chapter 222, Laws of 1949 as last amended by section 65, chapter 7, Laws of 1985 and RCW 18.78.080 are each amended to read as follows:

~~((A))~~ Applicants applying for a license to practice as a licensed practical nurse, with or without examination ~~((as provided in this chapter)), or for reexamination, shall pay ((a license)) fees determined by the ((director)) secretary as provided in ~~((RCW 43.24.006))~~ section 319, chapter 9, Laws of 1989 1st ex. sess. to the department ~~((of licensing. PROVIDED, HOWEVER, That the applicant applying for a reexamination shall pay a fee determined by the director as provided in RCW 43.24.006)).~~~~

Sec. 378. Section 10, chapter 222, Laws of 1949 as last amended by section 66, chapter 7, Laws of 1985 and by section 131, chapter 259, Laws of 1986 and RCW 18.78.090 are each reenacted and amended to read as follows:

Every licensed practical nurse in this state shall renew the license with the department (~~of licensing and~~), shall pay a fee determined by the (~~director~~) secretary as provided in (~~RCW 43-24-066~~) section 319, chapter 9, Laws of 1989 1st ex. sess., and shall provide evidence of knowledge and skill in current practice as required by the board. Any failure to register (~~and~~), pay the renewal registration fee, or meet the requirements of the board shall render the license (~~invalid, but such~~) lapsed. The lapsed license shall be reinstated (~~upon written application therefor and~~) upon payment to the state of (~~an~~) renewal and penalty fees determined by the (~~director~~) secretary as provided in RCW (~~43-24-066~~) 43.70.250 and upon compliance with the rules established by the board.

Sec. 379. Section 11, chapter 222, Laws of 1983 as last amended by section 11, chapter 55, Laws of 1983 and RCW 18.78.100 are each amended to read as follows:

After consultation with the board, the (~~director~~) secretary shall appoint an executive secretary of the board to carry out the provisions of this chapter (~~who shall have the following qualifications~~):

- (1) Be a registered nurse in the state of Washington;
 - (2) Be the holder of a baccalaureate degree from an accredited four-year institution of higher education;
 - (3) Have not less than five years' experience in the field of nursing; and
 - (4) Have not less than two years' experience in nursing education).
- The board and secretary shall determine the qualifications required to be employed as the executive secretary.

Sec. 380. Section 2, chapter 161, Laws of 1979 ex. sess. as last amended by section 602, chapter 9, Laws of 1989 1st ex. sess. and RCW 70.38.025 are each amended to read as follows:

When used in this chapter, the terms defined in this section shall have the meanings indicated.

(1) 'Board of health' means the state board of health created pursuant to chapter 43.20 RCW.

(2) 'Capital expenditure' is an expenditure, including a force account expenditure (i.e., an expenditure for a construction project undertaken by a nursing home facility as its own contractor) which, under generally accepted accounting principles, is not properly chargeable as an expense of operation or maintenance. Where a person makes an acquisition under lease or comparable arrangement, or through donation, which would have required review if the acquisition had been made by purchase, such expenditure shall be deemed a capital expenditure. Capital expenditures include donations of equipment or facilities to a nursing home facility which if acquired directly by such facility would be subject to certificate of need review under the provisions of this chapter and transfer of equipment or facilities for less than fair market value if a transfer of the equipment or facilities at fair market value would be subject to such review. The cost of any studies, surveys, designs, plans, working drawings, specifications, and other activities essential to the acquisition, improvement, expansion, or replacement of any plant or equipment with respect to which such expenditure is made shall be included in determining the amount of the expenditure.

(3) 'Continuing care retirement community' means an entity which provides shelter and services under continuing care contracts with its members and which sponsors or includes a health care facility or a health service. A 'continuing care contract' means a contract to provide a person, for the duration of that person's life or for a term in excess of one year, shelter along with nursing, medical, health-related, or personal care services, which is conditioned upon the transfer of property, the payment of an entrance fee to the provider of such services, or the payment of periodic charges for the care and services involved. A continuing care contract is not excluded from this definition because the contract is mutually terminable or because shelter and services are not provided at the same location.

(4) 'Department' means the department of health.

(5) 'Expenditure minimum' means, for the purposes of the certificate of need program, one million dollars adjusted by the department by rule to reflect changes in the United States department of commerce composite construction cost index; or a lesser amount required by federal law and established by the department by rule.

(6) 'Health care facility' means hospices, hospitals, psychiatric hospitals, nursing homes, kidney disease treatment centers, ambulatory surgical facilities, (~~continuing care retirement communities~~); and home health agencies, and includes such facilities when owned and operated by a political subdivision or instrumentality of the state and such other facilities as required by federal law and implementing regulations, but does not include Christian Science sanatoriums operated, listed, or certified by the First Church of Christ Scientist, Boston, Massachusetts. In addition, the term does not include any nonprofit hospital: (a) Which is operated exclusively to provide health care services for children; (b) which does not charge fees for such services; and (c) if not contrary to federal law as necessary to the receipt of federal funds by the state. (~~In addition, the term does not include a continuing care retirement community which: (i) Offers services only to contractual members; and (ii) provides its members a contractually guaranteed range of services from independent living through skilled nursing; including some form of assistance with activities of daily living; and (iii) contractually assumes~~

responsibility for costs of services exceeding the member's financial responsibility as stated in contract, so that, with the exception of insurance purchased by the retirement community or its members, no third party, including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources; and (iv) has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home; and (v) maintains a binding agreement with the department of social and health services assuring that financial liability for services to members, including nursing home services, shall not fall upon the department of social and health services; and (vi) does not operate, and has not undertaken, a project which would result in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and (vii) has undertaken no increase in the total number of nursing home beds after January 1, 1988, unless a professional review of pricing and long-term solvency was obtained by the retirement community within the prior five years and fully disclosed to members:))

(7) 'Health maintenance organization' means a public or private organization, organized under the laws of the state, which:

(a) Is a qualified health maintenance organization under Title XIII, section 1310(d) of the Public Health Services Act; or

(b)(i) Provides or otherwise makes available to enrolled participants health care services, including at least the following basic health care services: Usual physician services, hospitalization, laboratory, x-ray, emergency, and preventive services, and out-of-area coverage; (ii) is compensated (except for copayments) for the provision of the basic health care services listed in (b)(i) to enrolled participants by a payment which is paid on a periodic basis without regard to the date the health care services are provided and which is fixed without regard to the frequency, extent, or kind of health service actually provided; and (iii) provides physicians' services primarily (A) directly through physicians who are either employees or partners of such organization, or (B) through arrangements with individual physicians or one or more groups of physicians (organized on a group practice or individual practice basis).

(8) 'Health services' means clinically related (i.e., preventive, diagnostic, curative, rehabilitative, or palliative) services and includes alcoholism, drug abuse, and mental health services and as defined in federal law.

(9) 'Health service area' means a geographic region appropriate for effective health planning which includes a broad range of health services.

(10) 'Person' means an individual, a trust or estate, a partnership, a corporation (including associations, joint stock companies, and insurance companies), the state, or a political subdivision or instrumentality of the state, including a municipal corporation or a hospital district.

(11) 'Provider' generally means a health care professional or an organization, institution, or other entity providing health care but the precise definition for this term shall be established by rule of the department, consistent with federal law.

(12) 'Public health' means the level of well-being of the general population; those actions in a community necessary to preserve, protect, and promote the health of the people for which government is responsible; and the governmental system developed to guarantee the preservation of the health of the people.

(13) 'Secretary' means the secretary of health or the secretary's designee.

(14) 'Tertiary health service' means a specialized service that meets complicated medical needs of people and requires sufficient patient volume to optimize provider effectiveness, quality of service, and improved outcomes of care.

(15) 'Hospital' means any health care institution which is required to qualify for a license under RCW 70.41.020(2); or as a psychiatric hospital under chapter 71.12 RCW.

Sec. 381, Section 9, chapter 139, Laws of 1980 as last amended by section 604, chapter 9, Laws of 1989 1st ex. sess. and RCW 70.38.111 are each amended to read as follows:

(1) The department shall not require a certificate of need for the offering of an inpatient tertiary health service by:

(a) A health maintenance organization or a combination of health maintenance organizations if (i) the organization or combination of organizations has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (ii) the facility in which the service will be provided is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization or organizations in the combination;

(b) A health care facility if (i) the facility primarily provides or will provide inpatient health services, (ii) the facility is or will be controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations which has, in the service area of the organization or service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals, (iii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iv) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary

health service will be individuals enrolled with such organization or organizations in the combination; or

(c) A health care facility (or portion thereof) if (i) the facility is or will be leased by a health maintenance organization or combination of health maintenance organizations which has, in the service area of the organization or the service areas of the organizations in the combination, an enrollment of at least fifty thousand individuals and, on the date the application is submitted under subsection (2) of this section, at least fifteen years remain in the term of the lease, (ii) the facility is or will be geographically located so that the service will be reasonably accessible to such enrolled individuals, and (iii) at least seventy-five percent of the patients who can reasonably be expected to receive the tertiary health service will be individuals enrolled with such organization;

if, with respect to such offering or obligation by a nursing home, the department has, upon application under subsection (2) of this section, granted an exemption from such requirement to the organization, combination of organizations, or facility.

(2) A health maintenance organization, combination of health maintenance organizations, or health care facility shall not be exempt under subsection (1) of this section from obtaining a certificate of need before offering a tertiary health service unless:

(a) It has submitted at least thirty days prior to the offering of services reviewable under RCW 70.38.105(4)(d) an application for such exemption; and

(b) The application contains such information respecting the organization, combination, or facility and the proposed offering or obligation by a nursing home as the department may require to determine if the organization or combination meets the requirements of subsection (1) of this section or the facility meets or will meet such requirements; and

(c) The department approves such application. The department shall approve or disapprove an application for exemption within thirty days of receipt of a completed application. In the case of a proposed health care facility (or portion thereof) which has not begun to provide tertiary health services on the date an application is submitted under this subsection with respect to such facility (or portion), the facility (or portion) shall meet the applicable requirements of subsection (1) of this section when the facility first provides such services. The department shall approve an application submitted under this subsection if it determines that the applicable requirements of subsection (1) of this section are met.

(3) A health care facility (or any part thereof) with respect to which an exemption was granted under subsection (1) of this section may not be sold or leased and a controlling interest in such facility or in a lease of such facility may not be acquired and a health care facility described in (1)(c) which was granted an exemption under subsection (1) of this section may not be used by any person other than the lessee described in (1)(c) unless:

(a) The department issues a certificate of need approving the sale, lease, acquisition, or use; or

(b) The department determines, upon application, that (i) the entity to which the facility is proposed to be sold or leased, which intends to acquire the controlling interest, or which intends to use the facility is a health maintenance organization or a combination of health maintenance organizations which meets the requirements of (1)(a)(i), and (ii) with respect to such facility, meets the requirements of (1)(a) (ii) or (iii) or the requirements of (1)(b) (i) and (ii).

(4) In the case of a health maintenance organization, an ambulatory care facility, or a health care facility, which ambulatory or health care facility is controlled, directly or indirectly, by a health maintenance organization or a combination of health maintenance organizations, the department may under the program apply its certificate of need requirements only to the offering of inpatient tertiary health services and then only to the extent that such offering is not exempt under the provisions of this section.

(5)(a) The department shall not require a certificate of need for the construction, development, or other establishment of a nursing home or the addition of beds to an existing nursing home by a continuing care retirement community that:

(i) Offers services only to contractual members;

(ii) Provides its members a contractually guaranteed range of services from independent living through skilled nursing, including some assistance with daily living activities;

(iii) Contractually assumes responsibility for costs of services exceeding the member's financial responsibility as stated in contract, so that, with the exception of insurance purchased by the retirement community or its members, no third party, including the medicaid program, is liable for costs of care even if the member depletes his or her personal resources;

(iv) Has offered continuing care contracts and operated a nursing home continuously since January 1, 1988, or has obtained a certificate of need to establish a nursing home;

(v) Maintains a binding agreement with the department of social and health services assuring that financial liability for services to members, including nursing home services, shall not fall upon the department of social and health services;

(vi) Does not operate, and has not undertaken a project that would result in a number of nursing home beds in excess of one for every four living units operated by the continuing care retirement community, exclusive of nursing home beds; and

(vii) Has obtained a professional review of pricing and long-term solvency within the prior five years which was fully disclosed to members.

(b) A continuing care retirement community shall not be exempt under this subsection from obtaining a certificate of need unless:

(i) It has submitted an application for exemption at least thirty days prior to commencing construction of, submitting an application for the licensure of, or commencing operation of a nursing home, whichever comes first; and

(ii) The application documents to the department that the continuing care retirement community qualifies for exemption.

(c) The sale, lease, acquisition, or use of part or all of a continuing care retirement community nursing home that qualifies for exemption under this subsection shall require prior certificate of need approval unless the department determines such sale, lease, acquisition, or use is by a continuing care retirement community that meets the conditions of (a) of this subsection.

NEW SECTION, Sec. 382, Section 12, chapter 222, Laws of 1949, section 46, chapter 34, Laws of 1975-'76 2nd ex. sess., section 12, chapter 55, Laws of 1983 and RCW 18.78.110 are each repealed."

Mr. Braddock spoke in favor of adoption of the amendments, and they were adopted.

With consent of the House, the following amendments by Representative Braddock and others to the title were adopted:

On page 1, line 30 of the title, after "18.71.010," strike "18.71.015."

On page 2, beginning on line 5 of the title, strike "18.78.050, 18.78.060, 18.78.080, 18.78.100, 18.78.110" and insert "18.78.080"

On page 2, line 35 of the title, after "70.142.050," strike "and 80.50.030; and" and insert "80.50.030, 18.71.015, 18.71.030, 18.78.005, 18.78.020, 18.78.030, 18.78.040, 18.78.050, 18.78.055, 18.78.060, 18.78.080, 18.78.100, 70.38.025, and 70.38.111;"

On page 3, line 1 of the title, after "70.39.070" insert "; and repealing RCW 18.78.110"

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Braddock spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2912, and the bill passed the House by the following vote: Yeas, 97; nays, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Voting nay: Representative Gallagher - 1.

Engrossed House Bill No. 2912, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2857, by Representatives Phillips, Vekich, Prentice, Smith, Walker, Leonard, Locke and Wineberry

Creating a new license for the sale of table and fortified wine.

The bill was read the second time. On motion of Mr. Vekich, Substitute House Bill No. 2857 was substituted for House Bill No. 2857, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2857 was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Phillips and Walker spoke in favor of passage of the bill, and Mr. R. King opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2857, and the bill passed the House by the following vote: Yeas, 77; nays, 21.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Braddock, Brekke, Brooks, Cantwell, Cole, Cooper, Crane, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Fuhrman, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wilson K, Wineberry, Winsley, Wolfe, Wood, Youngsman - 77.

Voting nay: Representatives Ballard, Bowman, Brough, Brumsickle, Chandler, Day, Dellwo, Forner, Gallagher, King P, King R, Kirby, McLean, Nutley, Prince, Rector, Smith, Wang, Wilson S, Zellinsky, and Mr. Speaker - 21.

Substitute House Bill No. 2857, having received the constitutional majority, was declared passed.

SUBSTITUTE HOUSE BILL NO. 2914, by Committee on Capital Facilities & Financing (originally sponsored by Representatives Betrozoff and Brumsickle)

Revising provisions for school levies for construction, modernization, or remodeling of school facilities.

The House resumed consideration of Substitute House Bill No. 2914 on second reading. (For previous action, see today's Journal, Afternoon Session.)

Ms. K. Wilson moved adoption of the following amendments:

On page 1, line 20, strike "fifteen" and insert "fifty"

On page 2, line 34, strike "fifteen" and insert "fifty"

Representatives K. Wilson and Cole spoke in favor of adoption of the amendments, and Representatives Betrozoff and Peery spoke against them. The amendments were not adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Betrozoff and Schoon spoke favor of passage of the bill, and Representatives K. Wilson and Holland opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2914, and the bill passed the House by the following vote: Yeas, 73; nays, 25.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Beck, Belcher, Betrozoff, Bowman, Braddock, Brooks, Brumsickle, Cantwell, Chandler, Cooper, Day, Dellwo, Doty, Ebersole, Fisher R, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Horn, Jacobsen, Jesernig, King P, Kirby, Kremen, Locke, McLean, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Silver, Smith, Sommers D, Sommers H, Spanel, Tate, Valle, Van Luven, Vekich, Walker, Wang, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 73.

Voting nay: Representatives Baugher, Bennett, Brekke, Brough, Cole, Crane, Dorn, Ferguson, Fisher G, Forner, Fraser, Hine, Holland, Inslee, Jones, King R, Leonard, May, Meyers R, Miller, Prentice, Scott, Sprengle, Todd, Wilson K - 25.

Substitute House Bill No. 2914, having received the constitutional majority, was declared passed.

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

THIRD READING

HOUSE BILL NO. 2939, by Representatives Braddock, Brooks, Morris, Jacobsen, Silver, Holland, Winsley and Baugher; by request of Department of Corrections

Removing population limits at certain correctional institutions.

The bill was read the third time and placed on final passage.

MOTIONS

On motion of Mr. Ebersole, the rules were suspended and the bill was returned to second reading for purpose of amendment.

Mr. Ebersole moved that the House defer further consideration of House Bill No. 2939 and that the bill hold its place on the second reading calendar. The motion was carried.

ENGROSSED HOUSE BILL NO. 2745, by Representatives McLean, Morris, Ballard, H. Myers, Hankins, Silver and Pruitt

Pertaining to volunteer programs.

The bill was read the third time and placed on final passage.

Representatives McLean and Wood spoke against passage of the bill, and Representatives Pruitt and Todd spoke in favor of it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2745, and the bill passed the House by the following vote: Yeas, 62; nays, 34; absent, 2.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Bennett, Braddock, Brække, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Winsley, Zellinsky - 62.

Voting nay: Representatives Ballard, Beck, Belcher, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Haugen, Holland, Horn, May, McLean, Miller, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Van Luven, Walker, Wilson S, Wolfe, Wood, Youngsman - 34.

Absent: Representatives Moyer, and Mr. Speaker - 2.

Engrossed House Bill No. 2745, having received the constitutional majority, was declared passed.

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

MOTION

Mr. Ebersole moved that Committee on Rules be relieved of House Bill No. 2327 and that the bill take its place on the regular second reading calendar. The motion was carried.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

Mr. Ebersole moved that the House immediately consider the following bills on the regular second reading calendar in the following order: House Bill No. 2327, House Bill No. 2482 and House Bill No. 2494. The motion was carried.

HOUSE BILL NO. 2327, by Representatives Silver, H. Sommers, Schoon, Holland, McLean, Fuhrman and Smith; by request of Legislative Budget Committee

Changing provisions relating to sunset review of programs and agencies.

The bill was read the second time. On motion of Mr. Todd, Substitute House Bill No. 2327 was substituted for House Bill No. 2327, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2327 was read the second time.

Ms. H. Sommers moved adoption of the following amendments by Representatives H. Sommers and Silver:

On page 2, line 30, after "act" strike all material down to and including "council" on line 32

On page 3, line 13, after "act" strike all material down to and including "committee" on line 16

On page 3, line 35, after "act" strike all material down to and including "council" on page 4, line 2

On page 4, line 8, after "act" strike all material down to and including "board" on line 10

On page 4, line 29, after "act" strike all material down to and including "center" on line 31

On page 5, line 13, after "act" strike all material down to and including "committee" on line 15

On page 6, line 6, after "act" strike all material down to and including "regulation" on line 9

On page 7, line 3, after "act." strike all material down to and including "regulation." on line 5

On page 9, line 4, after "act." strike all material down to and including "authorization." on line 6

On page 9, line 22, after "act." strike all material down to and including "regulation." on line 24

Ms. H. Sommers spoke in favor of adoption of the amendments, and they were adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2327, and the bill passed the House by the following vote: Yeas, 97; absent, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Former, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 97.

Absent: Mr. Speaker - 1.

Engrossed Substitute House Bill No. 2327, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2482, by Representatives G. Fisher, Miller, Rust, Holland, Wineberry and May; by request of Governor Gardner

Restructuring the Puget Sound Water Quality Authority.

The bill was read the second time. On motion of Ms. Rust, Substitute House Bill No. 2482 was substituted for House Bill No. 2482, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2482 was read the second time.

Mr. G. Fisher moved adoption of the following amendment by Representatives G. Fisher, Rust, D. Sommers, Walker, Hine, Miller, Phillips and R. Meyers:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 502, Laws of 1987 as amended by section 18, chapter 11, Laws of 1989 and by section 3, chapter 311, Laws of 1989 and RCW 43.88.030 are each reenacted and amended to read as follows:

(1) The director of financial management shall provide all agencies with a complete set of instructions for submitting biennial budget requests to the director at least three months before agency budget documents are due into the office of financial management. The budget document or documents shall consist of the governor's budget message which shall be explanatory of the budget and shall contain an outline of the proposed financial policies of the state for the ensuing fiscal period and shall describe in connection therewith the important features of the budget. The message shall set forth the reasons for salient changes from the previous fiscal period in expenditure and revenue items and shall explain any major changes in financial policy. Attached to the budget message shall be such supporting schedules, exhibits and other explanatory material in respect to both current operations and capital improvements as the governor shall deem to be useful to the legislature. The budget document or documents shall set forth a proposal for expenditures in the ensuing fiscal period based upon the estimated revenues as approved by the economic and revenue forecast council for such fiscal period

from the source and at the rates existing by law at the time of submission of the budget document. However, the estimated revenues for use in the governor's budget document may be adjusted to reflect budgetary revenue transfers and revenue estimates dependent upon budgetary assumptions of enrollments, workloads, and caseloads. All adjustments to the approved estimated revenues must be set forth in the budget document. The governor may additionally submit, as an appendix to each agency budget or to the budget document or documents, a proposal for expenditures in the ensuing fiscal period from revenue sources derived from proposed changes in existing statutes.

The budget document or documents shall also contain:

(a) Revenues classified by fund and source for the immediately past fiscal period, those received or anticipated for the current fiscal period, and those anticipated for the ensuing biennium;

(b) The undesignated fund balance or deficit, by fund;

(c) Such additional information dealing with expenditures, revenues, workload, performance and personnel as the legislature may direct by law or concurrent resolution;

(d) Such additional information dealing with revenues and expenditures as the governor shall deem pertinent and useful to the legislature;

(e) Tabulations showing expenditures classified by fund, function, activity and object: ((and))

(f) A delineation of each agency's activities, including those activities funded from non-budgeted, nonappropriated sources, including funds maintained outside the state treasury; and

(g) Identification of all proposed direct expenditures to implement the Puget Sound water quality plan under chapter 90.70 RCW, shown by agency and in total.

(2) The budget document or documents shall include detailed estimates of all anticipated revenues applicable to proposed operating or capital expenditures and shall also include all proposed operating or capital expenditures. The total of beginning undesignated fund balance and estimated revenues less working capital and other reserves shall equal or exceed the total of proposed applicable expenditures. The budget document or documents shall further include:

(a) Interest, amortization and redemption charges on the state debt;

(b) Payments of all reliefs, judgments and claims;

(c) Other statutory expenditures;

(d) Expenditures incident to the operation for each agency;

(e) Revenues derived from agency operations;

(f) Expenditures and revenues shall be given in comparative form showing those incurred or received for the immediately past fiscal period and those anticipated for the current biennium and next ensuing biennium;

(g) A showing and explanation of amounts of general fund obligations for debt service and any transfers of moneys that otherwise would have been available for general fund appropriations;

(h) Common school expenditures on a fiscal-year basis;

(i) A showing, by agency, of the value and purpose of financing contracts for the lease/purchase or acquisition of personal or real property for the current and ensuing fiscal periods.

(3) A separate budget document or schedule may be submitted consisting of:

(a) Expenditures incident to current or pending capital projects and to proposed new capital projects, relating the respective amounts proposed to be raised therefor by appropriations in the budget and the respective amounts proposed to be raised therefor by the issuance of bonds during the fiscal period;

(b) A capital program consisting of proposed capital projects for at least the two fiscal periods succeeding the next fiscal period. The capital program shall include for each proposed project a statement of the reason or purpose for the project along with an estimate of its cost;

(c) Such other information bearing upon capital projects as the governor shall deem to be useful to the legislature;

(d) Such other information relating to capital improvement projects as the legislature may direct by law or concurrent resolution.

(4) No change affecting the comparability of agency or program information relating to expenditures, revenues, workload, performance and personnel shall be made in the format of any budget document or report presented to the legislature under this section or RCW 43.88.160(1) relative to the format of the budget document or report which was presented to the previous regular session of the legislature during an odd-numbered year without prior legislative concurrence. Prior legislative concurrence shall consist of (a) a favorable majority vote on the proposal by the standing committees on ways and means of both houses if the legislature is in session or (b) a favorable majority vote on the proposal by members of the legislative evaluation and accountability program committee if the legislature is not in session.

Sec. 2. Section 3, chapter 451, Laws of 1985 and RCW 90.70.011 are each amended to read as follows:

(1) There is established the Puget Sound water quality authority composed of ~~((seven)) eleven members, ((who are)) Nine members shall be appointed by the governor and confirmed by the senate. In addition, the commissioner of public lands or the commissioner's designee and the director of ecology or the director's designee shall serve as ex officio members. Three of the members shall include a representative from the counties, a representative from the cities, and a tribal representative. The ((governor shall select one of the seven members to act as)) director of ecology shall be chair of the authority ((and be presiding officer of the authority)). In making these appointments, the governor shall seek to include representation of the variety of interested parties concerned about Puget Sound water quality. ((The commissioner of public lands and the director of ecology shall serve as ex officio, nonvoting members of the authority. The six)) Of the appointed members, at least one shall be selected from each of the six congressional districts surrounding Puget Sound((:)). Members shall serve four-year terms. Of the initial members appointed to the authority, two shall serve for two years, two shall serve for three years, and two shall serve for four years. Thereafter members shall be appointed to four-year terms. Members representing cities, counties, and the tribes shall also serve four-year staggered terms, as determined by the governor. Vacancies shall be filled by appointment for the remainder of the unexpired term of the position being vacated. The ((chair)) executive director of the authority shall be selected by the governor and shall serve at the pleasure of the governor. The executive director shall not be a member of the authority.~~

(2) ~~((The voting members, exclusive of the chair.))~~ Members shall be compensated as provided in RCW 43.03.250. ~~((The voting))~~ Members shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(3) The ((chair)) executive director of the authority shall be a full-time employee responsible for the administration of all functions of the authority, including hiring and terminating staff, contracting, coordinating with the governor, the legislature, and other state and local entities, and the delegation of responsibilities as deemed appropriate. The salary of the ((chair)) executive director shall be fixed by the governor, subject to RCW 43.03.040.

(4) The ((chair)) authority shall prepare a budget and a work plan ~~((which are subject to review and approval by the authority)).~~

(5) Not more than four employees of the authority may be exempt from the provisions of chapter 41.06 RCW.

(6) The executive director and staff of the authority shall be located in the Olympia area, as space becomes available. The department of general administration shall house the authority within the department of ecology.

Sec. 3. Section 7, chapter 451, Laws of 1985 as amended by section 72, chapter 36, Laws of 1988 and RCW 90.70.045 are each amended to read as follows:

(1) The ((chair)) executive director shall hire staff for the authority. In so doing, the ((chair)) executive director shall recognize the many continuing planning and research activities concerning Puget Sound water quality and shall seek to acquire competent and knowledgeable staff from state, federal, and local government agencies and other agencies that are currently involved in these activities.

(2) As deemed appropriate, the ((chair)) executive director may request the state departments of ecology, community development, fisheries, wildlife, agriculture, natural resources, parks and recreation, and ~~((social and))~~ health ~~((services))~~ to each assign at least one employee to the authority. The ((chair)) executive director shall enter into an interagency agreement with agencies assigning employees to the authority. Such agreement shall provide for reimbursement, by the authority to the assigning agency, of all work-related expenditures associated with the assignment of the employees. During the term of their assignment, the ~~((chair shall have))~~ executive director has full authority and responsibility for the activities of these employees.

(3) The ((chair)) executive director shall seek assignment of appropriate federal and local government employees under available means.

Sec. 4. Section 4, chapter 451, Laws of 1985 and RCW 90.70.055 are each amended to read as follows:

The authority shall:

(1) Prepare and adopt a comprehensive Puget Sound water quality management plan, as defined in RCW 90.70.060. In preparing the plan and any substantial revisions to the plan, the authority shall consult with its advisory committee or committees and appropriate federal, state, and local agencies. The authority shall also solicit extensive participation by the public by whatever means it finds appropriate, including public hearings throughout communities bordering or near Puget Sound, dissemination of information through the news media, public notices, and mailing lists, and the organization of workshops, conferences, and seminars;

(2) During the plan's initial development and any subsequent revisions, submit ~~((quarterly))~~ annual progress reports on plan revisions and implementation to the governor and the legislature.

(3) Submit the plan to the governor and the legislature no later than January 1, 1987. The authority shall review the plan at least every ~~((two))~~ four years and revise the plan, as deemed appropriate, and shall submit the plan by July 1, 1994, and every four years thereafter;

(4) Prepare a biennial 'state of the Sound' report and submit such report to the governor, the legislature, and the state agencies and local governments identified in the plan. Copies of the report shall be made available to the public. The report shall describe the current condition of water quality and related resources in Puget Sound and shall include:

(a) The status and condition of the resources of Puget Sound, including the results of ecological monitoring, including an assessment of the economic value of Puget Sound;

(b) Current and foreseeable trends in water quality of Puget Sound and the management of its resources;

(c) Review of significant public and private activities affecting Puget Sound and an assessment of whether such activities are consistent with the plan; and

(d) Recommendations to the governor, the legislature, and appropriate state and local agencies for actions needed to remedy any deficiencies in current policies, plans, programs, or activities relating to the water quality of Puget Sound, and recommendations concerning changes necessary to protect and improve Puget Sound water quality; and

(5) Review the Puget Sound related budgets and regulatory and enforcement activities of state agencies with responsibilities for water quality and related resources in Puget Sound.

Sec. 5, Section 8, chapter 451, Laws of 1985 as amended by section 31, chapter 11, Laws of 1989 and RCW 90.70.060 are each amended to read as follows:

The plan adopted by the authority shall be a positive document prescribing the needed actions for the maintenance and enhancement of Puget Sound water quality. The plan shall address all the waters of Puget Sound, the Strait of Juan de Fuca, and, to the extent that they affect water quality in Puget Sound, all waters flowing into Puget Sound, and adjacent lands. The authority may define specific geographic boundaries within which the plan applies. The plan shall coordinate and incorporate existing planning and research efforts of state agencies and local government related to Puget Sound, and shall avoid duplication of existing efforts. The plan shall include:

(1) A statement of the goals and objectives for long and short-term management of the water quality of Puget Sound;

(2) A resource assessment which identifies critically sensitive areas, key characteristics, and other factors which lead to an understanding of Puget Sound as an ecosystem;

(3) Demographic information and assessment as relates to future water quality impacts on Puget Sound;

(4) An identification and legal analysis of all existing laws governing actions of government entities which may affect water quality management of Puget Sound, the interrelationships of those laws, and the effect of those laws on implementation of the provisions of the plan;

(5) Review and assessment of existing criteria and guidelines for governmental activities affecting Puget Sound's resources, including shoreline resources, aquatic resources, associated watersheds, recreational resources and commercial resources;

(6) Identification of research needs and priorities;

(7) Recommendations for guidelines, standards, and timetables for protection and clean-up activities and the establishment of priorities for major clean-up investments and nonpoint source management, and the projected costs of such priorities;

(8) A procedure assuring local government initiated planning for Puget Sound water quality protection;

(9) Ways to better coordinate federal, state, and local planning and management activities affecting Puget Sound's water quality;

(10) Public involvement strategies, including household hazardous waste education, community clean-up efforts, and public participation in developing and implementing the plan;

(11) Recommendations on protecting, preserving and, where possible, restoring wetlands and wildlife habitat and shellfish beds throughout Puget Sound;

(12) Recommendations for a comprehensive water quality and sediment monitoring program;

(13) Analysis of current industrial pretreatment programs for toxic wastes, and procedures and enforcement measures needed to enhance them;

(14) Recommendations for a program of dredge spoil disposal, including interim measures for disposal and storage of dredge spoil material from or into Puget Sound;

(15) Definition of major public actions subject to review and comment by the authority because of a significant impact on Puget Sound water quality and related resources, and development of criteria for review thereof;

(16) Recommendations for implementation mechanisms to be used by state and local government agencies;

(17) Standards and procedures for reporting progress by state and local governments in the implementation of the plan;

(18) An analysis of resource requirements and funding mechanisms for updating of the plan and plan implementation; and

(19) Legislation needed to assure plan implementation.

The authority shall circulate and receive comments on drafts of the plan mandated herein, and keep a record of all relevant comments made at public hearings and in writing. These records should be made easily available to interested persons.

As part of the plan, the authority shall prepare a strategy for implementing the plan that includes, but is not limited to: (a) Setting priorities for implementation of plan elements to facilitate executive and legislative decision making; (b) assessment of the capabilities and constraints, both internal and external to state and local government, that may affect plan implementation; and (c) an analysis of the strategic options in light of the resources available to the state. In developing this strategy, the authority shall consult and coordinate with other related environmental planning efforts.

Sec. 6. Section 9, chapter 451, Laws of 1985 and RCW 90.70.070 are each amended to read as follows:

(1) In conducting planning, regulatory, and appeals actions, the state agencies and local governments identified in the plan must evaluate, and incorporate as applicable, subject to the availability of appropriated funds or other funding sources, the provisions of the plan, including any guidelines, standards, and timetables contained in the plan.

(2) The authority shall review the progress of state agencies and local governments regarding the timely implementation of the plan. Where prescribed actions have not been accomplished in accordance with the plan, the responsible state agencies and local governments shall, at the request of the authority, submit written explanations for the shortfalls, together with their proposed remedies, to the authority.

The results of the review and a description of the actions necessary to comply with the plan shall be included in the biennial state of the Sound report.

(3) The state agencies and local governments identified in the plan shall review their activities biennially and document their consistency with the plan. They shall submit written reports or updates of their findings to the authority.

(4) The authority shall review the major actions affected by the plan being considered by the state agencies and local governments and shall comment in a timely manner regarding consistency with the plan and may participate in administrative and subsequent judicial proceedings with respect to such actions. Any deviations from the plan, identified by the authority, shall be transmitted in writing by the authority to the responsible state agency or local government.

Sec. 7. Section 10, chapter 451, Laws of 1985 and RCW 90.70.080 are each amended to read as follows:

(1) To implement this chapter, state agencies are authorized to adopt rules that are applicable to actions and activities on a less than state-wide geographic basis. State agencies are encouraged to adopt rules that protect Puget Sound water quality before the adoption of the plan by the authority.

(2) A rule to implement an element of the plan that applies on a less than state-wide basis shall contain a statement defining the geographic area to which it applies. In determining whether to adopt rules on a state-wide or less than state-wide basis, state agencies shall consider at least the following factors:

(a) Number and location of primary affected persons;

(b) Geographical distribution of the actions and activities;

(c) Equity among regulated and nonregulated persons;

(d) Difficulty and practicality of implementation, including the effects on existing agency programs;

(e) Expected environmental benefits;

(f) Availability of information related to the actions and activities; and

(g) Requirements of other state or federal laws, rules, and policies.

(3) To implement this chapter, counties, cities, and towns are authorized to adopt ordinances, rules, and regulations that are applicable on less than a county-wide, city-wide, or town-wide basis. Counties, cities, and towns are encouraged to adopt ordinances, rules, and regulations that protect Puget Sound water quality before the adoption of the plan by the authority.

NEW SECTION, Sec. 8. A new section is added to chapter 90.70 RCW to read as follows:

In addition to other powers and duties specified in this chapter, the authority may form a public nonprofit corporation in the same manner as a private nonprofit corporation is formed under chapter 24.03 RCW, the Washington Nonprofit Corporation Act. The public corporation shall be an instrumentality of the state and have all the powers and be subject to the same restrictions as are permitted or prescribed to private nonprofit corporations but shall exercise these powers only for carrying out the purposes of this section. However, the public nonprofit corporation shall not borrow money or incur any indebtedness. The public corporation shall be known as the Puget Sound Foundation. The purposes of the foundation shall be to:

(1) Receive, disburse, and administer gifts, grants, endowments, or other funds from any source that support a comprehensive and coordinated program of research and education

activities connected with Puget Sound water quality, consistent with the purposes of this chapter:

(2) Promote the coordination and support of research and education activities that address the cumulative effects of decisions on the Puget Sound ecosystem;

(3) Assist in making the results of research available and useful to the decision-making process; and

(4) Host an annual meeting, to be known as the Puget Sound summit, assembling state agencies, local governments, tribes, the public, and private businesses for the purposes of improving understanding about the obstacles to plan implementation, enhancing cooperation, and expediting Puget Sound cleanup.

NEW SECTION, Sec. 9. A new section is added to chapter 90.70 RCW to read as follows:

(1) In addition to other powers and duties specified in this chapter, the authority shall ensure implementation of the Puget Sound ambient monitoring program established in the plan under RCW 90.70.060(12). The program shall:

(a) Develop a baseline and examine differences among areas of Puget Sound, for environmental conditions, natural resources, and contaminants in seafood, against which future changes can be measured;

(b) Take measurements relating to specific program elements identified in the plan;

(c) Measure the progress of the ambient monitoring programs implemented under the plan;

(d) Provide a permanent record of significant natural and human-caused changes in key environmental indicators in Puget Sound; and

(e) Help support research on Puget Sound.

(2) To ensure proper coordination of the ambient monitoring program, the authority may establish an interagency coordinating committee consisting of representatives from the departments of ecology, fisheries, natural resources, wildlife, and health, and such federal, local, tribal, and other organizations as are necessary to implement the program.

(3) Each state agency with responsibilities for implementing the Puget Sound ambient monitoring program, as specified in the plan, shall participate in the program.

NEW SECTION, Sec. 10. A new section is added to chapter 90.70 RCW to read as follows:

(1) At least twenty days before public hearings commence regarding a proposal to adopt or revise the plan or any portion of it, the authority shall cause to be published in the state register the following information:

(a) A summary of the proposal;

(b) The personnel, with their office location and telephone numbers, who are responsible for the drafting of the proposal; and

(c) When, where, and how persons may present their views on the proposal.

(2) The authority may not adopt any portion of the plan that is substantially different from the version of the plan that was summarized in the state register under subsection (1) of this section, unless a supplemental notice is published in the state register reopening public comment on the proposed variance. The following factors shall be considered in determining whether an adopted portion of the plan is substantially different from the summarized version:

(a) The extent to which a reasonable person affected by the adopted plan would have understood that the summarized version would affect his or her interests;

(b) The extent to which the subject of the adopted plan or the issues determined in it are substantially different from the subject or issues involved in the summarized version; and

(c) The extent to which the effects of the adopted plan differ from the effects of the summarized version.

NEW SECTION, Sec. 11. A new section is added to chapter 43.131 RCW to read as follows:

The Puget Sound water quality authority and its powers and duties shall be terminated on June 30, 1995, as provided in section 12 of this act.

NEW SECTION, Sec. 12. A new section is added to chapter 43.131 RCW to read as follows:

The following acts or parts of acts, as now existing or hereafter amended, are each repealed, effective June 30, 1996:

(1) Section 1, chapter 451, Laws of 1985 and RCW 90.70.001;

(2) Section 2, chapter 451, Laws of 1985 and RCW 90.70.005;

(3) Section 3, chapter 451, Laws of 1985, section 2 of this act and RCW 90.70.011;

(4) Section 5, chapter 451, Laws of 1985 and RCW 90.70.025;

(5) Section 6, chapter 451, Laws of 1985 and RCW 90.70.035;

(6) Section 7, chapter 451, Laws of 1985, section 72, chapter 36, Laws of 1988, section 3 of this act and RCW 90.70.045;

(7) Section 4, chapter 451, Laws of 1985, section 4 of this act and RCW 90.70.055;

(8) Section 8, chapter 451, Laws of 1985, section 31, chapter 11, Laws of 1989, section 5 of this act and RCW 90.70.060;

(9) Section 9, chapter 451, Laws of 1985, section 6 of this act and RCW 90.70.070;

(10) Section 10, chapter 451, Laws of 1985, section 7 of this act and RCW 90.70.080; and

(11) Section 14, chapter 451, Laws of 1985 and RCW 90.70.901.

NEW SECTION. Sec. 13. Section 6, chapter 243, Laws of 1983, section 11, chapter 451, Laws of 1985 and RCW 90.70.900 are each repealed."

Representatives G. Fisher and D. Sommers spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House the following amendment by Representative G. Fisher and others to the title was adopted:

On page 1, line 1 of the title, after "authority;" strike the remainder of the title and insert "amending RCW 90.70.011, 90.70.045, 90.70.055, 90.70.060, 90.70.070, and 90.70.080; reenacting and amending RCW 43.88.030; adding new sections to chapter 90.70 RCW; adding new sections to chapter 43.131 RCW; and repealing RCW 90.70.900."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives G. Fisher, Hine and D. Sommers spoke in favor of passage of the bill, and Ms. Brekke opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2482, and the bill passed the House by the following vote: Yeas, 95; nays, 3.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 95.

Voting nay: Representatives Brekke, McLean, Nelson - 3.

Engrossed Substitute House Bill No. 2482, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2494, by Representatives Rust, Phillips, Schoon, Pruitt, D. Sommers, Todd, Miller, G. Fisher, Valle, Brekke, Walker, Jacobsen, Sprenkle, Fraser, Anderson, Hargrove, Prentice, Van Luven, Winsley, R. Fisher, Wood, Wineberry, Jones, Dellwo, May, R. King, Kremen, P. King, Haugen, Wang, Crane, Hine, Spanel and Rasmussen

Changing provisions relating to oil and hazardous substance spills.

The bill was read the second time. On motion of Mr. Grant, Second Substitute House Bill No. 2494 was substituted for House Bill No. 2494, and the second substitute bill was placed on the second reading calendar.

Second Substitute House Bill No. 2494 was read the second time.

Ms. Rust moved adoption of the following amendments:

On page 10, line 10, strike "for a facility" and insert ":"

On page 10, line 11, after "(a)" strike "To" and insert "For a facility to"

On page 10, line 13, after "(b)" strike "To" and insert "For a facility or any other person to"

On page 10, line 17, after "facility" insert "or other person"

On page 10, line 20, strike "facility or" and insert "facility, person, or"

On page 10, line 23, after "facility" insert "or other person"

On page 10, line 33, strike "A facility" and insert "Any person"

Ms. Rust spoke in favor of adoption of the amendments, and they were adopted.

Mr. Phillips moved adoption of the following amendment by Representatives Phillips, Pruitt, Appelwick and Rust:

On page 16, after line 20, strike everything through "section." on page 17, line 16 and insert:

"It shall be unlawful, except under the circumstances hereafter described in this section, for oil to enter the waters of the state from any ship or any fixed or mobile facility or installation located offshore or onshore whether publicly or privately operated, regardless of the cause of

the entry or fault of the person having control over the oil, or regardless of whether it be the result of intentional or negligent conduct, accident or other cause. This section shall not apply to discharges of oil in the following circumstances:

(1) The person discharging was expressly authorized to do so by the department prior to the entry of the oil into state waters; or

(2) The person discharging was authorized to do so by operation of law as provided in RCW 90.48.200(;

~~(3) Where a person having control over the oil can prove that a discharge was caused by:~~

~~(a) An act of war or sabotage, or~~

~~(b) Negligence on the part of the United States government, or the state of Washington)).~~

Sec. 18, Section 6, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.336 are each amended to read as follows:

(1) Any person owning oil or having control over ~~((the same))~~ oil which enters the waters of the state in violation of RCW 90.48.320 shall be strictly liable, without regard to fault, for the damages to persons or property, public or private, caused by such entry.

(2) In any action to recover ~~((such))~~ damages resulting from the discharge of oil in violation of RCW 90.48.320, ((said)) the owner or person having control over the oil shall be relieved from strict liability, without regard to fault, if ((he)) that person can prove that the ((oil to which the damages relate entered the waters of the state by causes set forth in RCW 90.48.320(3)) discharge was caused solely by:

(a) An act of war or sabotage;

(b) An act of God;

(c) Negligence on the part of the United States government; or

(d) Negligence on the part of the state of Washington.

(3) The liability established in this section shall in no way affect the rights which (a) the owner or other person having control over the oil may have against any person whose acts may in any way have caused or contributed to the discharge of oil or (b) the state of Washington may have against any person whose actions may have caused or contributed to the discharge of oil.

(4) The chapter --, Laws of 1990 changes to subsection (2) of this section requiring the defenses in that subsection to be the sole causes of the discharge, and the text of subsection (2)(b) of this section shall apply prospectively and not retroactively after the effective date of this section.

Sec. 19, Section 7, chapter 88, Laws of 1970 ex. sess. and RCW 90.48.338 are each amended to read as follows:

In addition to any cause of action the state may have to recover necessary expenses for the cleanup of oil pursuant to RCW 90.48.325 and 90.48.350, and except as otherwise provided in section 22 of this act, any other person causing the entry of oil shall be directly liable to the state for the necessary expenses of oil cleanup arising from such entry and the state shall have a cause of action to recover from any or all of said persons. Except as otherwise provided in section 22 of this act, any person liable for cost of oil cleanup as provided in RCW 90.48.325 and 90.48.350 shall have a cause of action to recover for costs of cleanup from any other person causing the entry of oil into the waters of the state including any amount recoverable by the state as necessary expenses under RCW 90.48.350.

Sec. 20, Section 7, chapter 133, Laws of 1968 ex. sess. as last amended by section 9, chapter 388, Laws of 1989 and RCW 90.48.350 are each amended to read as follows:

Except as otherwise provided in section 22 of this act, any person who negligently discharges oil, or causes or permits the entry of the same, shall incur, in addition to any other penalty as provided by law, a penalty in an amount of up to twenty thousand dollars for every such violation, and for each day the spill poses risks to the environment as determined by the director. Any person who intentionally or recklessly discharges or causes or permits the entry of oil into the waters of the state shall incur, in addition to any other penalty authorized by law, a penalty of up to one hundred thousand dollars for every such violation and for each day the spill poses risks to the environment as determined by the director. The amount of the penalty shall be determined by the director after taking into consideration the gravity of the violation, the previous record of the violator in complying, or failing to comply, with the provisions of chapter 90.48 RCW, the speed and thoroughness of the collection and removal of the oil, and such other considerations as the director deems appropriate. Every act of commission or omission which procures, aids or abets in the violation shall be considered a violation under the provisions of this section and subject to the penalty herein provided for. The penalty herein provided for shall be imposed pursuant to RCW 43.21B.300."

Remember the remaining sections and correct internal references.

Mr. Phillips spoke in favor of adoption of the amendment, and it was adopted.

Ms. Rust moved adoption of the following amendment:

On page 27, line 17, strike "1990" and insert "1991"

Ms. Rust spoke in favor of adoption of the amendment, and Ms. Schmidt spoke against it. Ms. Rust again spoke in favor of the amendment.

The amendment was adopted.

Mr. Jacobsen moved adoption of the following amendments by Representatives Jacobsen, Valle, Phillips, Pruitt and Anderson:

On page 27, after line 17, insert the following:

NEW SECTION. Sec. 31. The legislature recognizes that massive oil spills and other forms of oil pollution present danger to the fragile marine environment of the state of Washington. The legislature also recognizes that prevention of oil spills is the best method to protect the state's natural resources and environment.

NEW SECTION. Sec. 32. The Washington state oil spill commission is established. The commission shall consist of seven distinguished members to be selected by the governor: (1) A person associated with water quality issues; (2) a member of the fishing industry; (3) a member of the shipping industry; (4) a person associated with environmental issues in the state; (5) a member of a native American tribal council; and (6) two lay persons with recognized expertise in oil spills and marine transportation. The commission shall not include any person or persons involved with lobbying efforts in the state of Washington. Members of the commission shall serve without compensation but shall be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

NEW SECTION. Sec. 33. Duties of the commission shall include, but are not limited to, the analysis of the following:

(1) The present traffic patterns of tankers, barges, and other ships that create the risks of spillage;

(2) A history of accidents in Washington state;

(3) An analysis of the cause of oil spills in Washington state;

(4) The success in spill containment and cleanup;

(5) The prognosis for recovery from a spill the magnitude of the Exxon Valdez in Prince William Sound in Alaska;

(6) Estimates of potential risk to Puget Sound;

(7) The sources of risk to the marine environment;

(8) Current responsibilities of federal and state authorities to minimize risk;

(9) Recommendations that have been made during the past twenty years to enhance safety;

(10) Initiatives by other maritime states;

(11) Steps that should be taken by all levels of state government and by the oil industry to ensure proper management, handling, and transportation of oil; and

(12) The extent to which oil industry practices and governmental practices and laws should be changed to minimize the potential for oil spills.

NEW SECTION. Sec. 34. The commission shall have the authority to elect a chair and such officers as the commission deems necessary and advisable. In carrying out its duties under section 33 of this act, the commission shall coordinate with the States/British Columbia oil spill task force and use the information developed by that task force to the maximum extent practicable. The department of ecology shall provide staff and other resources necessary for the commission to fulfill its responsibilities. The commission may seek funding from private sources in order to carry out the purposes of this act.

NEW SECTION. Sec. 35. The commission shall make a report to the appropriate standing committees of the legislature with a written analysis of findings and policy recommendations by December 1, 1990. The commission shall cease to exist at the conclusion of this report.

NEW SECTION. Sec. 36. If specific funding for the purposes of sections 31 through 35 of this act, referencing this act by bill number, is not provided by June 30, 1990, in the supplemental omnibus appropriations act, sections 31 through 35 of this act shall be null and void."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 27, line 22, after "of" insert "sections 1 through 30 of"

Representatives Jacobsen, Sayan, Jones and Valle spoke in favor of adoption of the amendments, and Representatives Rust and D. Sommers spoke against them. The amendments were not adopted.

With consent of the House, the following amendment by Representative Phillips and others to the title was adopted:

On page 1, line 2 of the title, after "90.48.320," insert "90.48.336, 90.48.338, 90.48.350."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

POINT OF INQUIRY

Ms. Rust yielded to question by Ms. Brekke.

Ms. Brekke: I notice that the intent section of Engrossed Second Substitute House Bill No. 2494 states that prevention is the best method of responding to an oil spill. I also notice that the contingency plans required in the bill and the review of those plans by the Department of Ecology are to consider, in part, prevention measures that have been adopted. What is your understanding of how these provisions will be used to reduce the likelihood that an oil spill will occur in the future?

Ms. Rust: Representative Brekke, this bill is only a first step toward a comprehensive response to the transportation of oil on water and on land. It is my intention to spend the coming interim in a review of what we can do in the way of prevention and propose legislation directed at these efforts next year.

This bill takes some initial steps at prevention. The facilities and vessels required to complete contingency plans are directed to include in those plans a statement of the measures that they have taken to reduce the chance that a spill will occur. The Department also has authority to review these measures and determine that reasonable, cost-effective measures have been taken to prevent a spill. The Department may refuse to approve a plan, if it determines these efforts have not been undertaken. In addition to these efforts, the Department is also required to prepare a statewide master plan, one element of which is a review of actions which should be undertaken to prevent spills. This might include such things as additional inspections of equipment to assure safety, training for personnel, and other similar measures.

Mr. D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute House Bill No. 2494, and the bill passed the House by the following vote: Yeas, 98.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 98.

Engrossed Second Substitute House Bill No. 2494, having received the constitutional majority, was declared passed.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2888 on the regular second reading calendar. The motion was carried.

HOUSE BILL NO. 2888, by Representatives Appelwick, R. Meyers, Dorn, McLean, May and Wood

Establishing a new child support schedule.

The bill was read the second time.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

MOTION

On motion of Ms. Miller, Representative Brooks was excused.

HOUSE BILL NO. 2888, by Representatives Appelwick, R. Meyers, Dorn, McLean, May and Wood

Establishing a new child support schedule.

The House resumed consideration of House Bill No. 2888 on the second reading calendar.

MOTION

Mr. Appelwick moved that the House do not substitute Second Substitute House Bill No. 2888 for House Bill No. 2888. Mr. Padden spoke in favor of the motion, and it was carried.

Mr. Appelwick moved adoption of the following amendment:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature intends, in establishing mandatory child support guidelines, to ensure that child support orders are adequate to meet a child's basic needs and to provide additional child support commensurate with the parents' income, resources, and standard of living. The child support guidelines should not be overly complicated, should provide certainty and predictability so that the parties can plan for the future, should provide for an equitable apportionment of the child support obligation between the parents, allow changes at regular intervals to reflect changes in the normal economic circumstances of the parties, and meet federal requirements for implementing child support guidelines.

The legislature finds that these goals will be best achieved by adoption and use of mandatory state-wide child support guidelines. The use of mandatory state-wide guidelines will benefit children and their parents by providing for adequate child support awards based upon specific numeric and descriptive criteria, increase compliance with the guidelines by making them more understandable, increase the equity of child support awards by providing for comparable orders on a state-wide basis in cases with similar circumstances, and encourage voluntary settlements of disputes by setting a presumptive amount of support that each parent will be obligated to pay.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Child support guidelines' means the standards and economic table as adopted by the legislature for establishing child support obligations.

(2) 'Standards' means the standards as adopted by the legislature for determining income, allowable deductions from income, and deviations from presumptive child support awards.

(3) 'Economic table' means the child support economic table that represents the basic child support obligation amount per child.

(4) 'Worksheets' means the forms developed by the administrator for the courts.

(5) 'Health care' means out-of-pocket expenses reasonably incurred by a parent for insurance coverage or uninsured amounts for health care services or health care treatment. It does not include portions paid by employers or other third parties.

(6) 'Instructions' means the instructions developed by the administrator of the courts for use in completing the worksheets.

(7) 'Basic support obligation' means each parent's child support obligation per child based upon the standards and economic table before any deviation is considered.

NEW SECTION. Sec. 3. (1) In any proceeding under this title or Title 13 or 74 RCW in which child support is an issue, child support shall be determined and ordered according to the economic table and standards adopted pursuant to sections 4, 5, and 6 of this act. The Washington child support guidelines shall be applied as follows:

(a) In each county of the state;

(b) In judicial and administrative proceedings;

(c) In all proceedings in which child support is determined or modified;

(d) For setting temporary and permanent support; and

(e) For adjusting support orders instead of using a cost-of-living or escalation provision.

(2) An order for child support shall be supported by written findings of fact upon which the support determination was made including reasons for deviations from the basic support obligation.

(3) The parties shall complete and file worksheets in the form developed by the administrator for the courts in every proceeding in which child support is determined. The court shall not accept incomplete worksheets or worksheets that vary from the worksheets developed by the administrator for the courts. The parties shall complete the worksheets under penalty of perjury. The court order setting or modifying child support shall include a completed worksheet initiated or signed by the judge.

(4) Except for the judicial discretion expressly reserved in this chapter, the parties do not have authority to agree to provisions in conflict with this chapter and any agreement or court order to the contrary shall be voidable as against public policy.

(5) The standards and economic table in this chapter shall be applied uniformly throughout the state. The superior courts of the various counties do not have authority to establish alternative standards and tables except as provided in section 6 of this act.

NEW SECTION. Sec. 4. (1) All income and resources of each parent's household shall be disclosed to the court as provided in this section when the child support obligation of each parent is determined.

(2) In the absence of actual income information, the court will impute income to the parent when the parent is underemployed, voluntarily unemployed, or self-employed. The court will determine whether the person is underemployed or voluntarily unemployed based upon that parent's work history. The amount imputed will be in the discretion of the court, but in the absence of information to the contrary, a parent's income shall be based on the median income of year-round, full-time workers as derived from the United States bureau of census, current population reports for that parent's occupation and gender if available on that basis. If occupation and gender-specific median income reports are unavailable, the amount imputed shall be based on the overall median income. A parent will not be deemed underemployed as long as that parent is gainfully employed on a full-time basis. Income shall not be imputed for an unemployable parent.

(3) (a) Monthly gross income shall include income from any source, including salaries, wages, commissions, deferred compensation, pensions, bonuses, mandatory overtime, cash benefits pursuant to contract, dividends, interest, trust income, severance pay, annuities, capital gains, social security benefits, workers' compensation, unemployment benefits, disability insurance benefits, spousal maintenance that is actually received, gifts, and prizes.

(b) Aid to families with dependent children, supplemental security income, general assistance, veteran's aid and attendant allowance, and food stamps shall be disclosed but shall not be included in gross income or be a reason to deviate from the schedule. Child support received from other relationships shall be disclosed and considered, but shall not be included in gross income. Income of a second spouse or cohabitant shall not be included in the income determination. The court has discretion to exclude from income, voluntary overtime, nonrecurring overtime, nonrecurring bonuses, and income from second jobs in excess of full-time or full-time equivalent employment.

(c) Allowable deductions from gross income are federal and state income taxes, federal insurance contributions act deductions, mandatory pension plan payments, and mandatory union or professional dues. Amounts that are actually determined to be spousal maintenance and that are actually paid for spousal maintenance shall be deducted. Payments of child support involving other relationships shall be deducted. Amounts actually paid into voluntary pension plans up to the federal limit of tax-exempt contributions to one individual retirement account are exempt if the contributions began prior to the commencement of the dissolution and only in the amount actually paid after the dissolution. Self-employed persons may deduct normal business expenses and self-employment taxes. Justification shall be required for any business expense deduction about which there is disagreement.

(4) (a) Tax returns for the preceding three years and current paystubs shall be provided to verify income and deductions. Other sufficient verification shall be required for income and deductions which do not appear on tax returns or paystubs.

(b) The parties may agree or the court may order which parent is entitled to claim the child or children as dependents for federal income tax exemptions.

NEW SECTION. Sec. 5. (1) Both parents have a continuing obligation to support their children. The parents' obligation for support shall be based on their combined net income, resources, and special child-rearing costs. The presumptive basic support obligation shall be determined upon the combined net income of the parents up to a cap of seven thousand dollars combined net income per month. The table is not presumptive but advisory only for combined net incomes above seven thousand dollars. The presumptive basic support obligation will be determined according to the following economic table after income has been determined:

ECONOMIC TABLE
MONTHLY BASIC SUPPORT OBLIGATION PER CHILD
KEY: A = AGE 0-11 B = AGE 12 AND OVER

COMBINED
MONTHLY
NET
INCOME

ONE
CHILD
FAMILY

TWO
CHILDREN
FAMILY

A

B

A

B

100				
200				
300				
400				
500				
600	126	156	98	121
700	147	181	114	141
800	168	207	130	162
900	189	234	146	181
1000	209	258	162	200
1100	230	284	179	220
1200	251	310	195	240
1300	271	334	210	260
1400	292	360	226	279
1500	311	384	241	297
1600	330	407	256	316
1700	349	430	271	334
1800	368	454	285	352
1900	387	478	300	371
2000	406	501	314	389
2100	425	524	330	408
2200	444	548	344	426
2300	463	571	359	444
2400	481	595	373	462
2500	500	618	388	480
2600	518	640	403	497
2700	537	663	417	515
2800	555	686	431	533
2900	574	709	446	550
3000	592	732	460	568
3100	611	754	474	586
3200	629	778	488	603
3300	648	801	504	621
3400	666	823	517	638
3500	683	845	531	656
3600	701	866	544	673
3700	719	888	559	690
3800	736	910	572	707
3900	754	932	586	724
4000	771	954	599	740
4100	789	976	613	757
4200	808	998	627	774
4300	825	1.019	640	791
4400	841	1.039	654	807
4500	857	1.058	665	822
4600	872	1.078	677	837
4700	888	1.097	690	852
4800	903	1.117	702	867
4900	920	1.136	714	883
5000	935	1.155	727	897
5100	951	1.175	739	912
5200	966	1.194	751	927
5300	982	1.214	763	942
5400	998	1.233	775	958
5500	1.014	1.252	788	973
5600	1.029	1.272	800	987
5700	1.045	1.291	812	1.002
5800	1.060	1.311	824	1.017
5900	1.076	1.330	836	1.033
6000	1.092	1.349	848	1.048
6100	1.108	1.369	861	1.063
6200	1.123	1.388	873	1.078
6300	1.139	1.408	885	1.093
6400	1.154	1.427	898	1.108
6500	1.170	1.446	909	1.123
6600	1.186	1.466	922	1.138
6700	1.202	1.485	934	1.153
6800	1.217	1.505	946	1.169

6900	1.233	1.524	959	1.184
7000	1.248	1.543	971	1.198

COMBINED
MONTHLY
NET
INCOME

THREE
CHILDREN
FAMILY

FOUR
CHILDREN
FAMILY

FIVE
CHILDREN
FAMILY

A B A B A B

0						
100						
200						
300						
400						
500						
600	82	101	69	86	60	74
700	95	118	81	100	70	86
800	109	135	92	114	80	99
900	123	151	104	128	90	112
1000	136	168	115	142	100	124
1100	149	184	126	156	110	136
1200	162	200	137	170	120	148
1300	176	217	148	183	129	160
1400	189	234	160	198	140	172
1500	201	249	170	210	148	183
1600	214	264	181	223	158	195
1700	226	279	191	236	166	206
1800	238	295	201	249	176	217
1900	251	310	212	261	184	228
2000	263	325	222	275	194	239
2100	275	340	233	288	202	251
2200	287	355	243	300	212	262
2300	299	371	254	314	221	274
2400	312	386	264	326	230	284
2500	324	400	274	338	238	295
2600	335	415	284	351	248	306
2700	348	430	295	364	257	317
2800	360	445	304	376	265	328
2900	371	460	314	389	275	339
3000	384	474	325	401	283	350
3100	396	489	334	413	292	361
3200	408	504	345	427	301	371
3300	420	519	355	439	310	383
3400	431	533	365	451	318	393
3500	443	547	374	463	327	404
3600	454	561	384	475	335	414
3700	466	576	394	486	344	425
3800	477	590	404	499	352	435
3900	489	604	413	511	360	446
4000	501	618	423	523	369	456
4100	512	633	432	535	377	466
4200	523	647	443	546	386	477
4300	535	661	452	559	394	487
4400	545	674	461	569	402	497
4500	555	688	469	580	409	506
4600	565	699	478	591	417	516
4700	576	712	486	601	425	524
4800	586	724	495	612	432	534
4900	596	736	504	622	440	543
5000	606	750	512	634	447	553
5100	617	762	521	644	454	561
5200	626	774	529	655	462	571
5300	637	787	539	665	469	580
5400	647	800	547	675	477	590
5500	656	812	556	687	485	599
5600	667	825	564	697	492	608
5700	677	837	573	708	500	618

5800	688	849	581	718	507	627
5900	697	863	590	729	515	636
6000	708	875	599	740	523	645
6100	718	887	607	751	529	655
6200	728	900	616	761	537	664
6300	738	913	624	771	544	674
6400	749	925	633	782	552	682
6500	758	938	641	793	560	692
6600	769	950	650	804	567	701
6700	779	963	658	814	575	711
6800	789	976	667	825	582	719
6900	799	988	675	835	590	729
7000	809	1,000	684	846	598	738

For combined net incomes above \$7000.00, see section 5(6)(d) of this act.

For combined net incomes under \$600.00, see section 5(6) (a) and (b) of this act.

(2) Presumptive basic child support shall be apportioned to each parent in proportion to that parent's net monthly income divided by the parents' combined net monthly income.

(3) Neither parent's basic child support obligation shall exceed fifty percent of net earnings unless good cause is shown. Good cause includes, but is not limited to, possession of substantial wealth; children with day care expenses; special health care, educational, or psychological needs; and larger families.

(4) The transfer payment shall be made to the parent with whom the child or children reside a majority of the time pursuant to a parenting plan or a custody decree. The transfer payment shall be for the amount of that parent's share of basic support plus day care, health care, long-distance transportation, or other extraordinary expenses as apportioned pursuant to section 7 of this act.

(5) Basic child support shall be adjusted when a child stays overnight with the nonresidential parent more than ninety nights per calendar year. Credit shall be allowed for each overnight stay beyond ninety overnight stays. The amount of the credit shall be determined by multiplying the basic support obligation determined under this section for the parent seeking the credit times $2/365$ ths times the number of overnights for which credit is granted. This calculation shall be made independently for each child for whom an adjustment is sought.

Absent agreement between the parents, the parent seeking the adjustment based on overnight stays shall have the burden to show by a preponderance of the evidence the requested adjustment is consistent with the parent's actual past involvement with the child. The support payment should not be reduced if the reduction will result in insufficient funds in the house receiving the support to meet the basic needs of the child or the child is receiving aid to families with dependent children payments.

(6) (a) When combined monthly net income is less than six hundred dollars, a support order not less than twenty-five dollars per month shall be entered for each parent, regardless of the number of children.

(b) A parent's child support obligation shall not reduce his or her net income below the need standard for one person promulgated pursuant to RCW 74.04.770, except for the mandatory minimum payment of twenty-five dollars per month as required pursuant to (a) of this subsection. This section shall not be construed to require monthly substantiation of income.

(c) The court may deviate from the basic support calculation. Reasons for deviation may include the possession of wealth, shared living arrangements, extraordinary debts that have not been voluntarily incurred, extraordinarily high income of a child, a significant disparity in the living costs of the parents due to conditions beyond their control, and special needs of disabled children. Deviation from the basic support obligation based upon tax planning considerations shall be allowed in the discretion of the court, but only upon written findings of fact demonstrating that the tax planning considerations result in greater benefits for the child. Deviations must be supported by the evidence and substantiated by written findings of fact entered by the court.

(d) The child support guidelines are not presumptive, but advisory only for combined net incomes above seven thousand dollars. For combined monthly net incomes exceeding seven thousand dollars per month, the court shall not set child support at a level below the amount calculated for the seven thousand dollars per month income level, but the court has discretion to establish support at higher levels upon written findings of fact based upon reasons for deviation as set forth in (c) of this subsection.

(7) When there are children from other relationships, the child support guidelines shall be applied to the mother, father, and children of the relationship being considered. Natural and adopted children from other relationships of the parent obligated to make the transfer payment and stepchildren shall not be considered for purposes of determining the presumptive basic support obligation per child from the table. Deviations from the amount of the presumptive basic support obligation due shall be based on the total circumstances of both households and determined according to subsection (6)(c) of this section.

(8) The child support guidelines for children in the age category of twelve and over shall be advisory and not mandatory for children who have attained the age of eighteen, have completed their secondary education, and who seek postsecondary education. When considering whether to order child support for children over age eighteen who have completed their secondary education and who seek postsecondary education, the court shall determine whether the child is in fact dependent and is relying upon the parents for the reasonable necessities of life. The court shall exercise its discretion when determining whether and for how long to award postsecondary educational support based upon consideration of factors that include but are not limited to the following: Age of the child; the child's needs; the expectations of the parties for their children when the parents were together; the child's prospects, desires, aptitudes, abilities, disabilities; the nature of the postsecondary education sought; and the parents' level of education, standard of living, and current and future resources. Also to be considered is the amount and type of support that the child would have been afforded if the parents had stayed together. The child must be enrolled in school, actively pursuing a course of study, and in good academic standing as defined by the institution or the court-ordered postsecondary educational support may be automatically suspended during the period or periods the child fails to comply with these conditions. The court in its discretion may order that the payment be made directly to the parent who has been receiving the transfer payments, the educational institution if feasible, or directly to the child. The court shall not order the payment of postsecondary educational expenses beyond the age of twenty-three, except for exceptional circumstances, such as mental, physical, or emotional disabilities.

(9) The provisions of this chapter shall apply to adult children who are dependent on their parents and for whom support is ordered pursuant to RCW 26.09.100.

NEW SECTION. Sec. 6. If approved by a majority vote of the superior court judges of a county, the superior court may adopt by local court rule an economic table that shall be used by the superior court of that county, instead of the economic table adopted by the legislature, to determine the appropriate amount of child support. The economic table adopted by the superior court shall not vary by more than twenty-five percent from the economic table adopted by the legislature and shall not vary the economic table for combined monthly net income of two thousand five hundred dollars or less.

NEW SECTION. Sec. 7. (1) Day care, health care, long-distance transportation costs, and special child-rearing expenses such as tuition are not included in the basic support obligation for each child. These expenses shall be shared by the parents in the same proportion as the basic child support obligation and may be listed as a specific dollar amount or as a percentage amount subject to the verification requirements pursuant to subsection (2) of this section. The court may exercise its discretion to determine the reasonableness and necessity of extraordinary and special expenses.

(2) (a) If a sum certain is established for day care and is set forth in the decree, the parent making the transfer payment is entitled to proof of the amount paid for day care. The parent making the transfer payment is responsible for the appropriate percentage of the actual amount paid, not to exceed the proper share of the amount as set forth in the decree. The transfer payment for day care must be made in advance if the day care amount is set forth in the decree or is a regularly paid amount in a sum certain. If an amount is not specified in the decree or a regular sum certain, reimbursement of day care expenses shall be treated in the same manner as reimbursement for transportation costs, health care, and other extraordinary expenses. If the actual amount of day care expenditures is less than the anticipated amount, then the parent making the transfer payment is entitled to reimbursement for that parent's percentage share of the savings, either directly or by a reduction in future day care transfer payments.

(b) For transportation costs, health care costs, and other extraordinary expenses of the children specified in the decree, the parent paying these expenses shall be entitled to prompt reimbursement of the other parent's share of those expenses. Proof of the expenditure shall be furnished to the parent from whom reimbursement is sought. Reimbursement must be made promptly but not later than thirty days of receipt of proof of payment of these expenditures.

(3) (a) If reimbursement is not made within the thirty-day period or is incomplete due to a nonsufficient fund check or other failure to pay, the parent seeking reimbursement may by motion obtain an order compelling payment with statutory interest. The court shall award actual court costs and reasonable attorneys' fees in every instance of failure to reimburse except upon a showing of good cause for nonpayment.

(b) Wage assignment orders may be obtained pursuant to chapter 26.18 RCW to collect court-ordered basic child support, day care, health care, long-distance transportation costs, or other extraordinary expenses, and attorneys' fees. A parent to whom basic child support, day care, health care, long-distance transportation costs, or other extraordinary expenses are to be paid based on a percentage share of the costs, may by motion obtain a court order reducing the amounts owed to a sum certain and then enforce collection of that amount by a wage assignment order.

NEW SECTION. Sec. 8. (1) Except as provided in subsections (2) and (3) of this section, all child support decrees may be adjusted once every twenty-four months pursuant to this chapter

based upon changes in the income of the parents without a showing of substantially changed circumstances as provided in RCW 26.09.170. Either party may initiate the modification pursuant to procedures of RCW 26.09.175.

(2) Parents whose decrees are entered before the effective date of this act may petition the court for a modification after twelve months has expired from the entry of the decree or the most recent modification setting child support. However, if a party is granted relief under this provision, twenty-four months must pass before another petition for modification may be filed pursuant to subsection (1) of this section.

(3) A party may petition for modification in cases of substantially changed circumstances, under RCW 26.09.170, at any time. However, if relief is granted under RCW 26.09.170, twenty-four months must pass before a petition for modification under subsection (1) of this section may be filed.

(4) Statutory changes do not constitute a substantial change of circumstances.

(5) A parent who is receiving transfer payments who receives a wage or salary increase may not bring a modification action alleging that increase constitutes a substantial change of circumstances under RCW 26.09.170.

NEW SECTION, Sec. 9. (1) A parent obligated to pay child support may file a motion for an accounting of how the support is being spent by the receiving parent. The parent filing the motion must meet the following conditions prior to filing the motion:

(a) The parent filing the motion must be obligated to pay at least fifty percent of the basic child support obligation for both parents;

(b) If support is owed for one child, the parent must be obligated to pay at least three hundred dollars per month in child support; for two children, the parent must be obligated to pay at least five hundred twenty-five dollars per month in child support; for three or more children, the parent must be obligated to pay at least six hundred sixty dollars in child support; and

(c) The parent must be current in all child support payments.

(2)(a) The motion for an accounting must be accompanied by an affidavit setting forth facts demonstrating that the parent receiving support is not spending a substantial portion of the child support for the direct or indirect benefit of the child. The motion, affidavit, and notice of hearing shall be served on the parent receiving support. The only issue at the preliminary hearing on the motion shall be whether there is reasonable cause to believe that the support is directly or indirectly benefiting the child.

(b) If the court determines at the preliminary hearing that the motion and affidavit establish reasonable cause to believe that a substantial portion of the support is not directly or indirectly benefiting the child the court may: (i) Set a show cause hearing on the motion and affidavit, or (ii) order the parents to mediate the issue with a court commissioner, family court commissioner, or other appropriate person. The court's order shall be in writing and shall set forth the facts which establish reasonable cause. The parent receiving support may be required to produce at the show cause hearing such documentation as is reasonably available to the parent and as the court determines is necessary to resolve the issue. The parent receiving support shall not be required to provide documentation for expenditures for more than six months prior to the time of the filing of the motion.

(c) If the court determines at the preliminary hearing that the motion and affidavit do not establish reasonable cause to believe that a substantial portion of the support is directly or indirectly benefiting the child, the court shall order the parent filing the motion and affidavit to pay costs and statutory attorneys' fees to the parent receiving the support.

The court may award reasonable attorneys' fees to the parent receiving support if the court determines that:

(i) The motion was brought in bad faith, for harassment, or frivolously; or

(ii) The motion was based on material statements of fact which were false.

(3) If at the show cause hearing on the motion and affidavit the parent obligated to pay support demonstrates by a preponderance of the evidence that a substantial portion of the support is not directly or indirectly benefiting the child, the court shall enter an appropriate order directing the parent receiving the support to spend the child support to benefit the child. The court may order the child support payments to be paid to a protective payee for the benefit of the child. The only issue at the hearing on the motion shall be whether the parent receiving support is spending support to directly or indirectly benefit the child.

If the moving party prevails on the motion at the show cause hearing, the court may award reasonable attorneys' fees to the moving party.

(4) A motion and affidavit for an accounting of child support expenditures may not be filed more than once every twelve months.

Sec. 10. Section 6, chapter 275, Laws of 1988 and RCW 26.19.050 are each amended to read as follows:

(1) The ~~((commission))~~ administrator for the courts shall develop and adopt worksheets and instructions to assist the parties and courts in establishing the appropriate child support level and apportionment of support. The ~~((commission))~~ administrator for the courts shall attempt to

the greatest extent possible to make the worksheets and instructions understandable by persons who are not represented by legal counsel.

(2) The administrator for the courts (~~in consultation with the commission~~) shall develop and adopt standards for the printing of worksheets and shall establish a process for certifying printed worksheets. (~~The administrator shall not alter the design approved by the commission~~). The administrator may maintain a register of sources for approved worksheets.

(3) The administrator for the courts should pursue methods to assist pro se parties and judges in the courtroom to calculate support payments through automated software, equipment, or personal assistance.

NEW SECTION. Sec. 11. A new section is added to chapter 26.18 RCW to read as follows:

When the department of labor and industries or a self-insurer pays compensation under chapter 51.32 RCW on behalf of or on account of the child or children of the injured worker for whom the injured worker owes a duty of child support, the amount of compensation the department or self-insurer pays on behalf of the child or children shall be treated for all purposes as if the injured worker paid the compensation toward satisfaction of the injured worker's child support obligations.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

(1) Section 1, chapter 275, Laws of 1988 and RCW 26.19.001;

(2) Section 2, chapter 275, Laws of 1988 and RCW 26.19.010;

(3) Section 3, chapter 275, Laws of 1988, section 76, chapter 175, Laws of 1989 and RCW 26.19.020;

(4) Section 1, chapter 440, Laws of 1987, section 4, chapter 275, Laws of 1988, section 41, chapter 360, Laws of 1989 and RCW 26.19.030;

(5) Section 2, chapter 440, Laws of 1987, section 5, chapter 275, Laws of 1988 and RCW 26.19.040; and

(6) Section 7, chapter 275, Laws of 1988 and RCW 26.19.060.

NEW SECTION. Sec. 13. (1) Sections 10 and 11 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

(2) Sections 1 through 9 and 12 through 15 of this act shall take effect July 1, 1990, and the provisions of this act shall apply to all court decrees of dissolution or legal separation or in any court order or court-approved property settlement incident to any court decree of dissolution or legal separation, entered or modified on or after July 1, 1990.

NEW SECTION. Sec. 14. This act shall not be construed as affecting any existing right acquired or liability or obligation incurred under the sections amended or repealed in this act or under any rule or order adopted under those sections, nor as affecting any proceeding instituted under those sections, if the proceeding was instituted prior to July 1, 1990.

NEW SECTION. Sec. 15. 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. 16. Sections 1 through 9 and 13 through 15 of this act are each added to chapter 26.19 RCW."

The Clerk read the following amendments by Representative Padden to the amendment:

On page 5, line 8 of the amendment, strike "seven" and insert "four"

On page 5, line 10 of the amendment, strike "seven" insert "four"

On page 7, line 49 of the amendment, strike "\$7,000.00" and insert "\$4,000.00"

On page 9, line 12 of the amendment, strike "seven" and insert "four"

On page 9, line 13 of the amendment, strike "seven" and insert "four"

On page 9, line 15 of the amendment, strike "seven" and insert "four"

With consent of the House, Representative Padden withdrew the amendments.

Mr. Padden moved adoption of the following amendments to the amendment:

On page 5, line 8 of the amendment, strike "seven" and insert "five"

On page 5, line 10 of the amendment, strike "seven" insert "five"

On page 7, line 49 of the amendment, strike "\$7,000.00" and insert "\$5,000.00"

On page 9, line 12 of the amendment, strike "seven" and insert "five"

On page 9, line 13 of the amendment, strike "seven" and insert "five"

On page 9, line 15 of the amendment, strike "seven" and insert "five"

Mr. Padden spoke in favor of adoption of the amendments to the amendment, and Representatives Appelwick and Hargrove opposed them. The amendments to the amendment were not adopted.

The Clerk read the following amendments by Representatives Belcher and Wineberry to the amendment:

On page 4, line 2, after "bonuses," strike "mandatory"

On page 4, beginning on line 15, strike "voluntary overtime."

With consent of the House, Representative Belcher withdrew the amendments to the amendment.

The Clerk read the following amendment by Representatives Belcher and Brough to the amendment:

On page 8, beginning on line 8, strike all of subsection (5) through "payments." on page 8, line 24

Renumber the remaining subsections consecutively and correct internal references accordingly

With consent of the House, Representative Belcher withdrew the amendment to the amendment.

The Clerk read the following amendment by Representatives Belcher, Wineberry and Brough to the amendment:

On page 10, beginning on line 25, strike all of section 6

Renumber the remaining sections consecutively and correct internal references accordingly

With consent of the House, Representative Belcher withdrew the amendment to the amendment.

The Clerk read the following amendment by Representatives Belcher and Wineberry to the amendment:

On page 13, beginning on line 1, strike all of section 9 through "months." on page 14, line 27.

With consent of the House, Representative Belcher withdrew the amendment to the amendment.

The Speaker stated the question before the House to be adoption of the amendment by Representative Appelwick.

Mr. Appelwick spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representative Appelwick to the title was adopted:

On page 1, line 1 of the title, after "support;" strike the remainder of the title and insert "amending RCW 26.19.050; adding new sections to chapter 26.19 RCW; adding a new section to chapter 26.18 RCW; repealing RCW 26.19.001, 26.19.010, 26.19.020, 26.19.030, 26.19.040, and 26.19.060; providing an effective date; and declaring an emergency."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Padden, Brough, Hargrove, R. Meyers and Appelwick spoke in favor of passage of the bill, and Representatives Miller and Belcher opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2888, and the bill passed the House by the following vote: Yeas, 78; nays, 19; excused, 1.

Voting yea: Representatives Appelwick, Ballard, Basich, Baugher, Beck, Bennett, Betrozoff, Bowman, Braddock, Brough, Brumsickle, Cantwell, Chandler, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslee, Jesernig, Jones, King P, King R, Kirby, Kremen, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Sayan, Schmidt, Schoon, Silver, Smith, Sommers D, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 78.

Voting nay: Representatives Anderson, Belcher, Brekke, Cole, Fisher R, Heavey, Jacobsen, Leonard, Locke, Miller, Phillips, Prentice, Rust, Scott, Sommers H, Spanel, Wang, Wilson K, Wineberry - 19.

Excused: Representative Brooks - 1.

Engrossed House Bill No. 2888, having received the constitutional majority, was declared passed.

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

SELECT COMMITTEE APPOINTMENT

The Speaker announced the appointment of Representative Fraser to the Joint Select Committee on Water Resource Policy.

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Wednesday, February 14, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-EIGHTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, February 14, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Sayan and Valle. On motion of Ms. Fraser, Representatives Sayan and Valle were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Greg Adams and Jennifer Laybourn. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia.

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

MESSAGES FROM THE SENATE

February 12, 1990

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 5307,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 5545,
 SUBSTITUTE SENATE BILL NO. 5547,
 SENATE BILL NO. 5705,
 SECOND SUBSTITUTE SENATE BILL NO. 5835,
 SECOND SUBSTITUTE SENATE BILL NO. 5845,
 SENATE BILL NO. 6038,
 ENGROSSED SENATE BILL NO. 6189,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6216,
 SUBSTITUTE SENATE BILL NO. 6221,
 SENATE BILL NO. 6224,
 SUBSTITUTE SENATE BILL NO. 6230,
 SUBSTITUTE SENATE BILL NO. 6306,
 SECOND SUBSTITUTE SENATE BILL NO. 6310,
 SUBSTITUTE SENATE BILL NO. 6325,
 SUBSTITUTE SENATE BILL NO. 6329,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6332,
 ENGROSSED SENATE BILL NO. 6411,
 SUBSTITUTE SENATE BILL NO. 6438,
 SUBSTITUTE SENATE BILL NO. 6475,
 SENATE BILL NO. 6495,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6536,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6537,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6538,
 SUBSTITUTE SENATE BILL NO. 6573,
 SUBSTITUTE SENATE BILL NO. 6575,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6610,
 SUBSTITUTE SENATE BILL NO. 6629,
 SENATE BILL NO. 6640,
 SUBSTITUTE SENATE BILL NO. 6681,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6700,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6710,
 SUBSTITUTE SENATE BILL NO. 6713,
 SENATE BILL NO. 6786,
 SENATE BILL NO. 6813.

SUBSTITUTE SENATE BILL NO. 6814,

ENGROSSED SENATE BILL NO. 6839,

and the same are herewith transmitted.

Gordon A. Golob, Secretary.

February 13, 1990

Mr. Speaker:

The Senate has passed:

THIRD SUBSTITUTE SENATE BILL NO. 5550,
 SUBSTITUTE SENATE BILL NO. 5554,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5882,
 SUBSTITUTE SENATE BILL NO. 6148,
 SUBSTITUTE SENATE BILL NO. 6182,
 SENATE BILL NO. 6213,
 SUBSTITUTE SENATE BILL NO. 6234,
 ENGROSSED SENATE BILL NO. 6252,
 SENATE BILL NO. 6350,
 SUBSTITUTE SENATE BILL NO. 6381,
 SENATE BILL NO. 6388,
 SUBSTITUTE SENATE BILL NO. 6390,
 SENATE BILL NO. 6399,
 SUBSTITUTE SENATE BILL NO. 6402,
 SUBSTITUTE SENATE BILL NO. 6446,
 SUBSTITUTE SENATE BILL NO. 6447,
 SUBSTITUTE SENATE BILL NO. 6459,
 SENATE BILL NO. 6464,
 SUBSTITUTE SENATE BILL NO. 6493,
 SENATE BILL NO. 6588,
 ENGROSSED SUBSTITUTE SENATE BILL NO. 6608,
 SUBSTITUTE SENATE BILL NO. 6625,
 ENGROSSED SENATE BILL NO. 6654,
 SUBSTITUTE SENATE BILL NO. 6657,
 SENATE BILL NO. 6669,
 SENATE BILL NO. 6672,
 ENGROSSED SENATE BILL NO. 6740,
 ENGROSSED SENATE BILL NO. 6746,
 SENATE BILL NO. 6754,
 ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6767,
 SECOND SUBSTITUTE SENATE BILL NO. 6832,
 ENGROSSED SENATE BILL NO. 6834,
 SENATE BILL NO. 6866,
 ENGROSSED SENATE BILL NO. 6874,
 SENATE JOINT MEMORIAL NO. 8009,
 SENATE JOINT MEMORIAL NO. 8018,
 SENATE JOINT MEMORIAL NO. 8025,
 SECOND SUBSTITUTE SENATE JOINT RESOLUTION NO. 8212,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4722, by Representatives Brumsickle, Bowman and Basich

WHEREAS, The learning acquired while participating in team sports is beneficial in developing independence, cooperation and abilities to set goals and to work with others for the common good; and

WHEREAS, The Adna High School football team members displayed these characteristics when taking their school to victory as the 1989 B-11 State Champions; and

WHEREAS, Adna High School teams have demonstrated perseverance by placing third in every other playoff since 1984; and

WHEREAS, This year's team won each game by a margin of twenty-four points or more and played two shut-outs; and

WHEREAS, Coach Phil Zukowski has guided the Adna High School teams to fifty-six wins, fourteen ties and no losses in six seasons; and

WHEREAS, Phil Zukowski was selected Coach of the Year for the Central B League; and

WHEREAS, Running back Ken Frazier was chosen The Morning News Tribune Player of the Year, the Central B League Most Valuable Player, and The Seattle P.I. All-State Running Back; and

WHEREAS, Ken Frazier broke the longstanding, state record of thirty-four touchdowns in one season by racking up forty-two touchdowns this season, and he also compiled the second all-time record for yards gained rushing in a single season; and

WHEREAS, These records and awards could not have been achieved without the support, cooperation and participation of every team member; and

WHEREAS, The students of Adna High School played a critical role by cheering their team on to victory;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives recognize and honor Adna High School's 1989 winning football team, the students, coaches and teachers; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Coach Phil Zukowski, Principal John Green and to each member of the Adna High School football team.

Mr. Brumsickle moved adoption of the resolution. Representatives Brumsickle and Basich spoke in favor of the resolution.

House Floor Resolution No. 90-4722 was adopted.

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

INTRODUCTIONS AND FIRST READING

2SSB 5307 by Committee on Economic Development & Labor (originally sponsored by Senators Anderson, McMullen and Moore)

Creating additional requirements for contractor advertising.

Referred to Committee on Commerce & Labor.

ESSB 5545 by Committee on Higher Education (originally sponsored by Senators Smitherman and Saling)

Establishing the state board for vocational education.

Referred to Committee on Higher Education.

SSB 5547 by Committee on Health Care & Corrections (originally sponsored by Senators Smith and West)

Regarding payment of jail processing costs by criminal defendants.

Referred to Committee on Judiciary.

3SSB 5550 by Committee on Ways & Means (originally sponsored by Senators Lee, Williams and Fleming)

Providing a procedure for the classification and valuation of property devoted primarily to low-income housing.

Referred to Committees on Housing/Revenue.

SSB 5554 by Committee on Transportation (originally sponsored by Senators Patterson, Hansen, Madsen and Benitz; by request of Utilities and Transportation Commission)

Providing for testing of railroad track scales.

Referred to Committee on Agriculture & Rural Development.

SB 5705 by Senators Benitz, Bluechel and Nelson

Requiring the energy facility site evaluation council to consider the extent of carbon dioxide emissions by thermal plant facilities seeking certification.

Referred to Committee on Energy & Utilities.

SSB 5835 by Committee on Energy & Utilities (originally sponsored by Senators Benitz and Rasmussen)

Creating an energy information program for local school district use.

Referred to Committees on Education/Appropriations.

SSB 5845 by Committee on Ways & Means (originally sponsored by Senators Bailey, Metcalf, DeJarnatt, Owen, Thorsness, Smitherman, Bauer and McMullen)

Increasing steelhead trout production.

Referred to Committees on Fisheries & Wildlife/Appropriations.

E2SSB 5882 by Committee on Law & Justice (originally sponsored by Senator Nelson)

Establishing definitions and revising penalties for reckless, negligent, and inattentive driving.

Referred to Committee on Judiciary.

SB 6038 by Senators Matson, Vognild, Sellar, Warnke and Newhouse

Establishing a search and rescue fund.

Referred to Committees on Fisheries & Wildlife/Appropriations.

SB 6148 by Committee on Law & Justice (originally sponsored by Senators Nelson and McCaslin)

Requiring an attorneys' certificate of merit.

Referred to Committee on Judiciary.

SB 6182 by Committee on Governmental Operations (originally sponsored by Senators McCaslin, Madsen and Conner)

Clarifying provisions relating to fire protection district service charges.

Referred to Committee on Local Government.

ESB 6189 by Senator McCaslin

Eliminating boundary review boards.

Referred to Committee on Local Government.

SB 6213 by Senators West and Rasmussen

Revising provisions for reimbursement to department of social and health services employees for costs related to assaults.

Referred to Committee on Human Services.

E2SSB 6216 by Committee on Ways & Means (originally sponsored by Senators Saling, Gaspard, Bauer, Patterson, Patrick, Conner and Rinehart; by request of State Board for Community College Education)

Creating the Washington community college exceptional faculty awards program.

Referred to Committees on Higher Education/Appropriations.

SB 6221 by Committee on Education (originally sponsored by Senators Gaspard, Bailey, Rinehart, Bender, Metcalf, Lee, Murray and Conner; by request of Superintendent of Public Instruction)

Creating the high school and beyond assessment program.

Referred to Committees on Education/Appropriations.

SB 6224 by Senators Bailey, Bender, Lee, Gaspard, Murray, Talmadge and Craswell; by request of Superintendent of Public Instruction

Allowing the SPI to withhold basic education moneys from school districts owing repayment of moneys to the federal government.

Referred to Committee on Education.

SSB 6230 by Committee on Ways & Means (originally sponsored by Senator Talmadge)

Authorizing funds for grants to preserve historic community theaters.

Referred to Committees on State Government/Capital Facilities & Financing.

SSB 6234 by Committee on Higher Education (originally sponsored by Senators von Reichbauer, Smitherman, Saling and Gaspard)

Changing safety requirements for colleges and universities.

Referred to Committee on Higher Education.

ESB 6252 by Senators Patterson, Murray, Wojahn, Barr, Bender and Conner

Enacting a moratorium on siting of hazardous waste disposal facilities.

Referred to Committee on Environmental Affairs.

SSB 6306 by Committee on Higher Education (originally sponsored by Senators Saling, McDonald, Stratton, Bailey, McCaslin, Benitz, Thorsness, Barr and Amondson)

Revising provisions for tenure at community colleges.

Referred to Committee on Higher Education.

2SSB 6310 by Committee on Ways & Means (originally sponsored by Senators Metcalf, Owen, DeJarnatt, McMullen, Smith, Amondson, Anderson, Warnke, Thorsness, von Reichbauer and Rasmussen; by request of Department of Fisheries)

Providing a funding mechanism for regional fisheries enhancement groups.

Referred to Committees on Fisheries & Wildlife/Appropriations.

SSB 6325 by Committee on Economic Development & Labor (originally sponsored by Senators Lee, Williams and Smitherman)

Creating the industrial competitiveness program.

Referred to Committees on Trade & Economic Development/Appropriations.

SSB 6329 by Committee on Ways & Means (originally sponsored by Senators Newhouse and Gaspard)

Clarifying business and occupation taxation of travel charter and tour operators.

Referred to Committee on Revenue.

ESSB 6332 by Committee on Law & Justice (originally sponsored by Senators Craswell, Owen, Thorsness, Metcalf, Smitherman, Barr, McCaslin, Newhouse, Benitz, Johnson, Anderson, Saling and Hayner)

Permitting voluntary castration of sex offenders.

Referred to Committee on Judiciary.

SB 6350 by Senators Smith and Hayner

Modifying acceptable proof of a corporation's nonresident status.

Referred to Committee on Revenue.

SSB 6381 by Committee on Financial Institutions & Insurance (originally sponsored by Senators von Reichbauer, Moore, Johnson and Rasmussen; by request of Insurance Commissioner)

Changing multiple insurance statutes.

Referred to Committee on Financial Institutions & Insurance.

SB 6388 by Senators von Reichbauer, Moore, Johnson and Rasmussen; by request of Insurance Commissioner

Regarding the cancellation of insurance.

Referred to Committee on Financial Institutions & Insurance.

SSB 6390 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge and Newhouse)

Modifying marital deduction provisions regarding qualified domestic trusts.

Referred to Committee on Judiciary.

SB 6399 by Senators Barr, Hansen, Bluechel, Warnke, Johnson, Lee and Bailey

Requiring employer compliance with the office of support enforcement.

Referred to Committee on Judiciary.

SSB 6402 by Committee on Health & Long-Term Care (originally sponsored by Senators West, Niemi and Conner; by request of Department of Health)

Continuing the board of pharmacy and modifying licensures.

Referred to Committee on Health Care.

ESB 6411 by Senators Lee, Smitherman, Warnke, Bender and Rasmussen; by request of Governor

Establishing an employment training program.

Referred to Committees on Trade & Economic Development/Appropriations.

SSB 6438 by Committee on Education (originally sponsored by Senators Lee, Bailey and Conner)

Facilitating eleventh and twelfth grade students' enrollment in public community colleges.

Referred to Committee on Education.

SSB 6446 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Madsen, Patrick, Kreidler, Sutherland and Barr)

Revising provisions for public water systems.

Referred to Committee on Energy & Utilities.

SSB 6447 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Madsen, Patrick, Sutherland and Barr)

Regarding failing public water systems.

Referred to Committee on Energy & Utilities.

SSB 6459 by Committee on Governmental Operations (originally sponsored by Senators Patrick, DeJarnatt, Nelson and Rasmussen)

Establishing a state recording officer.

Referred to Committees on Local Government/Appropriations.

SB 6464 by Senators Patrick, Vognild, West, Rasmussen and Wojahn

Exempting law enforcement officers from commercial driver's license requirements.

Referred to Committee on Transportation.

- SSB 6475 by Committee on Children & Family Services (originally sponsored by Senators Anderson, Craswell, Wojahn, Bailey and West)
 Pertaining to day care providers.
 Referred to Committee on Human Services.
- SSB 6493 by Committee on Children & Family Services (originally sponsored by Senators Patrick, Kreidler, Craswell, Stratton, Conner and Bailey)
 Authorizing the appointment of confidential intermediaries in adoption searches.
 Referred to Committee on Human Services.
- SB 6495 by Senators Patrick, Rasmussen and Metcalf
 Protecting recreational landowners from suit.
 Referred to Committee on Judiciary.
- ESSB 6536 by Committee on Ways & Means (originally sponsored by Senators McDonald, Bluechel, Talmadge, Anderson, Vognild, Kreidler, McMullen, Bailey, Gaspard, Metcalf and Warnke; by request of Department of Natural Resources)
 Providing for the purchase of state forest lands.
 Referred to Committee on Natural Resources & Parks.
- E2SSB 6537 by Committee on Ways & Means (originally sponsored by Senators Smith, Stratton, Vognild, Bailey, Craswell and Rasmussen)
 Providing for foster care reform and making appropriations.
 Referred to Committees on Human Services/Appropriations.
- E2SSB 6538 by Committee on Ways & Means (originally sponsored by Senators Smith, Stratton, Vognild, Bailey, Craswell and Rasmussen)
 Pertaining to termination of parental rights.
 Referred to Committees on Human Services/Appropriations.
- SSB 6573 by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Williams, Patrick and Stratton)
 Revising the administration of the energy facility site evaluation council.
 Referred to Committee on Energy & Utilities.
- SSB 6575 by Committee on Energy & Utilities (originally sponsored by Senators Benitz and Williams; by request of Department of Ecology)
 Revising liability requirements for nuclear operations.
 Referred to Committee on Energy & Utilities.
- SB 6588 by Senator Nelson
 Defining when a live performance may be a moral nuisance.
 Referred to Committee on Judiciary.
- ESSB 6608 by Committee on Law & Justice (originally sponsored by Senators Nelson, McMullen, Patrick, Smitherman and Madsen)
 Pertaining to enforcement of traffic violations.
 Referred to Committee on Judiciary.
- E2SSB 6610 by Committee on Ways & Means (originally sponsored by Senators Craswell, Rasmussen, Smith, Stratton, Johnson, Bailey, Smitherman and Anderson)
 Revising provisions for at-risk youth.
 Referred to Committees on Human Services/Appropriations.

- SSB 6625 by Committee on Higher Education (originally sponsored by Senators von Reichbauer, Smitherman and Johnson)
Prohibiting young men from receiving financial aid unless they have registered with selective service.
Referred to Committee on Higher Education.
- SSB 6629 by Committee on Economic Development & Labor (originally sponsored by Senator Lee)
Exempting the developmentally disabled from prevailing wage provisions.
Referred to Committee on Commerce & Labor.
- SB 6640 by Senator McMullen
Expanding the use of hotel-motel tax revenues to develop tourism strategies.
Referred to Committee on Revenue.
- ESB 6654 by Senators McDonald, Gaspard, Bluechel, Wojahn, Cantu, Hayner, Thorsness and Johnson
Authorizing local governments to establish public corporations to finance non-profit corporations.
Referred to Committee on Local Government.
- SSB 6657 by Committee on Law & Justice (originally sponsored by Senators Nelson, Talmadge, McCaslin, Thorsness, Madsen and Niemi)
Revising criteria for setting the number of district court judges in each electoral district.
Referred to Committee on Judiciary.
- SB 6669 by Senators Lee, McMullen and Murray; by request of Department of Labor and Industries
Revising provisions for industrial insurance coverage of maritime occupations.
Referred to Committee on Commerce & Labor.
- SB 6672 by Senators Nelson and Talmadge; by request of Parks and Recreation Commission
Limiting liability of the parks and recreation commission for unintentional injuries on lands administered for winter recreation purposes.
Referred to Committee on Judiciary.
- SSB 6681 by Committee on Education (originally sponsored by Senator Lee)
Changing provisions relating to the lease or rental of surplus real property owned by a school district.
Referred to Committee on Education.
- ESSB 6700 by Committee on Transportation (originally sponsored by Senators Patterson, Metcalf, DeJarnatt, Amondson, Benitz, Newhouse, Sellar, Hansen, Conner and Madsen)
Regulating trucking of recovered materials.
Referred to Committee on Environmental Affairs.
- ESSB 6710 by Committee on Health & Long-Term Care (originally sponsored by Senators West, Kreidler, McDonald, Thorsness, Nelson, Stratton and Saling)
Providing for the prevention of alcohol and drug-related illness and injury.
Referred to Committee on Judiciary.

- SSB 6713 by Committee on Environment & Natural Resources (originally sponsored by Senators Smith, Sutherland, Owen, Amondson and Bauer)
Prohibiting the use of styrofoam containers for fishing bait.
Referred to Committee on Fisheries & Wildlife.
- ESB 6740 by Senator Matson
Regulating medical treatment under the industrial insurance retrospective rating program.
Referred to Committee on Commerce & Labor.
- ESB 6746 by Senators Patrick, Madsen, Patterson, Nelson, Sutherland and Murray
Simplifying disposal of abandoned junk vehicles.
Referred to Committee on Transportation.
- SB 6754 by Senator Nelson
Perfecting certain security interests upon recording.
Referred to Committee on Judiciary.
- E2SSB 6767 by Committee on Ways & Means (originally sponsored by Senators Niemi, Nelson, Talmadge, Newhouse and Rasmussen)
Creating a juvenile justice review commission.
Referred to Committee on Human Services.
- SB 6786 by Senator Patrick
Authorizing city and town councilmembers to serve as reserve police officers.
Referred to Committee on Local Government.
- SB 6813 by Senators Thorsness, Hansen, Hayner, Stratton and Bailey
Clarifying the method for determining the proportionate share of damages when multiple parties are at fault.
Referred to Committee on Judiciary.
- SSB 6814 by Committee on Children & Family Services (originally sponsored by Senator Smith)
Concerning dependency proceedings and termination of parental rights.
Referred to Committee on Human Services.
- 2SSB 6832 by Committee on Ways & Means (originally sponsored by Senators Nelson, Talmadge, Niemi and Rasmussen)
Authorizing a study of the state's juvenile rehabilitation system.
Referred to Committee on Human Services.
- ESB 6834 by Senators Sellar, Conner, West, McDonald and Bauer
Establishing a basic health care plan for small business employees.
Referred to Committee on Financial Institutions & Insurance.
- ESB 6839 by Senator Barr
Providing for protection of the Kettle River.
Referred to Committees on Natural Resources & Parks/Appropriations.
- SB 6866 by Senator Barr
Changing fee amount for research for field and turf grass seed production.
Referred to Committee on Agriculture & Rural Development.

ESB 6874 by Senators Benitz, West, Anderson and Bluechel

Modifying property tax deferrals and exemptions.

Referred to Committee on Revenue.

SJM 8009 by Senators Sutherland, Metcalf, Owen and DeJarnatt; by request of Joint Select Committee on Marine and Ocean Resources

Requesting congress to amend the outer continental shelf lands act.

Referred to Committee on Natural Resources & Parks.

SJM 8018 by Senators Conner, Rasmussen and Saling

Requesting congress to pass legislation concerning taxation of pensions.

Referred to Committee on Revenue.

SJM 8025 by Senators von Reichbauer, Moore, Sutherland, Fleming and Gaspard

Petitioning Congress to support the earthquake project.

Referred to Committee on Financial Institutions & Insurance.

2SSJR 8212 by Committee on Ways & Means (originally sponsored by Senators Lee, Williams and Fleming)

Amending the Constitution to allow property devoted to low-income housing to be taxed based on its current use value.

Referred to Committees on Housing/Revenue.

MOTION

On motion of Mr. Heavey, the bills, memorials and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

The Speaker assumed the Chair.

SPEAKER'S PRIVILEGE

The Speaker introduced Mr. Jim Hightower, Commissioner of Agriculture, State of Texas. Commissioner Hightower briefly addressed the members of the House of Representatives.

The Speaker invited Representative Ballard to the rostrum. Representative Ballard introduced the 1990 Apple Blossom Court from Wenatchee, which included Queen Jennifer Lynn Williams, Princess Anne Elizabeth Rowley and Princess Tara Leigh Holliday. Queen Jennifer briefly addressed the members of the House of Representatives.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

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

SECOND READING

HOUSE BILL NO. 2929, by Representatives Cantwell, R. Fisher, Brough, Haugen, Belcher, Ferguson, Nutley, Phillips, Horn, Rust, Wood, Winsley, Nelson, Locke, Appelwick, Leonard, Wineberry, Scott, Bennett, Pruitt, Cole, Crane, Heavey, Spanel, Forner, Holland, O'Brien, Hine, Fraser, Todd and Wang

Enacting comprehensive growth planning provisions.

The bill was read the second time. On motion of Ms. Cantwell, Substitute House Bill No. 2929 was substituted for House Bill No. 2929, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2929 was read the second time.

Ms. Brough moved adoption of the following amendments:

On page 3, line 17, strike "experiencing insufficient economic growth" and insert "both experiencing insufficient economic growth and which have substantial and widespread support of residents for such economic growth"

On page 4, beginning on line 19, strike "not experiencing economic growth" and insert "that both are not experiencing economic growth and which have substantial and widespread support of residents for such economic growth"

Ms. Brough spoke in favor of adoption of the amendments, and Ms. Cantwell opposed them. The amendments were not adopted.

Ms. Bowman moved adoption of the following amendments:

On page 4, line 17, after "state" insert "that is consistent with adopted comprehensive plans"

On page 4, line 20, after "growth" insert "all within the capacities of the state's natural resources and its public services and public facilities"

Representatives Bowman and Cantwell spoke in favor of adoption of the amendments, and they were adopted.

Ms. Bowman moved adoption of the following amendment:

On page 4, beginning on line 24, strike "and development of open space and recreation" and insert "of open space and development of recreational opportunities"

Representatives Bowman and Cantwell spoke in favor of adoption of the amendment, and it was adopted.

Ms. Bowman moved adoption of the following amendment:

On page 4, line 25, after "protecting" insert "fish and"

Ms. Bowman spoke in favor of adoption of the amendment, and it was adopted.

Ms. Bowman moved adoption of the following amendment:

On page 4, line 36, after "process" insert ", promote the use of community plans."

Ms. Bowman spoke in favor of adoption of the amendment, and Ms. Haugen opposed it. The amendment was not adopted.

Ms. Bowman moved adoption of the following amendment:

On page 5, line 5, after "development" insert ", while avoiding adverse fiscal and environmental impacts from the construction of such facilities through the coordination of planning, the consistency of need forecasts with comprehensive plans, and the promotion of means to manage demand"

Ms. Bowman spoke in favor of adoption of the amendment, and Ms. Nutley opposed it. The amendment was not adopted.

Ms. Bowman moved adoption of the following amendment:

On page 5, after line 8, insert:

"(13) Neighborhood protection. Promote the stability of existing neighborhoods by assuring consistency of new zoning with the height, bulk, and scale of existing residential or business neighborhoods, limiting the rate and nature of change in such neighborhoods, and promoting aesthetically pleasing development or redevelopment."

Ms. Bowman spoke in favor of adoption of the amendment, and Ms. Nutley opposed it. The amendment was not adopted.

Ms. Brough moved adoption of the following amendments:

On page 5, after line 8, insert:

"(13) Addressing impacts of past development. Every effort shall be made to provide priority funding of unmet public facility needs arising from past development activity, including, but not limited to, roads, streets, highways, sidewalks, parks, sewer facilities, public water facilities, and schools."

On page 19, line 34, after "capacities" insert ", including a priority for unmet public facility needs arising from past development activity"

On page 20, line 34, after "systems" insert ", including a priority for unmet transportation facility needs arising from past development activity"

Ms. Brough spoke in favor of adoption of the amendments, and Ms. Nutley opposed them. Ms. Brough again spoke in favor of the amendments.

The amendments were not adopted.

Ms. Brough moved adoption of the following amendment:

On page 8, line 24, strike "1990" and insert "1991"

Representatives Brough and Betrozoff spoke in favor of adoption of the amendment, and Ms. Belcher opposed it. The amendment was not adopted.

Ms. Belcher moved adoption of the following amendments:

On page 6, line 2, strike "Forestry" and insert "Forest"

On page 16, line 15, after "wildlife" strike "."

Ms. Belcher spoke in favor of adoption of the amendments, and they were adopted.

Mr. Jesernig moved adoption of the following amendments by Representatives Jesernig, Hankins, Baugher, Rayburn, Zellinsky, Schmidt, Kremen, Brooks, McLean, Ballard and Youngsman:

On page 7, line 28, after "population of" strike "one" and insert "two"

On page 7, line 28, after "more" strike "or that has had its population increase by more than ten percent in the previous ten years"

On page 7, line 31, after "meets" strike "one of these criteria" and insert "this criterion"

On page 7, line 33, after "meets" strike "one of these criteria" and insert "this criterion"

On page 8, line 12, after "to" strike "one" and insert "two"

On page 8, line 13, after "to" strike "one" and insert "two"

On page 8, line 13, after "more," strike "or has increased by more than ten percent over the preceding ten-year period."

Mr. Jesernig spoke in favor of adoption of the amendments.

Ms. Hankins demanded an electric roll call vote and the demand was sustained.

Representatives Haugen, Inslee, Cantwell, Belcher and Kremen spoke against adoption of the amendments, and Representatives Ballard, Hankins, May and Walker spoke in favor of them.

ROLL CALL

The Clerk called the roll on adoption of the amendments on page 7, lines 28, 31 and 33, and on page 8, lines 12 and 13, by Representative Jesernig to Substitute House Bill No. 2929, and the amendments were not adopted by the following vote: Yeas, 39; nays, 57; excused, 2.

Voting yea: Representatives Ballard, Basich, Baugher, Betrozoff, Brooks, Brough, Chandler, Day, Doty, Forner, Fuhrman, Gallagher, Grant, Hankins, Holland, Horn, Jesernig, Jones, Kirby, May, McLean, Meyers R, Miller, Moyer, Nealey, Padden, Prince, Rayburn, Schmidt, Silver, Smith, Sommers D. Tate, Van Luven, Walker, Wolfe, Wood, Youngsman, Zellinsky - 39.

Voting nay: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Bowman, Braddock, Brekke, Brumsickle, Cantwell, Cole, Cooper, Crane, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, King P, King R, Kremen, Leonard, Locke, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Schoon, Scott, Sommers H, Spanel, Sprenkle, Todd, Vekich, Wang, Wilson K, Wilson S, Wineberry, Winsley, and Mr. Speaker - 57.

Excused: Representatives Sayan, Valle - 2.

Ms. Bowman moved adoption of the following amendment:

On page 8, after line 21, insert a new subsection to read as follows:

"(5) By a majority vote the county commission or the county council may choose to submit to the voters the question of whether or not to prepare a comprehensive land use plan required under this section."

Representatives Bowman and Padden spoke in favor of adoption of the amendment, and Ms. R. Fisher opposed it. The amendment was not adopted.

Ms. Brough moved adoption of the following amendment:

On page 8, line 36, after "tribes," insert "In addition to the consultation required under this subsection, the department shall conduct public hearings in the various regions of the state. The definitions required under subsection (1) of this section shall reflect the public input obtained at such public hearings."

Representatives Brough and Belcher spoke in favor of adoption of the amendment, and it was adopted.

Ms. Brough moved adoption of the following amendment:

On page 66, line 27, after "source," insert a new section to read as follows:

"NEW SECTION, Sec. 68. A new section is added to chapter 36.70 RCW to read as follows:

Each county and city required to prepare a comprehensive land use plan under section 4 of this act shall identify lands useful for public purposes such as utility corridors, transportation corridors, landfills, sewage treatment facilities, recreation, schools, and other public uses. The county shall work with the state and the cities within its borders to identify areas of shared need for public facilities. The jurisdictions within the county shall prepare a prioritized list of lands necessary for the identified public uses including an estimated date by which the acquisition will be needed.

The respective capital acquisition budgets for each jurisdiction shall reflect the jointly agreed upon priorities and time schedule."

Renumber the remaining subsections consecutively and correct the index and internal references accordingly.

Representatives Brough and Belcher spoke in favor of adoption of the amendment, and it was adopted.

Ms. Haugen moved adoption of the following amendments:

On page 9, line 17, strike "the county or city" and insert "each county and city that must adopt a comprehensive plan under section 4(1) of this act"

On page 9, line 18, after "regulations" insert "on or before July 1, 1991."

On page 9, line 28, strike "the county or city" and insert "each county and city that must adopt a comprehensive plan under section 4(1) of this act"

On page 9, line 29, after "regulations" insert "on or before July 1, 1991."

On page 9, line 32, strike "comply with" and insert "make interim designations and interim development regulations as provided in"

On page 9, line 36, strike "comply with" and insert "make interim designations and interim development regulations as provided in"

Ms. Haugen spoke in favor of adoption of the amendments, and they were adopted.

Mr. Betzoff moved adoption of the following amendment:

On page 10, line 21, after "annually" strike everything through "1991" on line 22 and insert "for a period of three years, beginning on January 1, 1991, and each five years thereafter."

Mr. Betzoff spoke in favor of adoption of the amendment, and it was adopted.

Mr. Betzoff moved adoption of the following amendment:

On page 66, line 27, after "source," insert a new section to read as follows:

"NEW SECTION, Sec. 68. A new section is added to chapter 36.70 RCW to read as follows:

Each county and city required to prepare a comprehensive land use plan under section 4 of this act shall identify open space corridors within and between urban growth areas. These corridors shall incorporate both private and public lands. They shall include lands useful for recreation, wildlife habitat, trails, and connection of sensitive areas as defined in section 3 of this act.

The city or county may seek to acquire by purchase or other methods the fee simple or lesser interests in these open space corridors using funds authorized by RCW 84.34.210 or other sources."

Renumber the remaining subsections consecutively and correct the index and internal references accordingly.

Representatives Betzoff and Belcher spoke in favor of adoption of the amendment, and it was adopted.

Mr. Betzoff moved adoption of the following amendment:

On page 5, after line 8, insert "(13) Private sector. The private sector must work with the public sector in achieving the desired results, recognizing that the private sector is the implementer of growth and should contribute to dealing with growth."

Mr. Betzoff spoke in favor of adoption of the amendment, and Ms. Haugen opposed it. The amendment was not adopted.

Mr. Fuhrman moved adoption of the following amendment:

On page 11, line 8, after "growth" strike everything down to and including "resources" on line 11.

Mr. Fuhrman spoke in favor of adoption of the amendment, and Representatives Belcher and Hargrove opposed it. The amendment was not adopted.

Ms. Brough moved adoption of the following amendment:

On page 13, after line 23, insert:

"(5) Nothing in this section shall give a county the authority to adopt comprehensive plans or development regulations controlling land located within a city."

Representatives Brough, Betzoff and Horn spoke in favor of adoption of the amendment, and Representatives Haugen and Heavey spoke against it. Representatives Brough and Betzoff again spoke in favor of the amendment, and Ms. Haugen again opposed it.

The amendment was not adopted.

Ms. Haugen moved adoption of the following amendment:

On page 13, line 31, strike "Prior" and insert "In the absence of or prior"

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

Ms. Haugen moved adoption of the following amendment:

On page 13, line 35, after "continuing" insert "evaluation and"

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

Ms. Haugen moved adoption of the following amendment:

On page 14, line 9, after "ascertained," insert "However, at any time when an emergency exists, a county or city may adopt amendments or revisions to its comprehensive plan that conform with this chapter."

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

Ms. Forner moved adoption of the following amendment:

On page 14, after line 23, insert a new section as follows:

NEW SECTION, Sec. 13. Each county and city may adopt ordinances permitting a property owner to accept a transfer of development rights from all or a portion of one parcel of his or her land, to either another parcel owned by the property owner or the remainder of that parcel of land, whenever all or a portion of the first parcel has future development restricted as a result of being designated as a wetland sensitive area under section 8(3) of this act."

Renumber the remaining subsections consecutively and correct the index and internal references accordingly.

Ms. Forner spoke in favor of adoption of the amendment, and Ms. Haugen opposed it. The amendment was not adopted.

Mr. Betzoff moved adoption of the following amendment by Representative Prince:

On page 14, after line 23, insert a new section as follows:

NEW SECTION, Sec. 13. If an area that has been designated as forest lands under section 8 of this act is ever removed from such a designation, at least ten percent of such an area that is so removed must be preserved as an open space or greenbelt area with a significant growth of trees."

Renumber the remaining subsections consecutively and correct the index and internal references accordingly.

Representatives Prince, Betzoff and Van Luven spoke in favor of adoption of the amendment, and Representatives Belcher and Hargrove opposed it. Mr. Prince again spoke in favor of the amendment, and Mr. Hargrove again opposed it.

The amendment was adopted.

The Clerk read the following amendment by Representative Forner:

On page 14, after line 23, insert a new section as follows:

NEW SECTION, Sec. 13. Each county and city shall adopt ordinances providing for the transfer of a development right from a portion of a parcel of land to the remainder of the parcel of land whenever a portion of the parcel has future development restricted as a result of being designated as a wetland sensitive area under section 8(3) of this act."

Renumber the remaining subsections consecutively and correct the index and internal references accordingly.

With consent of the House, Ms. Forner withdrew the amendment.

Mr. Betzoff moved adoption of the following amendments:

On page 14, line 28, after "DISTRICTS" insert "AND STATE AGENCIES"

On page 14, line 29, after "districts" insert "and state agencies"

On page 14, line 33, after "occur," insert "State agencies shall be subject to impact fees or excise taxes imposed by a county or city under section 28 of this act."

Mr. Betzoff spoke in favor of adoption of the amendments.

Mr. May demanded an electric roll call vote and the demand was sustained.

Ms. Belcher spoke against adoption of the amendments.

ROLL CALL

The Clerk called the roll on adoption of the amendments on page 14, lines 28, 29 and 33, by Representative Betzoff to Substitute House Bill No. 2929, and the amendments were not adopted by the following vote: Yeas, 35; nays, 54; absent, 7; excused, 2.

Voting yea: Representatives Ballard, Baugher, Beck, Betzoff, Bowman, Brooks, Brough, Brumsickle, Ferguson, Forner, Fuhrman, Hankins, Heavey, Holland, Horn, May, Miller, Morris, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 35.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Hargrove, Haugen, Hine, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers R, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Scott, Sommers H, Spanel, Sprengle, Todd, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 54.

Absent: Representatives Chandler, Doly, Gallagher, Grant, Kirby, McLean, Rayburn - 7.

Excused: Representatives Sayan, Valle - 2.

The Clerk read the following amendments by Representative Betzoff:

On page 14, line 28, after "DISTRICTS" insert "AND STATE AGENCIES"

On page 14, line 29, after "districts" insert "and state agencies"

With consent of the House, Mr. Betzoff withdrew the amendments.

Mr. Betzoff moved adoption of the following amendment:

On page 4, line 21, beginning with "Protect" strike all the matter through "decisions." on line 23, and insert "Protect landowners' private property rights, including the right to use and enjoy their property, and the right not to have private property taken or damaged without just compensation."

Mr. Betzoff spoke in favor of adoption of the amendment, and Mr. Heavey spoke against it.

Mr. May demanded an electric roll call vote and the demand was sustained.

Representatives Haugen and Hargrove spoke against adoption of the amendment, and Representatives Brough and Horn spoke in favor of it. Mr. Heavey again opposed the amendment, and Mr. Betzoff again spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment on page 4, line 21, by Representative Betzoff to Substitute House Bill No. 2929, and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; absent, 2; excused, 2.

Voting yea: Representatives Ballard, Baugher, Beck, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Day, Doly, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, Jesernig, Jones, Kirby, Kremen, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 41.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Insee, Jacobsen, King P, King R, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Scott, Sommers H, Spanel, Sprengle, Todd, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 53.

Absent: Representatives Crane, Rayburn - 2.

Excused: Representatives Sayan, Valle - 2.

Mr. Betzoff moved adoption of the following amendment:

On page 15, beginning on line 31, strike all of section 17

Remember the remaining sections consecutively and correct the index and internal references accordingly.

Representatives Betzoff, Brough and Hargrove spoke in favor of adoption of the amendment, and Ms. Cantwell spoke against it. Mr. Betzoff again spoke in favor of the amendment.

The amendment was not adopted.

Mr. Betrozoff moved adoption of the following amendment:

On page 17, after line 28, insert:

***NEW SECTION.** Sec. 19. (1) The legislature recognizes that citizen participation in the development of state and local land use plans and development controls is essential; that without a high degree of citizen participation in this process there will not be sufficient public support for such plans and controls; and that Washington state in the mid-1970's was touted throughout the country for its very successful 'alternatives for Washington' program which was designed to promote the participation of all interested citizens in developing plans and visions for the state's future. Therefore, in order to promote citizen participation in planning for their future and the future of this state, the legislature creates the 'second alternatives for Washington' program.

(2) The director of the department of community development shall be responsible for designing and implementing the second alternatives for Washington program. In doing so, the director shall use as a model the outreach methods and citizen participation processes used in the alternatives for Washington program established during the 1970's and as such shall:

(a) Involve a broad cross section of this state's population in developing alternative plans or visions for this state; and

(b) Conduct a survey of the public designed to show which, if any, of the alternative plans or visions the public supports.

(3) The director of the department of community development shall provide the participants in the second alternatives for Washington program with the report of the growth strategies commission, so that they may consider this report in the development of their alternatives.

(4) By June 1, 1992, the director shall submit a report to the legislature summarizing the alternatives and the survey response to them."

Renumber remaining sections consecutively and correct the index and internal references accordingly.

Mr. Betrozoff spoke in favor of adoption of the amendment, and Ms. Cantwell opposed it. Mr. Betrozoff again spoke in favor of the amendment.

The amendment was not adopted.

Ms. Bowman moved adoption of the following amendment:

On page 18, after line 28, insert a new section as follows:

***NEW SECTION.** Sec. 20. The department shall establish an administrative review procedure to hear and resolve claims by individuals who feel aggrieved by the adoption of comprehensive plans pursuant to section 4 of this act or development regulations implementing such comprehensive plans. This administrative review procedure shall provide for a prompt and economical resolution of such grievances, that must include at least one hearing on the review to be held within ninety days of the filing of a written complaint by the individual, and a final order, including findings of fact which may include required action to be taken by the county or city, to be made within fourteen days of the termination of the last hearing.

An administrative review decision shall be final and binding on such individual, and the county or city, unless appealed to a superior court within thirty days after the entering of the final order, and shall otherwise be subject to the appeal of an agency action under chapter 34.05 RCW."

Renumber the remaining sections consecutively and correct the index and internal references accordingly.

Ms. Bowman spoke in favor of adoption of the amendment, and Ms. Nutley opposed it. The amendment was not adopted.

Ms. Forner moved adoption of the following amendment:

On page 18, after line 28, insert a new section as follows:

***NEW SECTION.** Sec. 20. The department shall establish an administrative review procedure to resolve conflicts and disputes between counties and cities over whether their comprehensive plans are coordinated and consistent, as required under section 9 of this act. This administrative review procedure shall provide for a prompt and economical resolution of such conflicts and disputes, that must include at least one hearing on the review to be held within ninety days of the filing of a written complaint by a county or city, and a final order, including findings of fact and required action to be taken by one or more of the counties or cities that are in conflict or dispute, to be made within fourteen days of the termination of the last hearing.

An administrative review decision shall be final and binding on each county and city that is party to the dispute or conflict, unless appealed to a superior court within thirty days after the entering of the final order, and shall otherwise be subject to the appeal of an agency action under chapter 34.05 RCW."

Renumber the remaining sections consecutively and correct the index and internal references accordingly.

Representatives Forner and Betrozoff spoke in favor of adoption of the amendment, and Ms. Nutley opposed it. The amendment was not adopted.

Ms. Miller moved adoption of the following amendment:

On page 19, after line 23, insert "The land use element shall provide that whenever residential land is dedicated permanently for low-income or moderate-income housing, such lands shall receive a permitted density that is greater than the density allowed on the land for residential uses in general."

Ms. Miller spoke in favor of adoption of the amendment, and Ms. Nutley spoke against it. Ms. Miller again spoke in favor of the amendment, and Ms. Nutley again opposed it.

The amendment was not adopted.

The Clerk read the following amendments by Representative Hargrove:

On page 21, line 7, after "jurisdictions" insert ", except for those counties and cities that are not required to adopt comprehensive plans under section 4 of this act."

On page 21, after line 23, insert:

"(3) The following shall be optional for counties and cities that are not required to adopt a comprehensive plan under section 4 of this act:

(a) Subsection (1)(d) of this section, making adequate provisions for existing and projected needs of all economic segments of the community;

(b) subsection (1)(v) of this section, developing a plan to finance public facilities within the projected funding capabilities;

(c) subsection (1)(vi) of this section, reassessing the land use element if probable funding falls short of meeting existing needs;

(d) subsection (2)(c)(ii) of this section; and

(e) subsection (2)(c)(iii) of this section."

With consent of the House, Mr. Hargrove withdrew the amendments.

Mr. Betrozoff moved adoption of the following amendments:

On page 21, after line 23, insert a new section as follows:

"NEW SECTION. Sec. 21. Counties and cities that have adopted comprehensive plans prior to the effective date of this section are encouraged to amend or adapt such comprehensive plans to conform with the required elements of section 20 of this act."

Renumber the remaining sections consecutively and correct the index and internal references accordingly.

On page 48, line 9, after "plans," insert "Regional transportation planning organizations are encouraged to use county, city, and town comprehensive plans that existed prior to the effective date of this section as the basis of its regional transportation plan whenever possible."

Representatives Betrozoff and R. Fisher spoke in favor of adoption of the amendments, and they were adopted.

Mr. Horn moved adoption of the following amendments by Representatives Horn, Heavey and Ferguson:

On page 22, line 34, beginning with "The" strike all material through "permit." on page 23, line 4, and insert "After the effective date of this section, a right vests upon the filing of a valid and complete permit application."

On page 85, line 27, after "58.17.095;" insert "and"

On page 85, line 28, after "58.17.155;" strike all material through "19.27.095" on line 29

Representatives Horn and Ferguson spoke in favor of adoption of the amendments, and Ms. Nutley opposed them. The amendments were not adopted.

Mr. Heavey moved adoption of the following amendment by Representatives Heavey and Horn:

On page 23, after line 9, insert "This section shall expire July 1, 1994."

Mr. Heavey spoke in favor of adoption of the amendment, and Ms. Cantwell opposed it. Mr. Heavey again spoke in favor of the amendment.

The amendment was not adopted.

Mr. May moved adoption of the following amendment:

On page 27, after line 23, insert a new subsection to read as follows:

"(c) 'Public facility' shall mean streets and roads, transit, potable water supplies, sewer facilities, parks and schools."

Mr. May spoke in favor of adoption of the amendment, and Ms. Haugen opposed it. The amendment was not adopted.

Mr. May moved adoption of the following amendment:

On page 26, line 5, after "development" insert ", however, the total amount of impact fees or excise taxes shall not exceed one percent of the fair market value after development"

Mr. May spoke in favor of adoption of the amendment, and Ms. Nutley opposed it. The amendment was not adopted.

Mr. Wolfe moved adoption of the following amendment:

On page 34, after line 22, insert a new section as follows:

***NEW SECTION. Sec. 34. TAX SAFEGUARDS.** If comprehensive planning results in upgrading of property, taxing shall remain at the current use of the property prior to the adoption of the comprehensive plan until the actual use of the property is changed or until the property is sold.*

Renumber the remaining sections consecutively and correct the index and internal references accordingly.

Mr. Wolfe spoke in favor of adoption of the amendment, and Mr. Wang opposed it.

Mr. May demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment on page 34, after line 22, by Representative Wolfe to Substitute House Bill No. 2929, and the amendment was not adopted by the following vote: Yeas, 41; nays, 53; absent, 2; excused, 2.

Voting yea: Representatives Ballard, Baugher, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Dorn, Doty, Ferguson, Former, Fuhrman, Grant, Hankins, Holland, Horn, Jesernig, May, McLean, Meyers R, Miller, Moyer, Nealey, Padden, Prince, Rayburn, Schmidt, Schoon, Silver, Smith, Sommers D. Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 41.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Scott, Spanel, Sprengle, Todd, Vekich, Wang, Wilson K, Wineberry, and Mr. Speaker - 53.

Absent: Representatives Sommers H, Zellinsky - 2.

Excused: Representatives Sayan, Valle - 2.

Mr. Wolfe moved adoption of the following amendment:

On page 34, after line 22, insert a new section as follows:

***NEW SECTION. Sec. 34. TAX SAFEGUARDS.** If comprehensive planning results in upgrading of property, no landowner, age sixty-five or older, shall incur a tax increase of more than six percent per year as long as the property includes his or her primary residence.*

Renumber the remaining sections consecutively and correct the index and internal references accordingly.

POINT OF ORDER

Mr. Wang: Thank you, Mr. Speaker. I wish you would consider this amendment as to whether or not it falls within the scope and object of this bill.

SPEAKER'S RULING

The Speaker: The Speaker has examined Substitute House Bill No. 2929, dealing with growth management, and the amendment by Representative Wolfe. The amendment provides a six percent limitation on the total tax liability of certain senior citizens. While Substitute House Bill No. 2929 covers a broad range of issues related to growth, the Speaker finds that this amendment, by dealing with general state tax policy, broadens the scope of Substitute House Bill No. 2929. Representative Wang, your point is well taken. The amendment is outside the scope and object of the original bill.

MOTION

On motion of Mr. Heavey, Representative Gallagher was excused.

Ms. Belcher moved adoption of the following amendments:

On page 53, line 21, after "1945," strike "but prior to July 1, 1990."

On page 53, line 31, after "day," strike "is and shall be exempt from the provisions of this section" and insert "~~(is and shall be exempt from the provisions)~~ shall follow the procedures specified in subsection (2) of this section"

On page 54, beginning on line 10, strike all material through "withdrawal," on line 23 and insert:

"(2) On and after July 1, 1990, persons wishing to construct a well for a new withdrawal of public ground waters of the state to be used for stock-watering purposes, or for the watering of a lawn or of a noncommercial garden not exceeding one-half acre in area or for single or group domestic uses in an amount not exceeding five thousand gallons a day, or for an industrial purpose in an amount not exceeding five thousand gallons a day shall provide sixty days prior notice to the department.

(3) The department may require the person making the notification in subsection (2) of this section to apply for a water right permit if the area within which the withdrawal would occur is known or believed to have problems related to water availability, water quality, interference with existing water rights, or other related problems which could be adversely affected by additional withdrawals of ground water. The department may deny an application required under this subsection or condition a permit if water is not available, if the use is not a beneficial use, if the use would adversely affect existing water rights, if the use would threaten water quality or if the use would be inconsistent with a local comprehensive plan.

(4) Within one year of the effective date of this 1990 act, the department shall promulgate rules, pursuant to Chapter 34.05 RCW, establishing geographic areas of the state within which new small ground water withdrawals, as defined in subsection (2) of this section, shall be contingent upon applying for and receiving a water right permit. In the determination of these geographic areas, the department shall give particular consideration to areas covered by a ground water management area plan, designated critical water service areas, designated sole source aquifers, designated aquifer protection areas, or regional or basin water plans. Until such rules are adopted, the department may, by issuance of a written regulatory order, temporarily withdraw designated areas from appropriation by small ground water uses as defined in subsection 2 of this section.

(5) Notwithstanding the water right process defined in Chapter 90.03 RCW, the department may develop by rule an expedited process for applications to withdraw public ground water for small uses as defined in subsection 2 of this section.

(6) The department from time to time may require persons withdrawing public ground waters to furnish information as to the quantity of such withdrawal."

Ms. Belcher spoke in favor of adoption of the amendments, and they were adopted.

Mr. Youngsman moved adoption of the following amendments:

On page 55, beginning on line 26, strike new section 59

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 58, line 15, after "regulations," strike all material through "act," on line 21

On page 58, line 25, after "For" strike "~~((six)) ten~~" and insert "six"

On page 58, line 25, after "application" strike all material through "production" on line 27

On page 59, line 5, after "within" strike "~~((three)) ten~~" and insert "three"

On page 59, line 10, after "(c)" strike all material through "~~(e)~~" on line 23

On page 65, beginning on line 11, strike new sections 63 and 64

Renumber the remaining sections consecutively and correct internal references accordingly.

Mr. Youngsman spoke in favor of adoption of the amendments.

Mr. Heavey demanded an electric roll call vote and the demand was sustained.

Representatives Belcher, Spanel and Hargrove spoke against adoption of the amendments, and Mr. Betrozoff spoke in favor of them.

ROLL CALL

The Clerk called the roll on adoption of the amendments on page 58, line 26; page 58, lines 15 and 25; page 59, lines 5 and 10; and page 65, line 11 by Representative Youngsman to Substitute House Bill No. 2929, and the amendments were not adopted by the following vote: Yeas, 36; nays, 59; excused, 3.

Voting yea: Representatives Ballard, Basich, Baugher, Betrozoff, Bowman, Brooks, Brough, Brunsickle, Chandler, Doty, Forner, Fuhrman, Hankins, Holland, Horn, Jesernig, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Rayburn, Schmidt, Schoon, Silver, Smith, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 36.

Voting nay: Representatives Anderson, Appelwick, Beck, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Scott, Sommers D, Sommers H, Spanel, Sprenkle, Todd, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 59.

Excused: Representatives Gallagher, Sayan, Valle - 3.

Ms. Belcher moved adoption of the following amendments:

On page 55, line 2, after "Any" strike "application" and insert "applicant"

On page 55, line 4, after "plan" insert "or a comparable comprehensive water planning process"

On page 55, line 7, after "plan" insert "or a comparable comprehensive water planning process"

Ms. Belcher spoke in favor of adoption of the amendments, and they were adopted.

Ms. Belcher moved adoption of the following amendments:

On page 66, line 23, after "right" strike "certificate" and insert "permit"

On page 66, line 27, after "source," insert a new paragraph to read as follows:

"Projects which will not increase water use are exempt from the provisions of this section. The department of ecology may adopt rules to implement this section."

Ms. Belcher spoke in favor of adoption of the amendments, and they were adopted.

Ms. Bowman moved adoption of the following amendment:

On page 56, line 8, after "act." insert a new paragraph to read as follows:

"Removal of a parcel of land, at least one-half acre in size where the comprehensive land use plan identifies not more than one residence per five acres, for the purpose of a single family residence for the personal use of the landowner or the landowner's natural or adopted child or a parent of the landowner, shall be exempted from the ten year waiting period specified in subsection (1) of this section provided adequate water is available and a site adequate for an on-site septic system is available.

Where the comprehensive land use plan identifies not more than one residence per ten acres the entire parcel shall be removed from the current use classification."

Ms. Bowman spoke in favor of adoption of the amendment, and Ms. Belcher opposed it. The amendment was not adopted.

Ms. Haugen moved adoption of the following amendment:

On page 66, after line 27, insert:

"NEW SECTION, Sec. 68. A new section is added to chapter 58.17 RCW to read as follows:

Each applicant for approval of a subdivision shall provide evidence of an adequate water source for the intended subdivision. Evidence may be in the form of a water right certificate from the department of ecology, a letter from an approved water purveyor stating the ability to provide water, or another form adequate to verify the existence of a valid water source. An application for a water right shall not be adequate proof of a valid water source."

Renumber the remaining sections consecutively and correct the index and internal references accordingly.

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

Ms. Haugen moved adoption of the following amendment:

On page 19, line 11, after "pollute" insert "waters of the state, including"

Ms. Haugen spoke in favor of adoption of the amendment, and it was adopted.

Mr. Youngsman moved adoption of the following amendment:

On page 79, after line 9, insert:

"NEW SECTION, Sec. 82. A new section is added to chapter 43.17 RCW to read as follows:

(1) Unless the context clearly requires otherwise, the following definitions apply throughout this section.

(a) 'Complete application' means an application for a permit in which the department has all the documents, information, and other requirements necessary, as provided for under the rules established under subsection (3) of this section, to approve or deny the permit.

(b) 'Department' means a department created under section 43.17.010 or any department that is required to process permits under this section.

(c) 'Documents, information, and other requirements' include, but are not limited to, federal approvals, environmental impact statements, public hearings, inspections, and investigations.

(d) 'Permit' means an authorization, which is not annually renewed, to engage in an activity which is regulated by a state agency.

(2) The department shall process an application for a permit as expeditiously as possible consistent with the public policy for requiring the permit. The department shall approve or deny the permit not later than sixty days from the date the department has a complete application. If the department denies the permit, the department shall provide a list of requirements that must be met to make the application acceptable. If the department fails to approve or deny the permit within sixty days from the date the department has a complete application the permit application shall be approved.

(3) The department shall adopt rules to implement subsection (2) of this section. The rules shall be adopted pursuant to chapter 34.05 RCW. The rules shall ensure that the department: (a) describes the permit requirements clearly for the applicant; (b) processes the permit based on established time periods for approving or denying the permit according to established criteria and, if the time period established for processing the permit is over sixty days, make a finding of fact by the department describing the reasons the processing time period exceeds sixty days; and (c) updates the applicant regularly on the status of the permit application, at least every thirty days.

(4) The department shall assist the business assistance center, established under RCW 43.31.083, when requested by the business assistance center under RCW _____ (section 85 of this act).

NEW SECTION. Sec. 83. A new section is added to chapter 43.30 RCW to read as follows:

The department shall comply with RCW _____ (section 82 of this act) in processing applications for permits.

NEW SECTION. Sec. 84. A new section is added to chapter 43.51 RCW to read as follows:

The department shall comply with RCW _____ (section 82 of this act) in processing applications for permits."

Renumber remaining sections consecutively and correct the index and internal references accordingly.

Representatives Youngsman and Schoon spoke in favor of adoption of the amendment, and Ms. Rust opposed it. Mr. Youngsman again spoke in favor of the amendment.

The amendment was not adopted.

Mr. Hargrove moved adoption of the following amendment:

On page 65, after line 24, insert:

"This section shall not apply, until July 1, 1993, to counties, and cities located in such counties, that have a population of less than one hundred thousand on the effective date of this act.

Mr. Hargrove spoke in favor of adoption of the amendment, and it was adopted.

Mr. Schoon moved adoption of the following amendment:

On page 85, after line 7, insert a new section as follows:

*NEW SECTION. Sec. 86. (1) The sum of four hundred ninety-five thousand dollars, or as much thereof as may be necessary, is appropriated from the general fund to the department of trade and economic development for the biennium ending June 30, 1991, for the purposes of subsection (2) of this section.

(2) The department of trade and economic development shall provide fifteen thousand dollars to each associate development organization in this state; there is no match required from the associate development organization. The associate development organizations shall report to the trade and economic development committee in the house of representatives and the economic development and labor committee in the senate, by July 1, 1991, on how the funds provided under this section were used."

Renumber the remaining sections consecutively and correct the index and internal references accordingly.

Mr. Schoon spoke in favor of adoption of the amendment, and Ms. Cantwell opposed it. Mr. Schoon again spoke in favor of the amendment.

The amendment was not adopted.

Mr. R. Meyers moved adoption of the following amendment:

On page 85, after line 29, insert the following:

*NEW SECTION. Sec. 87. The declaration of moratoria on construction and land development by any permit-granting agency or the imposition of an interim zone may have a negative effect on the policies and goals of state and other local governments within the state, and therefore is a matter of state-wide concern. Such moratoria or interim zoning, particularly when limited in duration and scope and adopted pursuant to growth management systems

that further the community planning goals and local comprehensive plans, may be both necessary and desirable.

However, clear state standards should be established to assure that the need for moratoria or interim zoning is considered and documented, the impact on necessary development and particularly housing is minimized, and necessary and properly enacted moratoria or interim zoning are not subjected to undue litigation.

NEW SECTION, Sec. 88. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 87 through 94 of this act.

(1) 'Moratorium' means a pattern or practice of delaying or withholding issuance of permits, authorizations, or approvals necessary to subdivide or partition real property or development on real property or any construction pursuant to such a permit.

(2) 'Permit-granting agency' means any branch of state government which is a lead agency or an agency with jurisdiction under the state environmental policy act, chapter 43.21C RCW, involved with the development, subdivision, or construction on real property.

(3) 'Facilities or resource-based emergency' means the emergency which exists with respect to facilities or resources when the projected development within an area will result in the creation of a demand or impact on the facilities or resources which will exceed the capacity of the facilities or resources within the period of the moratorium or interim zoning. Facilities may include transportation, sewer, water, storm water, or septic systems. Resources may include any property or interest identified as environmentally sensitive, including but not limited to agricultural or timber lands, ground water, surface water, shorelines and wetlands, and air. Capacity or permitted levels of contamination must be measured by existing adopted regulations at the state, federal, or local level.

(4) 'Land use emergency' means the emergency which exists when an unanticipated change occurs in a community or upon the adoption of a change in plan in a community which creates a situation in which a community may lose the benefits of planning unless a moratorium is imposed or an interim zone is adopted. Development which occurs in accordance with an adopted comprehensive plan or proposed changes to adopted plans may not be considered an unanticipated change for purposes of declaring a land use emergency.

(5) 'Interim zoning' means a deliberate and purposeful device designed to classify or regulate uses of land and related matters and is necessary to preserve the zoning scheme as presented to the public in the comprehensive plan and attendant maps and resolutions or ordinances.

(6) 'Regulation' means a statute, rule, or standard adopted by the permit-granting agency to establish standards, procedures, or criteria for the subdivision, development, or construction of real property.

NEW SECTION, Sec. 89. Any permitting agency seeking to adopt a rule or ordinance which would impose a moratorium or interim zoning because of facilities, resources, or land use emergencies, shall only adopt such regulation as provided in this section.

(1) If the permit-granting agency deals through a planning agency, the matter must be recommended by the planning commission and adopted by the governmental board, council, or commission of the permit-granting agency. Any other permit-granting agency must effect the action by regulation adopted by the governing board. All such regulations must be approved by an affirmative vote of not less than seventy-five percent of the governing board.

(2) In the event of a facilities or resource-based emergency, notice and hearing are not required if the following findings are reasonably documented by the permit-granting agency:

(a) The current level, service, or current contaminant level of the affected facilities or resources;

(b) The adopted regulation defining capacity of the facility or safe levels of potential contaminants in the affected resource. However, if the affected resource is drinking water, ground water, aquifers, or air, the adopted standard for emergency purposes may not be more stringent than the standards adopted through state or federal regulations;

(c) The factors which demonstrate that capacity or safe levels for potential contaminants will be exceeded during the period of the moratorium or interim zoning ordinance;

(d) The factors which demonstrate that the scope and definition of the moratorium or interim zoning ordinance will serve to equalize the effect of the moratorium or interim zoning over all property owners to the extent possible and not merely limit the effect to a select few.

(3) In the event of a land use emergency, notice and hearing are not required if the following findings are reasonably documented by the board:

(a) The nature of the change in the community and the reason it was unanticipated;

(b) The factors which make the interim rules during a moratorium or interim zoning period consistent with adopted comprehensive plans;

(c) The geographic extent of the emergency and the reason the boundaries selected are the minimum necessary to deal with the identified emergency;

(d) The facts which demonstrate why the prohibited development or activity which will be shifted out of the area affected by the emergency during the period of moratorium or interim zoning will not cause an emergency in nearby or adjoining areas to which the prohibited development or activity would likely shift.

(e) The facts which demonstrate that the cost to the public of the consequences of the unanticipated change will be greater than the cost to the property owners within the area affected by the emergency; and

(f) The nature and extent of the public resources which demonstrate the permit-granting agency can resolve the emergency within the time limits identified in subsection (4) of this section.

(4) No moratorium or interim zoning shall be effective for a period longer than one hundred twenty days, but such a moratorium or interim zoning may be extended provided the city, county, or special district adopting the moratorium or interim zoning:

(a) Finds that the problem giving rise to the need for a moratorium or interim zoning continues to exist;

(b) Demonstrates that reasonable progress is being made to alleviate the problem giving rise to the moratorium or interim zoning; and

(c) Sets a specific duration for the renewal of the moratorium or interim zoning. A moratorium or interim zoning may be extended more than once but no single extension may be for a period longer than six months.

A renewal shall only be after a notice and public hearing.

A renewal shall require reconfirmation of the factual issues identified in subsections (2) and (3) of this section.

NEW SECTION. Sec. 90. The municipality shall document any decision made under sections 89 through 94 of this act as required by chapter 43.21C RCW. In the event the environmental review officer determines the initial action exempt by reason of RCW 43.21C.110, as defined in WAC 197-11-880, the municipality shall not extend the moratorium or interim zoning as provided in section 89(4) of this act without an environmental assessment and appropriate action as required under chapter 43.21C RCW.

NEW SECTION. Sec. 91. A permit-granting agency that adopts a moratorium or interim zoning shall, within sixty days after the effective date of the moratorium or interim zone, adopt a program which seeks to correct the problem creating the moratorium or interim zoning. The program shall be presented at a public hearing. The permit-granting agency shall give advance notice of the time and date of the public hearing.

NEW SECTION. Sec. 92. Any ordinance regulating a moratorium or interim zoning shall identify the criteria by which the permit-granting agency will determine vested projects. The ordinance shall provide that all applications on file, for which the initial fee has been paid, shall be processed to completion under existing rules even if the state environmental policy act review has not been completed or several approvals must be obtained prior to the issuance of building permits.

NEW SECTION. Sec. 93. Any moratorium or interim ordinance adopted on an emergency basis, including the emergency section under the state environmental policy act, WAC 197-11-880, is null and void unless the procedures in sections 89 through 92 of this act are followed.

NEW SECTION. Sec. 94. Any person aggrieved by violation of this section may enforce this section by action in superior court in the county in which the moratorium or interim zoning takes effect. The successful party in any action shall be entitled to reimbursement of reasonable costs and fees, including attorneys' fees.

NEW SECTION. Sec. 95. Sections 88 through 94 of this act are each added to chapter 36.70 RCW.*

Renumber the sections consecutively and correct internal references accordingly.

Representatives R. Meyers and May spoke in favor of adoption of the amendment, and Ms. Nutley opposed it. The amendment was not adopted.

The bill was ordered engrossed.

MOTION

Mr. Ebersole moved that the rules be suspended, the second reading considered the third, and the bill be placed on final passage.

Ms. Brough spoke against the motion, and Mr. Ebersole spoke in favor of it.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Mr. Ballard spoke against the motion.

ROLL CALL

The Clerk called the roll on the motion by Representative Ebersole to suspend the rules, consider the second reading as the third, and place Engrossed Second Substitute House Bill No. 2929 on final passage, and the motion failed by the following vote: Yeas, 61; nays, 34; excused, 3.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher

R. Fraser, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Scott, Sommers H, Spanel, Sprenkle, Todd, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 61.

Voting nay: Representatives Ballard, Beck, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Horn, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 34.

Excused: Representatives Gallagher, Sayan, Valle - 3.

Engrossed Substitute House Bill No. 2929 was passed to Committee on Rules for third reading.

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

MOTIONS

On motion of Mr. Ebersole, House Bill No. 2631 was referred from the second reading calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2688 was referred from the second reading calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2724 was referred from the second reading calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2806 was referred from the second reading calendar to Committee on Rules.

On motion of Mr. Ebersole, House Bill No. 2972 was referred from the second reading calendar to Committee on Rules.

On motion of Mr. Ebersole, Engrossed Substitute Senate Bill No. 6868 was referred from Committee on Human Services to Committee on Judiciary.

MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 noon, Thursday, February 15, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

THIRTY-NINTH DAY

NOON SESSION

House Chamber, Olympia, Thursday, February 15, 1990

The House was called to order at 12:00 noon by the Speaker. The Clerk called the roll and all members were present except Representatives Dorn, Sayan, Schoon, Silver and Valle. On motion of Ms. Cole, Representatives Dorn, Sayan and Valle were excused. On motion of Ms. Miller, Representatives Schoon and Silver were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Brent Kawahara and Amy Bialozor. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia.

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

MESSAGES FROM THE SENATE

February 9, 1990

Mr. Speaker:

The President has signed:

SENATE JOINT MEMORIAL NO. 8019,

and the same is herewith transmitted.

Gordon A. Golob, Secretary.

February 14, 1990

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 6337,

ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6352,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SENATE JOINT MEMORIAL NO. 8019.

INTRODUCTIONS AND FIRST READING

HB 3023 by Representative Appelwick

AN ACT Relating to uniform transfers to minors; amending RCW 11.76.090, 11.76.095, 11.98.170, and 67.70.220; adding a new chapter to Title 11 RCW; repealing RCW 11.93.010, 11.93.020, 11.93.030, 11.93.040, 11.93.050, 11.93.060, 11.93.070, 11.93.080, 11.93.900, 11.93.910, 11.93.911, 11.93.912, and 11.93.920; and providing an effective date.

Referred to Committee on Judiciary.

2SSB 6337 by Committee on Ways & Means (originally sponsored by Senators Benitz, Bailey, Rinehart, Gaspard, Madsen, Owen, Anderson, von Reichbauer, Moore, Metcalf, Sutherland, Craswell, Murray, Newhouse, Bauer, McMullen, Vognild, Warnke, Johnson, Barr, Saling, Kreidler, Bender, Fleming, Talmadge, Conner and Lee)

Changing provisions relating to technological and vocational education.

Referred to Committees on Education/Appropriations.

E2SSB 6352 by Committee on Ways & Means (originally sponsored by Senators Bailey, Gaspard, Rinehart, Bender, Williams, Murray, Anderson,

Conner, von Reichbauer, Lee and Bauer; by request of Superintendent of Public Instruction)

Establishing the fair start program.

Referred to Committees on Education/Appropriations.

MOTION

On motion of Mr. Ebersole, the bills listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORT OF STANDING COMMITTEE

February 14, 1990

SSB 6572 Prime Sponsor, Committee on Energy & Utilities: Revising provisions on fraud in obtaining telecommunications services. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Brooks, Cooper, Jacobsen, May and Miller.

Absent: Representatives Bennett, Gallagher, Jesernig, R. Meyers and S. Wilson.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bill listed on today's committee report under the fifth order of business was referred to the committee so designated.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4747, by Representatives Hine and Brough

WHEREAS, Thursday, February 15, 1990, marks the one hundred seventieth anniversary of the birth of Susan Brownell Anthony, reformer and leader of women's suffrage; and

WHEREAS, Susan B. Anthony defied male electioneers and faced indictment for illegally voting in 1872; and

WHEREAS, Susan B. Anthony was director of the Female Department of the Canajoharie Academy in New York until she abandoned her career in education to devote her life to social reform, first organizing the Woman's State Temperance Society of New York; and

WHEREAS, Susan B. Anthony, along with Elizabeth Cady Stanton, founded in 1863 the Woman's Loyal National League to petition Congress to advocate full civil and political rights for women, as well as for blacks, when the Civil War ended; and

WHEREAS, In 1866, Susan B. Anthony and other reformers formed the Equal Rights Association to further their campaign for women's suffrage; and

WHEREAS, The reformers took their suffrage campaign in 1867 to the New York State Constitutional Convention, where the state legislature refused to consider the issue, but instead gave considerable support to legislation legalizing prostitution; and

WHEREAS, Susan B. Anthony and her suffragettes fought back with lobbying efforts that killed the prostitution bill in committee and eventually secured the first laws in New York State to guarantee women's rights over their children and control over their property and wages; and

WHEREAS, Susan B. Anthony organized the National Woman Suffrage Association that later united with the American Woman Suffrage Association to form the National American Woman Suffrage Association; and

WHEREAS, During the presidential campaign in 1872, Susan B. Anthony urged women in every state in the union to claim their rights under the Fourteenth and Fifteenth Amendments of the United States Constitution by registering and voting; and

WHEREAS, In a colorful display of her remarkable courage, Susan B. Anthony and her three sisters boldly entered a stronghold of men in a Rochester, New York barbershop in 1872 and insisted that they be registered to vote under provisions of the Fourteenth Amendment; and

WHEREAS, On November 5, 1872, Susan B. Anthony entered her polling place, voted the Republican ticket, then was charged and indicted for voting illegally; and

WHEREAS, In another display of determination, Susan B. Anthony refused to pay her streetcar fare when the Deputy Marshall carted her off to jail, announcing loudly enough for all passengers to hear, "I'm travelling at the expense of this government. This gentleman is taking me to jail. Ask him for my fare!";

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor Susan B. Anthony, remember her for and emulate her dedication to social reform that led to the passage of the women's suffrage amendment (Nineteenth Amendment) to the United States Constitution in 1920; and

BE IT FURTHER RESOLVED, That Susan B. Anthony be remembered for her courage and determination to work for equal rights for all citizens of America as reflected in her statement: "It was we the people, not we the white male citizens, nor yet we the male citizens, but we the whole people, who formed this Union. And we formed it not to give the blessings of liberty, but to secure them, not to the half of ourselves and the half of our posterity, but to the whole people -- women as well as men."

Ms. Hine moved adoption of the resolution. Representatives Hine and Brough spoke in favor of the resolution.

House Floor Resolution No. 90-4747 was adopted.

MOTION

Mr. Ebersole moved that Committee on Rules be relieved of House Bill No. 2423 and Engrossed Substitute House Bill No. 2929 and that the bills be placed on the second reading calendar and third reading calendar respectively.

Ms. Brough spoke in favor of the motion, and it was carried.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

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

THIRD READING

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2929, by Committee on Appropriations (originally sponsored by Representatives Cantwell, R. Fisher, Brough, Haugen, Belcher, Ferguson, Nutley, Phillips, Horn, Rust, Wood, Winsley, Nelson, Locke, Appelwick, Leonard, Wineberry, Scott, Bennett, Pruitt, Cole, Crane, Heavey, Spanel, Forner, Holland, O'Brien, Hine, Fraser, Todd and Wang)

Enacting comprehensive growth planning provisions.

The bill was read the third time and placed on final passage.

Representatives Cantwell, Ferguson and R. Fisher spoke in favor of passage of the bill, and Ms. Brough opposed it.

POINT OF ORDER

Mr. Ebersole: Mr. Speaker the rules clearly state that members should not impugn the motives of other members on the floor of this House.

SPEAKER'S RULING

The Speaker: I think that your Point of Order is well taken, Representative Ebersole.

Representatives Basich, Jones, Haugen, Betzoff, Belcher, K. Wilson, Hargrove, Heavey, Nutley, Holland, Nelson, May, Cooper and Ebersole spoke in favor of passage of the bill, and Representatives Ballard and Prince opposed it.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2929, and the bill passed the House by the following vote: Yeas, 72; nays, 21; excused, 5.

Voting yea: Representatives Anderson, Appelwick, Basich, Beck, Belcher, Bennett, Betrozoff, Braddock, Brekke, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, May, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Schmidt, Scott, Sommers H, Spanel, Sprengle, Tate, Todd, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wood, Zellinsky, and Mr. Speaker - 72.

Voting nay: Representatives Ballard, Baugher, Bowman, Brooks, Brough, Brumsickle, Day, Doty, Fuhrman, Hankins, Kirby, McLean, Miller, Moyer, Nealey, Padden, Prince, Smith, Sommers D, Wolfe, Youngsman - 21.

Excused: Representatives Dorn, Sayan, Schoon, Silver, Valle - 5.

Engrossed Substitute House Bill No. 2929, having received the constitutional majority, was declared passed.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Friday, February 16, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTIETH DAY

MORNING SESSION

House Chamber, Olympia, Friday, February 16, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Appelwick, P. King, Silver and Valle. On motion of Ms. Cole, Representatives Appelwick, P. King and Valle were excused. On motion of Ms. Miller, Representative Silver were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Robby McQuarry and Carleen Kinca. Prayer was offered by The Reverend Ray Morrison, Minister of the First Church of the Nazarene of Olympia.

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

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

REPORTS OF STANDING COMMITTEES

February 15, 1990

ESB 5371 Prime Sponsor, Senator Gaspard: Establishing an award for excellence in teacher preparation. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Fuhrman, Holland, Horn, Jones, Phillips, Pruitt, Rasmussen, Rayburn, Walker and K. Wilson.

Absent: Representatives Betrozoff, Ranking Republican Member; Dorn, Fuhrman, Holland, P. King, Schoon and Valle.

Passed to Committee on Rules for second reading.

January 15, 1990

RESSB 5522 Prime Sponsor, Committee on Education: Permitting on-site day care for education employees. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Holland, Horn, Jones, Phillips, Pruitt, Rasmussen, Rayburn, Walker and K. Wilson.

Absent: Representatives Dorn, Fuhrman, P. King, Schoon and Valle.

Referred to Committee on Appropriations.

February 15, 1990

ESB 5821 Prime Sponsor, Senator Rinehart: Directing the department of community development to develop a model intergenerational child care program. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

On page 1, beginning on line 5, after "The" strike "department of community development" and insert "department of social and health services"

On page 2, line 8, strike "department of community development" and insert "department of social and health services"

Signed by Representatives Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Absent: Representative Sayan, Chair.

Referred to Committee on Appropriations.

February 15, 1990

ESB 6002 Prime Sponsor, Senator Bauer: Creating a summer school program for the blind. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzozoff, Ranking Republican Member; Brumsickle, Cole, Fuhrman, Holland, Horn, Jones, Phillips, Pruitt, Rasmussen, Rayburn, Walker and K. Wilson.

Absent: Representatives Dorn, Fuhrman, P. King, Schoon and Valle.

Referred to Committee on Appropriations.

February 14, 1990

SSB 6290 Prime Sponsor, Committee on Energy & Utilities: Revising provisions for telecommunications devices for the hearing impaired and speech impaired and repealing the expiration date. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that provision of telecommunications devices and relay capability for hearing impaired persons is an effective and needed service which should be continued. The legislature further finds that the same devices and relay capability can serve and should be extended to serve speech impaired persons.

Sec. 2. Section 2, chapter 304, Laws of 1987 and RCW 43.20A.720 are each amended to read as follows:

'Hearing impaired' means those persons who are certified to be deaf, deaf-blind, or hard of hearing, and those persons who are certified to have a hearing disability limiting their access to telecommunications.

'Speech impaired' means persons who are certified to be unable to speak or who are certified to have a speech impairment limiting their access to telecommunications.

'Telecommunications device for the deaf (TDD)' means a teletypewriter that has a typewriter keyboard and a readable display that couples with the telephone, allowing messages to be typed rather than spoken. The device allows a person to make a telephone call directly to another person possessing similar equipment. The conversation is typed through one machine to the other machine instead of spoken.

'TDD relay system' is a service for hearing and speech impaired people who have a TDD to call someone who does not have a TDD or vice versa. The service consists of several telephones being utilized by TDD relay service operators who receive either TDD or voice phone calls. If a TDD relay service operator receives a phone call from a hearing or speech impaired person wishing to call a hearing person, the operator will call the hearing person and act as an intermediary by translating what is displayed on the TDD to voice and typing what is voiced into the TDD to be read by the ~~((deaf))~~ hearing or speech impaired caller. This process can also be reversed with a hearing person calling a deaf person through the TDD relay service.

'Qualified trainer' is a person who is knowledgeable about TDDs, signal devices, and amplifying accessories; familiar with the technical aspects of equipment designed to meet hearing impaired people's needs; and is fluent in American sign language.

'Qualified contractor' shall have bilingual staff available for quality language/cultural interpretations; quality training of operators; and policies, training, and operational procedures to be determined by the office.

'The department' means the department of social and health services of the state of Washington.

'Office' means the office of deaf services within the state department of social and health services.

Sec. 3. Section 3, chapter 304, Laws of 1987 and RCW 43.20A.725 are each amended to read as follows:

(1) The department shall ~~((design and implement))~~ maintain a program whereby TDDs, signal devices, a TDD relay system, and amplifying accessories capable of serving the needs of the hearing and speech impaired shall be provided at no charge additional to the basic exchange rate, to an individual of school age or older, (a) who is certified as hearing impaired by a licensed physician, audiologist, or a qualified state agency, and to any subscriber that is an organization representing the hearing impaired, as determined and specified by the TDD advisory committee; or (b) who is certified as speech impaired by a licensed physician, speech pathologist, or a qualified state agency, and to any subscriber that is an organization

representing the speech impaired, as determined and specified by the TDD advisory committee. For the purpose of this section, certification implies that individuals cannot use the telephone for expressive or receptive communications due to hearing or speech impairment.

(2) The office shall award contracts on a competitive basis, to qualified persons for which eligibility to contract is determined by the office, for the distribution and maintenance of such TDDs, signal devices, and amplifying accessories as shall be determined by the office. Such contract shall include a provision for the employment and use of a qualified trainer and the training of recipients in the use of such devices.

~~(3) (TDDs, signal devices, and amplifying accessories shall be made available to qualified recipients by December 1, 1987.)~~ The office shall establish and implement a policy for the ultimate responsibility for recovery of TDDs, signal devices, and amplifying accessories from recipients who are moving from this state or who for other reasons are no longer using them.

(4) Pursuant to recommendations of the TDD advisory committee, the office shall maintain a program whereby a relay system will be provided state-wide using operator intervention to connect hearing impaired and speech impaired persons and offices or organizations representing the hearing impaired and speech impaired, as determined and specified by the TDD advisory committee pursuant to section 4 of this act. The relay system shall be the most cost-effective possible and shall operate in a manner consistent with federal requirements for such systems.

(5) The program shall be funded by telecommunications devices for the deaf (TDD) excise tax applied to each switched access line provided by the local exchange companies. The office shall determine, in consultation with the TDD advisory committee, the amount of money needed to fund the program on an annual basis, including both operational costs and a reasonable amount for capital improvements such as equipment upgrade and replacement. That information shall be given by the department in an annual budget to the utilities and transportation commission no later than March 1 prior to the beginning of the fiscal year. The utilities and transportation commission shall then determine the amount of TDD excise tax to be placed on each access line and shall inform each local exchange company of this amount no later than May 15. The TDD excise tax shall not exceed ten cents per month per access line. Each local exchange company shall impose the amount of excise tax determined by the commission as of July 1, and shall remit the amount collected directly to the department on a monthly basis. The TDD excise tax shall be separately identified on each ratepayer's bill as 'Telecommunications devices funds for deaf and hearing impaired'. All proceeds from the TDD excise tax shall be put into a fund to be administered by the office through the department.

(6) The office shall administer and control the award of money to all parties incurring costs in implementing and maintaining telecommunications services, programs, equipment, and technical support services in accordance with the provisions of RCW 43.20A.725.

(7) The department shall provide the legislature with a biennial report on the operation of the program. The first report shall be provided no later than December 1, 1990, and successive reports every two years thereafter. Reports shall be prepared in consultation with the TDD advisory committee and the utilities and transportation commission. The reports shall, at a minimum, briefly outline the accomplishments of the program, the number of persons served, revenues and expenditures, the prioritizing of services to those eligible based on such factors as degree of physical handicap or the allocation of the program's revenue between provision of devices to individuals and operation of the state-wide relay service, other major policy or operational issues, and proposals for improvements or changes for the program. The first report shall contain a study which includes examination of like programs in other states, alternative methods of financing the program, alternative methods of using the telecommunications system, advantages and disadvantages of operating the TDD program from within the department, by telecommunications companies, and by a private, nonprofit corporation, and means to limit demand for system usage.

(8) The program shall be consistent with the requirements of federal law for the operation of both interstate and intrastate telecommunications services for the deaf or hearing impaired or speech impaired. The department and the utilities and transportation commission shall be responsible for ensuring compliance with federal requirements and shall provide timely notice to the legislature of any legislation that may be required to accomplish compliance.

Sec. 4. Section 4, chapter 304, Laws of 1987 and RCW 43.20A.730 are each amended to read as follows:

(1) The department advisory committee on deafness shall establish a TDD advisory committee ~~((to study the feasibility of implementing a state-wide telecommunications relay system))~~ to oversee operation of the TDD program. The TDD advisory committee shall consist of no more than thirteen individuals ~~((from))~~ representing the hearing impaired and speech impaired communities, ~~((representatives from))~~ the department, the utilities and transportation commission, agencies and services serving the hearing impaired and speech impaired, and local exchange companies in the state. The membership on the TDD advisory committee shall, to the maximum extent possible, include representatives from (a) the major state-wide organizations representing the hearing impaired and speech impaired, (b) organizations for the hearing

impaired and speech impaired located in areas of the state with high populations of such persons, and (c) organizations that reflect the different geographic regions of the state. In order to develop ~~((and))~~, implement, and maintain a state-wide relay system providing cost-effective relay centers at a reasonable cost and that will meet the requirements of the hearing impaired and speech impaired, the TDD advisory committee shall investigate options, conduct public hearings as needed to determine the most cost-effective method of ~~((creating))~~ operating a state-wide relay system providing relay centers to the hearing impaired and speech impaired, and solicit the advice, counsel, and assistance of interested parties and nonprofit consumer organizations for hearing impaired and speech impaired persons state-wide. ~~((Such committee shall begin the study within thirty days of July 26, 1987, to be completed within six months after the study begins.))~~ The TDD advisory committee~~((s))~~ shall also, in conjunction with the department, monitor the activities and moneys that ~~((is/are))~~ are being spent by the department for the program herein.

~~((2))~~ ~~((Pursuant to the recommendations of the TDD advisory committee, the office shall implement a program whereby relay centers will be provided state-wide using operator intervention to connect hearing impaired persons and offices of organizations representing the hearing impaired, as determined and specified by the TDD advisory committee pursuant to subsection (4) of this section, and connect hearing persons within six months after the office receives the recommendations.~~

~~((3))~~ ~~The program will be funded by telecommunications devices for the deaf (TDD) excise tax applied to each switched access line provided by the local exchange companies. The office shall determine the amount of money needed to fund the program. That information shall be given to the utilities and transportation commission. The utilities and transportation commission shall then determine the amount of TDD excise tax to be placed on each access line. The TDD excise tax shall not exceed ten cents per month per access line. The TDD excise tax shall be separately identified on each ratepayer's bill as "Telecommunications devices funds for deaf and hearing impaired." All proceeds from the TDD excise tax will be put into a fund to be administered by the office through the department.~~

~~((4))~~ The TDD advisory committee shall establish criteria and specify state-wide organizations representing the hearing or speech impaired meeting such criteria that are to receive telecommunications devices pursuant to RCW 43.20A.725(1), and in which offices the equipment shall be installed if an organization has more than one office.

~~((5))~~ ~~The office shall establish a policy determining the ultimate ownership and responsibility for the recovery of TDDs, signal devices, and amplifying accessories from recipients who are moving from this state.~~

~~((6))~~ ~~The office shall administer and control the award of money to all parties incurring costs in implementing and maintaining telecommunications services, programs, equipment, and technical support services in accordance with the provisions of RCW 43.20A.725.~~

~~((7))~~ ~~A study will be authorized to determine the number of hearing impaired people who have party lines and the costs of converting them to single lines. The TDD advisory committee will report the study findings to the utilities and transportation commission. The study will be completed by the TDD advisory committee within a year of July 26, 1987.)~~

NEW SECTION, Sec. 5. Section 7, chapter 304, Laws of 1987 (uncodified) is repealed.

NEW SECTION, Sec. 6. 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 shall take effect immediately.

On page 1, line 2 of the title, after "impaired;" strike the remainder of the title and insert "amending RCW 43.20A.720, 43.20A.725, and 43.20A.730; creating a new section; repealing section 7, chapter 304, Laws of 1987 (uncodified); and declaring an emergency."

Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Brooks, Cooper, Jacobsen, May and Miller.

Absent: Representatives Bennett, Gallagher, Jesernig, R. Meyers and S. Wilson.

Referred to Committee on Appropriations.

MOTION

On motion of Mr. Ebersole, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease. The Speaker called the House to order.

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

SECOND READING

MOTION

Mr. Ebersole moved that the House immediately consider House Bill No. 2939 on the second reading calendar. The motion was carried.

HOUSE BILL NO. 2939, by Representatives Braddock, Brooks, Morris, Jacobsen, Silver, Holland, Winsley and Baugher; by request of Department of Corrections

Removing population limits at certain correctional institutions.

The bill was read the second time.

Mr. Sprenkle moved adoption of the following amendment by Representatives Sprenkle and Vekich:

On page 1, following line 9, insert:

"NEW SECTION, Sec. 2. If the department of corrections provides new inmate beds within ten miles of a city or town that is within three miles of a correctional facility that would have been subject to any section repealed by section 1 of this act, and if that facility had an average annual inmate capacity of at least 1,000 on the effective date of this act, the department shall provide mitigating funds to the city or town containing or closest to the facility with the new beds. The mitigation funds shall be calculated as follows: The number of new beds divided by 1,000 multiplied by the annual general fund-state operating budget of the department's correctional facilities within ten miles of that town or city, multiplied by one percent. The city or town, in its discretion, may share the funds with other cities or the county in which the city or town is located. The department shall provide mitigation funds annually, adjusted for changes in additional new beds and in the department's budget. The funds authorized by this section shall be in addition to any other amounts that were authorized prior to the effective date of this act by the legislature or ordered by any court for the purpose of mitigating the impact of adult correctional facilities."

Representatives Sprenkle and Brooks spoke in favor of adoption of the amendment, and it was adopted.

With consent of the House, the following amendment by Representatives Sprenkle and Vekich to the title was adopted:

On page 1, line 2 of the title, after "institutions;" strike the remainder of the title and insert "repealing RCW 72.02.180 and 72.02.190; and creating a new section."

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock, May, Zellinsky, Schoon, Brooks and Van Luvan spoke in favor of passage of the bill, and Representatives Miller, Sprenkle, K. Wilson and S. Wilson spoke against it. Mr. Braddock again spoke in favor of the bill.

Mr. Crane demanded the previous question, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2939, and the bill passed the House by the following vote: Yeas, 85; nays, 9; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brooks, Brumsickle, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Morris, Moyer, Myers H, Nealey, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Tate, Todd, Van Luvan, Vekich, Walker, Wang, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 85.

Voting nay: Representatives Brekke, Brough, Cantwell, King R, Miller, Nelson, Sprenkle, Wilson K, Wilson S - 9.

Excused: Representatives Appelwick, King P, Silver, Valle - 4.

Engrossed House Bill No. 2939, having received the constitutional majority, was declared passed.

HOUSE BILL NO. 2423, by Representatives Prentice, D. Sommers, Sprengle, Locke, Silver, Tate, Hine, Day, Ballard, Braddock, Holland, Vekich, Bowman, Dorn, Wolfe, G. Fisher, Padden, Leonard, Pruitt, Van Luven, Rector, Wineberry, Doty, Dellwo and Winsley

Placing a moratorium on the imposition of the cost index lid for nursing homes.

The bill was read the second time. On motion of Mr. Grant, Substitute House Bill No. 2423 was substituted for House Bill No. 2423, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2423 was read the second time.

Mr. Braddock moved adoption of the following amendment:

On page 3, line 35, after "74.46.460" insert "but excluding costs associated with new federal regulatory requirements"

Mr. Braddock spoke in favor of adoption of the amendment, and it was adopted.

Mr. Braddock moved adoption of the following amendment:

On page 3, line 36, strike "for" and insert "paid during"

Mr. Braddock spoke in favor of adoption of the amendment, and it was adopted.

The bill was ordered engrossed. With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Braddock, Brough and D. Sommers spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2423, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Appelwick, King P, Silver, Valle - 4.

Engrossed Substitute House Bill No. 2423, having received the constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

February 16, 1990

Mr. Speaker:

The Senate refuses to concur in the House amendments to ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6259 and asks the House for a conference thereon. The President has appointed the following members as conferees: Senators Nelson, Newhouse and Talmadge, and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

MOTION

Mr. Ebersole moved that the House grant the request of the Senate for a conference on Engrossed Second Substitute Senate Bill No. 6259. The motion was carried.

APPOINTMENT OF CONFEREES

The Speaker appointed Representatives Appelwick, Inslee and Padden as conferees on Engrossed Second Substitute Senate Bill No. 6259.

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

MOTION

On motion of Mr. Ebersole, Engrossed Senate Bill No. 6834 was referred from Committee on Financial Institutions & Insurance to Committee on Health Care.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, February 19, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-THIRD DAY

MORNING SESSION

House Chamber, Olympia, Monday, February 19, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Silver, Valle and Mr. Speaker. On motion of Ms. Cole, Representative Valle and Mr. Speaker were excused. On motion of Ms. Miller, Representative Silver were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Michael Heath and Joy Hubbard. Prayer was offered by The Reverend Hendrick Laur, Minister of Gull Harbor Lutheran Church of Olympia.

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

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

REPORTS OF STANDING COMMITTEES

February 15, 1990

HB 2674 Prime Sponsor, Representative G. Fisher: Creating the Air Transportation Commission. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Hankins, Jones, Nelson, Prentice, Smith, D. Sommers, Todd, S. Wilson and Zellinsky.

Absent: Representatives R. Meyers, Vice Chair, Western Washington; Gallagher, Haugen, Kremen, Prince and Walker.

Referred to Committee on Appropriations.

February 16, 1990

HB 2833 Prime Sponsor, Representative Haugen: Changing local government revenue sources and levels. Reported by Committee on Revenue

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Basich, Fraser, Grant, Haugen, Phillips, Rust and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Fuhrman and Van Luven.

Absent: Representatives Appelwick and Silver.

February 15, 1990

HB 2951 Prime Sponsor, Representative Braddock: Establishing procedures for siting of correctional facilities. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Beck, Betzoff, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector and Wang.

Absent: Representatives Schoon, Ranking Republican Member; Wang and Winsley.

Passed to Committee on Rules for second reading.

February 15, 1990

ESSB 5450 Prime Sponsor, Committee on Education: Providing for education in Pacific Rim languages. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Washington state Pacific Rim language scholarship' means a scholarship awarded, for a period not to exceed one year, to a student proficient in speaking one of the following languages: Spanish, Russian, Chinese, and Japanese.

(2) 'Institution of higher education' or 'institution' means a college or university in the state of Washington that is accredited by an accrediting association recognized as such by rule of the higher education coordinating board.

(3) 'Board' means the higher education coordinating board.

(4) 'Student' means a high school senior who is a proficient speaker of a Pacific Rim language, and who intends to enroll in an institution of higher education within one year of high school graduation.

NEW SECTION, Sec. 2. The Washington state Pacific Rim language scholarship program is created. The program shall be administered by the higher education coordinating board. In administering the program, the board shall have the following powers and duties:

(1) Select students to receive the scholarships with the assistance of a screening committee composed of leaders in government, business, and education;

(2) Adopt necessary rules and guidelines;

(3) Publicize the program; and

(4) Solicit and accept grants and donations from public and private sources for the program.

NEW SECTION, Sec. 3. The board shall select up to four students yearly from each congressional district to receive a Washington state Pacific Rim scholarship from funds appropriated for this purpose. Of the four students selected, one student shall be a proficient speaker of Spanish, one of Russian, one of Japanese, and one of Chinese. Using measures as objective as possible, the board shall select students who have shown the most improvement in their ability to speak the language during their high school careers.

NEW SECTION, Sec. 4. Scholarships shall not exceed one thousand dollars per student. The scholarship shall not be disbursed to the student until the student is enrolled at an institution of higher education. The board may also use private donations or any other funds given to the board for this program to make additional scholarship awards.

NEW SECTION, Sec. 5. By October 30, 1995, the board shall report on the program to the governor and the house of representatives and senate committees on higher education. The report shall include a recommendation on whether to expand the number of languages included, and whether to expand the program to students in each legislative district.

Sec. 6. Section 28A.67.020, chapter 223, Laws of 1969 ex. sess. as last amended by section 5, chapter 379, Laws of 1985 and RCW 28A.67.020 are each amended to read as follows:

No person, who is not a citizen of the United States of America, shall be permitted to teach in the common schools in this state: PROVIDED, That the superintendent of public instruction may grant to an alien a permit to teach in the common schools of this state if such teacher has all the other qualifications required by law, and has declared his or her intention of becoming a citizen of the United States of America: PROVIDED FURTHER, That after a one year probationary period the superintendent of public instruction, at the request of the school district which employed such teacher on a permit, may grant to an alien whose qualifications have been approved by the state board of education a standard certificate to teach in the common schools of this state: PROVIDED FURTHER, That the superintendent of public instruction may grant to a nonimmigrant alien whose qualifications have been approved by the state board of education a temporary permit to teach foreign language for a period to be defined by the superintendent of public instruction or a one-year temporary permit which is renewable (~~only once for no more than one year~~) to teach as an exchange teacher in the common schools of this state.

Before such alien shall be granted a temporary permit he or she shall be required to subscribe to an oath or affirmation in writing as follows: I do solemnly swear (or affirm) that I will support the Constitution and laws of the United States and the Constitution and laws of the state of Washington; that I do not advocate the overthrow, destruction, or alteration of the constitutional form of government of the United States or of the state of Washington or any political subdivision of either of them. All oaths or affirmations subscribed as herein provided shall be filed in the office of the superintendent of public instruction and shall be there retained for a

period of five years. Such permits shall at all times be subject to revocation by the superintendent of public instruction.

NEW SECTION, Sec. 7. Sections 1 through 5 of this act shall expire June 30, 1996, and no scholarships shall be granted after June 30, 1996.

NEW SECTION, Sec. 8. Sections 1 through 5 of this act shall constitute a new chapter in Title 28B RCW."

On page 1, line 1 of the title, after "languages;" strike the remainder of the title and insert "amending RCW 28A.67.020; adding a new chapter to Title 28B RCW; and providing an expiration date."

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Miller and Rector.

Absent: Representatives Jesernig and Wood.

Referred to Committee on Appropriations.

February 15, 1990

SB 5555 Prime Sponsor, Senator Patterson: Modifying railroad crossing inspection fees. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betrozoff, Cantwell, Cooper, Day, G. Fisher, Forner, Hankins, Heavey, Jones, Nelson, Prentice, Smith, D. Sommers, Todd, S. Wilson and Zellinsky.

Absent: Representatives Basich, Cantwell, Gallagher, Haugen, Kremen, Prince, Todd and Walker.

Passed to Committee on Rules for second reading.

February 16, 1990

2SSB 5845 Prime Sponsor, Committee on Ways & Means: Increasing steelhead trout production. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendment:
On page 2, line 2, after "31," strike "1989" and insert "1990"

Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Haugen, Smith, Spanel and Vekich.

Absent: Representatives S. Wilson, Ranking Republican Member; and Cole.

Referred to Committee on Appropriations.

February 15, 1990

SSB 6305 Prime Sponsor, Committee on Higher Education: Changing exemptions for tuition and services and activities fees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Miller, Prince, Rector and Wood.

Absent: Representatives Van Luven, Ranking Republican Member; Bennett, Jesernig and Miller.

Referred to Committee on Appropriations

February 16, 1990

SB 6354 Prime Sponsor, Senator Barr: Removing newspaper publication requirements for hearings on apple grades and size standards. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Nealey, Ranking Republican Member; Chandler, Doty, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representatives Kremen, Vice Chair; Baugher, Doty, Grant and Jesernig.

Passed to Committee on Rules for second reading.

February 15, 1990

SB 6463 Prime Sponsor, Committee on Higher Education: Granting a greater voice to students in recommending budgets for services and activities fees. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Miller, Prince, Rector and Wood.

Absent: Representatives Van Luven, Ranking Republican Member; Jesernig and Miller.

Passed to Committee on Rules for second reading.

February 16, 1990

SB 6470 Prime Sponsor, Senator Williams: Regarding construction lien laws. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Forner, Jones, R. King, Leonard, Prentice, Walker and Wolfe.

Absent: Representatives Cole, Vice Chair; and O'Brien.

Passed to Committee on Rules for second reading.

February 16, 1990

SB 6514 Prime Sponsor, Senator Newhouse: Revising provisions for attorney's fees before the department of labor and industries and the board of industrial insurance appeals. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives Cole, Vice Chair; O'Brien and Walker.

Passed to Committee on Rules for second reading.

February 16, 1990

SB 6517 Prime Sponsor, Senator Metcalf: Changing provisions relating to winter recreation functions of the state parks and recreation commission. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove and H. Myers.

Absent: Representatives Raiter and Sayan.

Passed to Committee on Rules for second reading.

February 16, 1990

SB 6526 Prime Sponsor, Committee on Agriculture: Relating to registration of plant protection products for minor crop uses. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

On page 4, beginning on line 5, strike "forty-nine thousand five hundred" and insert "eighty-one thousand"

Signed by Representatives Rayburn, Chair; Nealey, Ranking Republican Member; Chandler, Doty, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representatives Kremen, Vice Chair; Baugher, Doty, Grant and Jesernig.

Referred to Committee on Appropriations

February 16, 1990

SB 6559 Prime Sponsor, Senator Sellar: Requiring reimbursement for state parks and recreation commission costs of plan review and construction approval for winter recreational facilities. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove and H. Myers.

Absent: Representatives Raiter and Sayan.

Passed to Committee on Rules for second reading.

February 15, 1990

SSB 6560 Prime Sponsor, Committee on Transportation: Strengthening odometer disclosure requirements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 9, after "transferee," strike all material through "state," on page 4, line 14
On page 7, line 1, after "ownership" insert ", unless specifically exempted. If the certificate of ownership was issued after April 30, 1990, a secure odometer statement is required, unless specifically exempted"

On page 7, line 4, after "ownership" strike all material through "exempted" on page 7, line 6

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Hankins, Heavey, Jones, Nelson, Prentice, Smith, D. Sommers, Todd, S. Wilson and Zellinsky.

Absent: Representatives Basich, Gallagher, Haugen, Kremen, Prince, Todd and Walker.

Passed to Committee on Rules for second reading.

February 15, 1990

SJM 8003 Prime Sponsor, Senator Conner: Requesting that the practice of railroad holding tanks dumping on the right of way be discontinued. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Hankins, Heavey, Jones, Nelson, Prentice, Smith, D. Sommers, Todd, S. Wilson and Zellinsky.

Absent: Representatives Basich, Cantwell, Gallagher, Haugen, Kremen, Prince, Todd and Walker.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated with the exception of House Bill No. 2833.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4743, by Representatives Jones, Vekich, Sayan, Basich, Hargrove, Raiter, Prentice, Leonard, Wood, Horn, Miller, Crane and Dorn

WHEREAS, Jill Bellis created the Food Ball drive in 1981 to collect food for the needy, which brightened their lives during the holiday season and restored to the Hoquiam and Aberdeen communities their traditional Thanksgiving Day rivalry; and

WHEREAS, This Food Ball competition not only brought these two communities together in the true spirit of Thanksgiving, but it also resulted in similar Food Ball drives at Lake Quinault and North Beach School Districts; and

WHEREAS, Mark Miller of Raymond High School used the Food Ball project as a model for the Willapa Harbor Christmas Foodbowl competition between Raymond, South Bend and Willapa Valley School Districts, which also began in 1981; and

WHEREAS, The students and other citizens have given to those in need more food and assistance each successive year in their communities; and

WHEREAS, This effort resulted in 1989 totals of 28,577 pounds of food collected for needy Willapa Harbor residents by their three area schools, and 418,000 pounds of food collected for needy Grays Harbor residents by their four participating schools; and

WHEREAS, Their sense of activism and volunteerism is a shining example to the rest of their state and nation and represents the best of American values;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives does hereby recognize the achievements of these students, their schools and their respective Food Ball and Foodbowl coordinators and extends heartfelt congratulations and appreciation on behalf of all the citizens of the State of Washington; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the school districts of Aberdeen, Hoquiam, Lake Quinault, North Beach, Raymond, South Bend and Willapa Valley.

Mr. Jones moved adoption of the resolution. Representatives Jones, Hargrove, Vekich and Basich spoke in favor of the resolution.

House Floor Resolution No. 90-4743 was adopted.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4749, by Representatives Haugen, Dellwo, Spanel, Rector, R. Fisher, Heavey, Ferguson, G. Fisher, Brooks, Dorn, Basich, Moyer, Wolfe, Leonard, Jacobsen, Peery, Kremen, Baugher, Nealey and Cantwell

WHEREAS, The Order of the Mystic Shrine was established in 1872 as a social arm of the Masonic Order; and

WHEREAS, The Shrine developed into a major philanthropic organization with one hundred eighty-nine Shrine Temples stretching from Alaska to the Panama Canal Zone; and

WHEREAS, The Shrine has established twenty-two Shriners Hospitals dedicated to children's care at a cost to date of \$1.3 billion, without accepting any tax money; and

WHEREAS, The Shrine has built three Shriners Burns Institutes, which are known throughout the world for state-of-the-art care and research; and

WHEREAS, More than 350,000 children have received treatment free of charge at these hospitals and burn-treatment facilities; and

WHEREAS, The Shrine has three temples in Washington State and a children's hospital in Spokane; and

WHEREAS, A delegation of thirty Shriners is expected to visit the Legislature tomorrow, February 20, from the 7,000-member Nile Temple in Mountlake Terrace; and

WHEREAS, The leader of that delegation is the Illustrious Potentate Howard Olsen, brother of Representative Mary Margaret Haugen of Camano Island;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives welcome these members of the Nile Temple and extend thanks for the work they and their organization have done for children everywhere; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Nile Temple in Mountlake Terrace.

Ms. Haugen moved adoption of the resolution and spoke in favor of it.

House Floor Resolution No. 90-4749 was adopted.

MOTION

On motion of Mr. Ebersole, the rules were suspended and House Bill No. 2833 was placed on the second reading calendar.

POINTS OF PERSONAL PRIVILEGE

Mr. Todd: Thank you, Mr. Speaker. On this Presidents' Day, 1990, I would like to remember a relative of mine, somebody whose birthday occurred last week. Over the years, as many of you know, I have enjoyed giving a counterpoint to a gentleman from the other side of the aisle who is no longer here. I would like to provide a few brief thoughts for you this afternoon.

Each February 12, people throughout our country, and in many parts of the world, take a few moments to remember and appreciate the greatness of Abraham Lincoln. We remember the man and also his words. He believed that our country was "a nation conceived in liberty, and dedicated to the proposition that all men are created equal." He was committed to "a government of the people, by the people, and for the people." He lived a life characterized by "malice towards none and charity for all." School children throughout the world know his famous words, which tells you something about Lincoln's greatness. Yet Lincoln himself believed his words would be little noted, nor long remembered, which tells you something about Lincoln.

Eloquent people remember Lincoln's goodness of heart in many ways. For example, his contemporary Emerson remembered that "his heart was as great as the world, but there was no room in it to hold a memory of a wrong." Frederick Douglass, who knew him well, remembered Lincoln as the first white person he ever spent an hour with who did not remind him that he was black. And I believe that Henry Cabot Lodge spoke for many of us when he said, exactly eighty-one years ago, that Washington and Lincoln were "the best great men and the greatest good men whom history can show."

But how did Lincoln want to be remembered? He answered that question once, and his answer speaks volumes about the man. He said, "Die when I may, I want it said of me by those who know me best, that I have always plucked a thistle and planted a flower when I thought a flower would grow."

Mr. Speaker, Lincoln's ideas about freedom, equality, and democracy have taken root and flowered more broadly and more brightly than that humble man could ever have imagined. There is a reason why the N.A.A.C.P. was born eighty-one years ago on what would have been Lincoln's one hundredth birthday. There is a reason why Martin Luther King shared his great dream on the steps of the Lincoln Memorial. And there is a reason why our nation's Voting Rights Act was signed at the foot of Lincoln's statue. The reason is simply that Lincoln's inspiration came from the heart and speaks to the heart.

And it continues to speak to the hearts of men and women everywhere. For example, when Lech Walesa, whose own courage and leadership has changed the course of history, spoke to Congress last November, he called himself just "a shipyard worker from Gdansk, who has devoted his entire life...to this idea: 'Government of the people, by the people, for the people.'"

So, yes, Lincoln's inspiration--America's inspiration--continues to flower throughout the world. In eastern Europe, and in Latin America, authoritarian government is being uprooted and replaced by government "of the people, by the people, and for the people." We all pray this principle will continue to flower in South Africa. We all pray it will soon flower in China. We all pray it will grow in the Soviet Union. And we all believe it will, someday.

And when it does, you can be sure that on that day, as on this day, people will take a few moments to remember and appreciate the greatness, the goodness, and the wisdom of Abraham Lincoln.

Mr. Moyer: Thank you, Mr. Speaker. May I add one short quotation to the eloquence of the previous speaker? "A child is a person who is going to carry on what you have started. He will assume control of your cities, your states and your nation. The fate of humanity is in his hands." That is from Abraham Lincoln. Thank you.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 12:00 noon, Tuesday, February 20, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-FOURTH DAY

NOON SESSION

House Chamber, Olympia, Tuesday, February 20, 1990

The House was called to order at 12:00 noon by the Speaker (Mr. O'Brien presiding).

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

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

REPORTS OF STANDING COMMITTEES

February 16, 1990

SB 5712 Prime Sponsor, Senator Kreidler: Changing provisions relating to the environmental hearings office. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 2, chapter 47, Laws of 1979 ex. sess. as amended by section 3, chapter 173, Laws of 1986 and RCW 43.21B.005 are each amended to read as follows:

There is created an environmental hearings office of the state of Washington. The environmental hearings office shall consist of the pollution control hearings board created in RCW 43.21B.010, the forest practices appeals board created in RCW 76.09.210, the shorelines hearings board created in RCW 90.58.170, and the hydraulic appeals board created in RCW 75.20.130. The chairman of the pollution control hearings board shall be the chief executive officer of the environmental hearings office. Membership, powers, functions, and duties of the pollution control hearings board, the forest practices appeals board, the shorelines hearings board, and the hydraulic appeals board shall be as provided by law.

~~The chief executive officer of the environmental hearings office may appoint and fix the compensation of such staff as may be necessary or may contract for required services. Employees of the environmental hearings office shall serve each board at the direction of the chief executive officer of the environmental hearings office.)~~ an administrative appeals judge who shall possess the powers and duties conferred by the administrative procedure act, chapter 34.05 RCW, in cases before the boards comprising the office. The administrative appeals judge shall have a demonstrated knowledge of environmental law, and shall be admitted to the practice of law in the state of Washington. Additional administrative appeals judges may also be appointed by the chief executive officer on the same terms. Administrative appeals judges shall not be subject to chapter 41.06 RCW.

~~The chief executive officer may appoint, discharge, and fix the compensation of such administrative or clerical staff as may be necessary.~~

The chief executive officer may also contract for required services.

Sec. 2. Section 39, chapter 62, Laws of 1970 ex. sess. as amended by section 1, chapter 69, Laws of 1974 ex. sess. and RCW 43.21B.090 are each amended to read as follows:

The principal office of the hearings board shall be at the state capitol, but it may sit or hold hearings at any other place in the state. A majority of the hearings board shall constitute a quorum for making orders or decisions, promulgating rules and regulations necessary for the conduct of its powers and duties, or transacting other official business, and may act though one position of the hearings board be vacant. One or more members may hold hearings and take testimony to be reported for action by the hearings board when authorized by rule or order of the hearings board. ~~(The board may also appoint as its authorized agents one or more hearing examiners to assist the board in the performance of its hearing function pursuant to the authority contained in the administrative procedure act, chapter 34.04 RCW as now or hereafter amended. PROVIDED: That the findings of the hearing examiner shall not become final until they have been formally approved by the board.)~~ The hearings board shall perform all the powers and duties specified in this chapter or as otherwise provided by law.

Sec. 3. Section 43, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.130 are each amended to read as follows:

The administrative procedure act, chapter ~~((34-04))~~ 34.05 RCW, shall apply to the appeal of rules and regulations adopted by the board to the same extent as it applied to the review of rules and regulations adopted by the directors and/or boards or commissions of the various departments whose powers, duties and functions ~~((are))~~ were transferred by ~~((this 1970 act))~~ section 6, chapter 62, Laws of 1970 ex. sess. to the department. All other decisions and orders of the director and all decisions of air pollution control boards or authorities established pursuant to chapter 70.94 RCW shall be subject to review by the hearings board as provided in this ~~((1970-act))~~ chapter.

Sec. 4. Section 45, chapter 62, Laws of 1970 ex. sess. as amended by section 2, chapter 69, Laws of 1974 ex. sess. and RCW 43.21B.150 are each amended to read as follows:

In all appeals involving an informal hearing, the hearings board ~~((or its hearing examiners))~~ shall have all powers relating to the administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies by chapter ~~((34-04))~~ 34.05 RCW. In the case of appeals within the ~~((scope of this 1970 act))~~ jurisdiction of the hearings board, the hearings board or any member thereof may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board or any member thereof may deem necessary or appropriate: PROVIDED, That any communication, oral or written, from the staff of the director to the hearings board ~~((or its hearing examiners))~~ shall be presented only in an open hearing.

Sec. 5. Section 46, chapter 62, Laws of 1970 ex. sess. as last amended by section 103, chapter 175, Laws of 1989 and RCW 43.21B.160 are each amended to read as follows:

In all appeals involving a formal hearing, the hearings board ~~((or its hearing examiners))~~ shall have all powers relating to administration of oaths, issuance of subpoenas, and taking of depositions as are granted to agencies in chapter 34.05 RCW, the Administrative Procedure Act~~((and))~~. The hearings board, and each member thereof, ~~((or its hearing examiners))~~ shall be subject to all duties imposed upon, and shall have all powers granted to, an agency by those provisions of chapter 34.05 RCW relating to adjudicative proceedings. In the case of appeals within the ~~((scope of this chapter))~~ jurisdiction of the hearings board, the hearings board, or any member thereof, may obtain such assistance, including the making of field investigations, from the staff of the director as the hearings board, or any member thereof, may deem necessary or appropriate~~((PROVIDED, That))~~. Any communication, oral or written, from the staff of the director to the hearings board ~~((or its hearing examiners))~~ shall be presented only in an open hearing.

Sec. 6. Section 53, chapter 62, Laws of 1970 ex. sess. and RCW 43.21B.230 are each amended to read as follows:

Any person having received notice of a denial of a petition, a notice of determination, notice of or an order made by the department ~~((under the provisions of this 1970 amendatory act))~~ may appeal, within thirty days from the date of the notice of such denial, order, or determination to the hearings board. The appeal shall be perfected by serving a copy of the notice of appeal upon the department or air pollution authority established pursuant to chapter 70.94 RCW, as the case may be, within the time specified herein and by filing the original thereof with proof of service with the clerk of the hearings board. If the person intends that the hearing before the hearings board be a formal one, the notice of appeal shall so state. In the event that the notice of appeal does not so state, the hearing shall be an informal one: PROVIDED, HOWEVER, That nothing shall prevent the department or the air pollution authority, as the case may be, within ten days from the date of its receipt of the notice of appeal, from filing with the clerk of the hearings board notice of its intention that the hearing be a formal one."

On page 1, line 1 of the title, after "office;" strike the remainder of the title and insert "and amending RCW 43.21B.005, 43.21B.090, 43.21B.130, 43.21B.150, 43.21B.160, and 43.21B.230."

Signed by Representatives Rust, Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle and Walker.

Absent: Representatives Valle, Vice Chair; Phillips, Pruitt and Van Luven.

Passed to Committee on Rules for second reading.

February 19, 1990

SB 6360 Prime Sponsor, Senator Thorsness: Updating the Model Traffic Ordinance. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 20, after "46.20.750," insert "46.25.010, 46.25.020, 46.25.030, 46.25.040, 46.25.050, 46.25.110, 46.25.120, 46.25.170."

On page 2, line 29, after "46.20.750," insert "46.25.010, 46.25.020, 46.25.030, 46.25.040, 46.25.050, 46.25.110, 46.25.120, 46.25.170."

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives R. Meyers, Vice Chair, Western Washington; Cantwell and Prince.

Passed to Committee on Rules for second reading.

February 19, 1990

SB 6528 Prime Sponsor, Senator Patterson: Revising vessel pilots' license qualifications. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 19, after "six hundred" insert "gross"

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 16, 1990

SB 6583 Prime Sponsor, Senator McDonald: Changing provisions relating to air pollution control authorities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Brekke, G. Fisher, Fraser, Phillips, Schoon, Sprenkle and Walker.

Absent: Representatives Valle, Vice Chair; Pruitt and Van Luven.

Referred to Committee on Revenue.

MOTION

On motion of Mr. Heavey, the bills listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

MOTION

On motion of Mr. Heavey, the House adjourned until 10:00 a.m., Wednesday, February 21, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-FIFTH DAY

MORNING SESSION

House Chamber, Olympia, Wednesday, February 21, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present.

The flag was escorted to the rostrum by the Color Guard from the 2nd Battalion, 75th Ranger Regiment, stationed at Fort Lewis. Prayer was offered by Captain Peter J. Frederick, Chaplain from Fort Lewis.

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

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

INTRODUCTIONS AND FIRST READING

HB 3024 by Representatives H. Sommers, Schoon, Winsley, Peery, Fraser, Rasmussen, Beck, Braddock, Wang, Jacobsen, Heavey, Bowman, Phillips, Holland and Anderson

AN ACT Relating to taxation of real property sales to provide revenue for wildlife conservation and outdoor recreation; amending RCW 82.45.060; and providing a contingent effective date.

Referred to Committee on Capital Facilities & Financing.

HB 3025 by Representatives H. Sommers, Schoon, Jacobsen, Braddock, Fraser, Peery, Beck, Wang, Rasmussen, Heavey, Winsley, Betrozoff, Bowman, Phillips, Holland, S. Wilson, Miller, Brough, Spanel and Anderson

AN ACT Relating to financing of lands for wildlife conservation and outdoor recreation; amending RCW 84.04.140, 84.52.050, 84.36.381, and 84.52.067; adding a new section to chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; creating new sections; and providing a contingent effective date.

Referred to Committee on Capital Facilities & Financing.

HJR 4229 by Representatives H. Sommers, Schoon, Jacobsen, Braddock, Fraser, Beck, Peery, Wang, Rasmussen, Heavey, Winsley, Betrozoff, Bowman, Phillips, Holland, Miller, Brough, Spanel and Anderson

Permitting a levy for the acquisition and development of land for wildlife conservation and outdoor recreation.

Referred to Committee on Capital Facilities & Financing.

MOTION

On motion of Mr. Heavey, the bills and resolution listed on today's introduction sheet under the fourth order of business were referred to the committees so designated.

REPORTS OF STANDING COMMITTEES

February 19, 1990

E2SSB 6216 Prime Sponsor, Committee on Ways & Means: Creating the Washington community college exceptional faculty awards program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representatives Spanel, Vice Chair; Doty, Jesernig and Rector.

Referred to Committee on Appropriations

February 20, 1990

SSB 6289 Prime Sponsor, Committee on Agriculture: Providing the director of agriculture with organizational flexibility. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representative Baugher.

Passed to Committee on Rules for second reading.

February 19, 1990

SSB 6306 Prime Sponsor, Committee on Higher Education: Revising provisions for tenure at community colleges. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. Improving the quality of instruction at our state institutions of higher education is a priority of the legislature. Recently, many efforts have been made by the legislature, the colleges, and the higher education coordinating board to assess and improve the quality of instruction received by students at our state institutions. It is the intent of the legislature that, in conjunction with these various efforts, the process for the award of faculty tenure at community colleges should allow for a more lengthy and thorough review of the performance of faculty appointees prior to the granting of tenure.

Sec. 2. Section 34, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.852 are each amended to read as follows:

The appointing authority shall promulgate rules and regulations implementing RCW 28B.50.850 through 28B.50.869 and shall provide for the award of faculty tenure following a probationary period not to exceed ~~((three))~~ nine consecutive ~~((regular college years))~~ college quarters, excluding summer quarter: PROVIDED, That tenure may be awarded at any time as may be determined by the appointing authority after it has given reasonable consideration to the recommendations of the review committee.

NEW SECTION. Sec. 3. The state board for community college education, in consultation with appropriate faculty organizations, labor representatives, and the governing boards and administrations of local community college districts, shall conduct a thorough review and study of salaries for full and part-time faculty and administrators at community colleges. The state board shall report to the legislature by January 1, 1991, on the results of this study, including specific recommendations on salary levels, payments for increments and advancements, bargaining, and allocation of salary funds.

Sec. 4. Section 37, chapter 283, Laws of 1969 ex. sess. and RCW 28B.50.857 are each amended to read as follows:

Upon the decision not to renew a probationary faculty appointment, the appointing authority shall notify the probationer of such decision as soon as possible during the regular college year: PROVIDED, That such notice may not be given subsequent to the last day of the ~~((winter))~~ eighth quarter.

NEW SECTION. Sec. 5. Nothing contained in this act shall be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement.

NEW SECTION. Sec. 6. Sections 1 and 2 of this act shall take effect July 1, 1990, and shall apply to all faculty appointments made by community colleges after June 30, 1990, but shall not apply to employees of community colleges who hold faculty appointments prior to July 1, 1990.

NEW SECTION. Sec. 7. 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."

On page 1, line 1 of the title, after "colleges;" strike the remainder of the title and insert "amending RCW 28B.50.852 and 28B.50.857; creating new sections; and providing an effective date."

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Bennett; Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

MINORITY recommendation: Do not pass. Signed by Representative Basich.

Absent: Representatives Jesernig and Rector.

Passed to Committee on Rules for second reading.

February 20, 1990

2SSB 6310 Prime Sponsor, Committee on Ways & Means: Providing a funding mechanism for regional fisheries enhancement groups. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that: (1) It is in the best interest of the state to encourage nonprofit regional fisheries enhancement groups authorized in RCW 75.50.070 to participate in enhancing the state's salmon population including, but not limited to, salmon research, increased natural and artificial production, and through habitat improvement; (2) such regional fisheries enhancement groups interested in improving salmon habitat and rearing salmon shall be eligible for financial assistance; (3) such regional fisheries enhancement groups should seek to maximize the efforts of volunteer personnel and private donations; (4) this program will assist the state in its goal to double the salmon catch by the year 2000; (5) this program will benefit both commercial and recreational fisheries and improve cooperative efforts to increase salmon production through a coordinated approach with similar programs in other states and Canada; and (6) the Grays Harbor fisheries enhancement task force's exemplary performance in salmon enhancement provides a model for establishing regional fisheries enhancement groups by rule adopted under RCW 75.50.070, 75.50.080, and sections 2 through 4 of this act.

NEW SECTION. Sec. 2. A new section is added to chapter 75.50 RCW to read as follows:

Each regional fisheries enhancement group shall be incorporated pursuant to Title 24 RCW. Any interested person or group shall be permitted to join. It is desirable for the group to have representation from all categories of fishers and other parties that have interest in salmon within the region, as well as the general public.

NEW SECTION. Sec. 3. A new section is added to chapter 75.50 RCW to read as follows:

The dedicated regional fisheries enhancement group account is created in the custody of the state treasurer. Only the director or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

A surcharge of one dollar shall be collected on each recreational salmon license sold in the state. A surcharge of one hundred dollars shall be collected on each commercial salmon fishing license and each charter boat 'salmon and other food fish' license sold in the state. The department shall study methods for collecting and making available, an annual list, including names and addresses, of all persons who obtain recreational and commercial salmon fishing licenses. This list may be used to assist formation of the regional fisheries enhancement groups and allow the broadest participation of license holders in enhancement efforts. The results of the study shall be reported to the house of representatives fisheries and wildlife committee and the senate environment and natural resources committee by October 1, 1990. All receipts shall be placed in the regional fisheries enhancement group account and shall be used exclusively for regional fisheries enhancement group projects for the purposes of section 4 of this act. Funds from the regional fisheries enhancement group account shall not serve as replacement funding for department operated salmon projects that exist on the effective date of this section.

All revenue from the department's sale of salmon carcasses and eggs that return to group facilities shall be deposited in the regional fisheries enhancement group account for use by the regional fisheries enhancement group that produced the surplus. The department shall adopt rules to implement this section pursuant to chapter 34.05 RCW.

NEW SECTION. Sec. 4. A new section is added to chapter 75.50 RCW to read as follows:

A regional fisheries enhancement group advisory board is established to make recommendations to the director. The advisory board shall make recommendations regarding regional enhancement group rearing project proposals and funding of those proposals. The members shall be appointed by the director and consist of two commercial fishing representatives, two recreational fishing representatives, and three at-large positions. The advisory board membership shall include two members serving ex officio to be nominated, one through the Northwest Indian fisheries commission, and one through the Columbia river intertribal fish commission.

The department may use account funds to provide agency assistance to the groups. The level of account funds used by the department shall be determined by the director after review and recommendation by the regional fisheries enhancement group advisory board and shall not exceed twenty percent of annual contributions to the account.

NEW SECTION. Sec. 5. The department and the regional fisheries enhancement group advisory board shall report biennially to the senate environment and natural resources committee, the house of representatives fisheries and wildlife committee, the senate ways and

means committee and house of representatives fiscal committees, or any successor committees beginning October 1, 1991. The report shall include but not be limited to the following:

- (1) An evaluation of enhancement efforts;
- (2) A description of projects;
- (3) A region by region accounting of financial contributions and expenditures including the enhancement group account funds; and
- (4) Volunteer participation and member affiliation.

NEW SECTION, Sec. 6. Section 3 of this act shall take effect January 1, 1991."

On page 1, line 2 of the title, after "groups;" strike the remainder of the title and insert "adding new sections to chapter 75.50 RCW; creating new sections; and providing an effective date."

Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Cole, Smith, Spanel and Vekich.

Absent: Representatives Brooks and Haugen.

Referred to Committee on Appropriations.

February 19, 1990

SSB 6493 Prime Sponsor, Committee on Children & Family Services: Authorizing the appointment of confidential intermediaries in adoption searches. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 26.33 RCW to read as follows:

(1) An adopted person over the age of twenty-one years, or under twenty-one with the permission of the adoptive parent, or a birth parent or member of the birth parent's family after the adoptee has reached the age of twenty-one may petition the court to appoint a confidential intermediary. The intermediary shall search for and discreetly contact the birth parent or adopted person; or members of the birth parent or adopted person's family if authorized by the court pursuant to subsection (6)(c) of this section. These family members shall be limited to the birth grandparents of the adult adoptee, a brother or sister of a birth parent, or the child of a birth parent. The court, for good cause shown, may allow a relative more distant in degree to petition for disclosure.

(2)(a) Confidential intermediaries appointed under this section shall complete training provided by a licensed adoption service or another court-approved entity and file an oath of confidentiality and a certificate of completion of training with the superior court of every county in which they serve as intermediaries. The court may dismiss an intermediary if the intermediary engages in conduct which violates professional or ethical standards.

(b) The confidential intermediary shall sign a statement of confidentiality substantially as follows:

I, _____, signing under penalty of contempt of court, state: 'As a condition of appointment as a confidential intermediary, I affirm that, when adoption records are opened to me:

I will not disclose to the petitioner, directly or indirectly, any identifying information in the records without further order from the court.

I will conduct a diligent search for the person being sought and make a discreet and confidential inquiry as to whether that person will consent to being put in contact with the petitioner, and I will report back to the court the results of my search and inquiry.

If the person sought consents to be put in contact with the petitioner, I will attempt to obtain a dated, written consent from the person, and attach the original of the consent to my report to the court. If the person sought does not consent to the disclosure of his or her identity, I shall report the refusal of consent to the court.

I will not make any charge or accept any compensation for my services except as approved by the court, or as reimbursement from the petitioner for actual expenses incurred in conducting the search. These expenses will be listed in my report to the court.

I recognize that unauthorized release of confidential information may subject me to civil liability under state law, and subjects me to being found in contempt of court.'

/s/ ... date...

(c) The confidential intermediary shall be entitled to reimbursement from the petitioner for actual expenses in conducting the search. The court may authorize a reasonable fee in addition to these expenses.

(3) If the confidential intermediary is unable to locate the person being sought within one year, the confidential intermediary shall make a recommendation to the court as to whether or not a further search is warranted, and the reasons for this recommendation.

(4) In the case of a petition filed on behalf of a birth parent or other blood relative of the adoptee, written consent of any living adoptive parent shall be obtained prior to contact with the adoptee if the adoptee:

(a) Is less than twenty-five years of age and is residing with the adoptive parent; or

(b) Is less than twenty-five years of age and is a dependent of the adoptive parent.

(5) If the confidential intermediary locates the person being sought, a discreet and confidential inquiry shall be made as to whether or not that person will consent to having his or her present identity disclosed to the petitioner. The identity of the petitioner shall not be disclosed to the party being sought. If the party being sought consents to the disclosure of his or her identity, the confidential intermediary shall obtain the consent in writing and shall include the original of the consent in the report filed with the court. If the party being sought refuses disclosure of his or her identity, the confidential intermediary shall report the refusal to the court and shall refrain from further and subsequent inquiry without judicial approval.

(6)(a) If the confidential intermediary obtains from the person being sought written consent for disclosure of his or her identity to the petitioner, the court may then order that the name and other identifying information of that person be released to the petitioner.

(b) If the person being sought is deceased, the court may order disclosure of the identity of the deceased to the petitioner.

(c) If the confidential intermediary is unable to contact the person being sought within one year, the court may order that the search be continued for a specified time or be terminated. If the person who is the subject of the search is not alive or cannot be located within one year, the court may order the intermediary to attempt to locate members of the birth parent or adopted person's family.

NEW SECTION. Sec. 2. A new section is added to chapter 26.33 RCW to read as follows:

(1) The department of social and health services, adoption agencies, and independent adoption facilitators shall release the name and location of the court where a relinquishment of parental rights or finalization of an adoption took place to an adult adoptee, a birth parent of an adult adoptee, an adoptive parent, a birth or adoptive grandparent of an adult adoptee, or an adult sibling of an adult adoptee, or the legal guardian of any of these.

(2) The department of vital records shall make available a noncertified copy of the original birth certificate of a child to the child's birth parents upon request.

Sec. 3. Section 33, chapter 155, Laws of 1984 and RCW 26.33.330 are each amended to read as follows:

(1) All records of any proceeding under this chapter shall be sealed and shall not be thereafter open to inspection by any person except upon order of the court for good cause shown, or except by using the procedure described in section 1 of this act.

(2) The state registrar of vital statistics may charge a reasonable fee for the review of any of its sealed records.

Sec. 4. Section 34, chapter 155, Laws of 1984 and RCW 26.33.340 are each amended to read as follows:

Department and agency files regarding an ((adoptive)) adoption shall be confidential except the department or agency may disclose nonidentifying information ((necessary for medical purposes)) upon the receipt of a verified written request for the information from the adoptive parent, the adoptee, or the ((natural)) birth parent. Identifying information may also be disclosed through the procedure described in section 1 of this act.

Sec. 5. Section 2, chapter 155, Laws of 1984 and RCW 26.33.020 are each amended to read as follows:

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

(1) 'Alleged father' means a person whose parent-child relationship has not been terminated, who is not a presumed father under chapter 26.26 RCW, and who alleges himself or whom a party alleges to be the father of the child. It includes a person whose marriage to the mother was terminated more than three hundred days before the birth of the child or who was separated from the mother more than three hundred days before the birth of the child.

(2) 'Child' means a person under eighteen years of age.

(3) 'Adoptee' means a person who is to be adopted or who has been adopted.

(4) 'Adoptive parent' means the person or persons who seek to adopt or have adopted an adoptee.

(5) 'Court' means the superior court.

(6) 'Department' means the department of social and health services.

(7) 'Agency' means any public or private association, corporation, or individual licensed or certified by the department as a child placing agency under chapter 74.15 RCW or as an adoption agency.

(8) 'Parent' means the ((natural)) birth or adoptive mother or father of a child, including a presumed father under chapter 26.26 RCW. It does not include any person whose parent-child relationship has been terminated by a court of competent jurisdiction.

(9) 'Legal guardian' means the department, an agency, or a person, other than a parent or stepparent, appointed by the court to promote the child's general welfare, with the authority and duty to make decisions affecting the child's development.

(10) 'Guardian ad litem' means a person, not related to a party to the action, appointed by the court to represent the best interests of a party who is under a legal disability.

(1) 'Relinquish or relinquishment' means the voluntary surrender of custody of a child to the department, an agency, or prospective adoptive parents.

Sec. 6. Section 26, chapter 155, Laws of 1984 and RCW 26.33.260 are each amended to read as follows:

The entry of a decree of adoption divests any parent or alleged father who is not married to the adoptive parent or who has not joined in the petition for adoption of all legal rights and obligations in respect to the adoptee, except past-due child support obligations. The adoptee shall be free from all legal obligations of obedience and maintenance in respect to the parent. The adoptee shall be, to all intents and purposes, and for all legal incidents, the child, legal heir, and lawful issue of the adoptive parent, entitled to all rights and privileges, including the right of inheritance and the right to take under testamentary disposition, and subject to all the obligations of a ((~~natural~~)) birth child of the adoptive parent.

Sec. 7. Section 37, chapter 155, Laws of 1984 as amended by section 1, chapter 281, Laws of 1989 and RCW 26.33.350 are each amended to read as follows:

(1) Every person, firm, society, association, or corporation receiving, securing a home for, or otherwise caring for a minor child shall transmit to the prospective adopting parent prior to placement and shall make available to all persons with whom a child has been placed by adoption a complete medical report containing all available information concerning the mental, physical, and sensory handicaps of the child. The report shall not reveal the identity of the ((~~natural~~)) birth parents of the child but shall include any available mental or physical health history of the ((~~natural~~)) birth parents that needs to be known by the adoptive parents to facilitate proper health care for the child or that will assist the adoptive parents in maximizing the developmental potential of the child.

(2) Where available, the information provided shall include:

(a) A review of the birth family's and the child's previous medical history, if available, including x-rays, examinations, hospitalizations, and immunizations;

(b) A physical exam of the child by a licensed physician with appropriate laboratory tests and x-rays;

(c) A referral to a specialist if indicated; and

(d) A written copy of the evaluation with recommendations to the adoptive family receiving the report.

Sec. 8. Section 35, chapter 155, Laws of 1984 and RCW 26.33.360 are each amended to read as follows:

(1) If a ((~~natural~~)) birth parent unsuccessfully petitions to have an adoption set aside, the court shall award costs, including reasonable attorneys' fees, to the adoptive parent.

(2) If a ((~~natural~~)) birth parent successfully petitions to have an adoption set aside, the ((~~natural~~)) birth parent shall be liable to the adoptive parent for both the actual expenditures and the value of services rendered by the adoptive parents in caring for the child.

(3) A ((~~natural~~)) birth parent who has executed a written consent to adoption shall not bring an action to set aside an adoption more than one year after the date the court approved the written consent.

Sec. 9. Section 2, chapter 281, Laws of 1989 and RCW 26.33.380 are each amended to read as follows:

Every person, firm, society, association, or corporation receiving, securing a home for, or otherwise caring for a minor child shall transmit to the prospective adopting parent prior to placement and shall make available to all persons with whom a child has been placed by adoption, a family background and child and family social history report, which includes a chronological history of the circumstances surrounding the adoptive placement and any available psychiatric reports, psychological reports, court reports pertaining to dependency or custody, or school reports. Such reports or information shall not reveal the identity of the ((~~natural~~)) birth parents of the child.

Sec. 10. Section 2, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.010 are each amended to read as follows:

As used in this chapter, 'parent and child relationship' means the legal relationship existing between a child and his ((~~natural~~)) or her birth or adoptive parents incident to which the law confers or imposes rights, privileges, duties, and obligations. It includes the mother and child relationship and the father and child relationship.

Sec. 11. Section 4, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 86, chapter 7, Laws of 1985 and RCW 26.26.030 are each amended to read as follows:

The parent and child relationship between a child and

(1) the ((~~natural~~)) birth mother may be established by proof of her having given birth to the child, or under this chapter;

(2) the ((~~natural~~)) birth father may be established under this chapter;

(3) an adoptive parent may be established by proof of adoption or under the provisions of chapter 26.33 RCW.

Sec. 12. Section 5, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 4, chapter 55, Laws of 1989 and RCW 26.26.040 are each amended to read as follows:

(1) A man is presumed to be the ((natural)) birth father of a child for all intents and purposes if:

(a) He and the child's ((natural)) birth mother are or have been married to each other and the child is born during the marriage, or within three hundred days after the marriage is terminated by death, annulment, declaration of invalidity, divorce, or dissolution, or after a decree of separation is entered by a court; or

(b) Before the child's birth, he and the child's ((natural)) birth mother have attempted to marry each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared invalid, and the child is born within three hundred days after the termination of cohabitation;

(c) After the child's birth, he and the child's ((natural)) birth mother have married, or attempted to marry, each other by a marriage solemnized in apparent compliance with law, although the attempted marriage is or could be declared invalid, and

(i) He has acknowledged his paternity of the child in writing filed with the registrar of vital statistics,

(ii) With his consent, he is named as the child's father on the child's birth certificate, or

(iii) He is obligated to support the child under a written voluntary promise or by court order;

(d) While the child is under the age of majority, he receives the child into his home and openly holds out the child as his child; or

(e) He acknowledges his paternity of the child pursuant to RCW 70.58.080 or in a writing filed with the state office of vital statistics, which shall promptly inform the mother of the filing of the acknowledgment, if she does not dispute the acknowledgment within a reasonable time after being informed thereof, in a writing filed with the registrar of vital statistics. In order to enforce rights of residential time, custody, and visitation, a man presumed to be the father as a result of filing a written acknowledgment must seek appropriate judicial orders under this title.

(2) A presumption under this section may be rebutted in an appropriate action only by clear, cogent, and convincing evidence. If two or more presumptions arise which conflict with each other, the presumption which on the facts is founded on the weightier considerations of policy and logic controls. The presumption is rebutted by a court decree establishing paternity of the child by another man.

Sec. 13. Section 6, chapter 42, Laws of 1975-'76 2nd ex. sess. and RCW 26.26.050 are each amended to read as follows:

(1) If, under the supervision of a licensed physician and with the consent of her husband, a wife is inseminated artificially with semen donated by a man not her husband, the husband is treated in law as if he were the ((natural)) birth father of a child thereby conceived. The husband's consent must be in writing and signed by him and his wife. The physician shall certify their signatures and the date of the insemination, and file the husband's consent with the registrar of vital statistics, where it shall be kept confidential and in a sealed file.

(2) The donor of semen provided to a licensed physician for use in artificial insemination of a woman other than the donor's wife is treated in law as if he were not the ((natural)) birth father of a child thereby conceived unless the donor and the woman agree in writing that said donor shall be the father. The agreement must be in writing and signed by the donor and the woman. The physician shall certify their signatures and the date of the insemination and file the agreement with the registrar of vital statistics, where it shall be kept confidential and in a sealed file.

(3) The failure of the licensed physician to perform any administrative act required by this section shall not affect the father and child relationship. All papers and records pertaining to the insemination, whether part of the permanent record of a court or of a file held by the supervising physician or elsewhere, are subject to inspection only in exceptional cases upon an order of the court for good cause shown.

Sec. 14. Section 7, chapter 42, Laws of 1975-'76 2nd ex. sess. as amended by section 5, chapter 41, Laws of 1983 1st ex. sess. and RCW 26.26.060 are each amended to read as follows:

(1) (a) A child, a child's ((natural)) birth mother, a man alleged or alleging himself to be the father, a child's guardian, a child's personal representative, the state of Washington, or any interested party may bring an action at any time for the purpose of declaring the existence or nonexistence of the father and child relationship.

(b) A man presumed to be a child's father under RCW 26.26.040 may bring an action for the purpose of declaring the nonexistence of the father and child relationship only if the action is brought within a reasonable time after obtaining knowledge of relevant facts. After the presumption has been rebutted, paternity of the child by another man may be determined in the same action, if he has been made a party.

(2) In an action brought by the state pursuant to this chapter, the state may be represented by either the prosecuting attorney for the county where the action is brought or by the attorney general.

(3) Regardless of its terms, no agreement between an alleged or presumed father and the mother or child, shall bar an action under this section.

(4) If an action under this section is brought before the birth of the child, all proceedings may be stayed until after the birth, except service of process and discovery, including the taking of depositions to perpetuate testimony.

(5) Actions under this chapter may be maintained as to any child, whether born before or after the enactment of this chapter.

Sec. 15. Section 10, chapter 42, Laws of 1975-'76 2nd ex. sess. as last amended by section 31, chapter 260, Laws of 1984 and RCW 26.26.090 are each amended to read as follows:

(1) The child shall be made a party to the action. If the child is a minor, the child shall be represented by the child's general guardian or a guardian ad litem appointed by the court subject to RCW 74.20.310. The child's mother or father may not represent the child as guardian or otherwise. The ((natural)) birth mother, each man presumed to be the father under RCW 26.26.040, and a man or men alleged to be the ((natural)) birth father shall be made parties or, if not subject to the jurisdiction of the court, shall, if possible, be given actual notice of the action and an opportunity to be heard in a manner as the court may prescribe.

(2) Any party may cause to be joined as additional parties other men alleged to be the father of the child or any other person necessary for a full adjudication of the issues.

(3) The failure or inability to join as a party an alleged or presumed father does not deprive the court of jurisdiction to adjudicate some or all of the issues based on the evidence and parties available to it.

(4) If more than one party is alleged to be the father of the child, the default of a party shall not preclude the court from finding any other party to be the father of the child.

Sec. 16. Section 14, chapter 42, Laws of 1975-'76 2nd ex. sess. as last amended by section 18, chapter 360, Laws of 1989 and by section 23, chapter 375, Laws of 1989 and RCW 26.26.130 are each reenacted and amended to read as follows:

(1) The judgment and order of the court determining the existence or nonexistence of the parent and child relationship shall be determinative for all purposes.

(2) If the judgment and order of the court is at variance with the child's birth certificate, the court shall order that an amended birth certificate be issued.

(3) The judgment and order shall contain other appropriate provisions directed to the appropriate parties to the proceeding, concerning the duty of current and future support, the extent of any liability for past support furnished to the child if that issue is before the court, the furnishing of bond or other security for the payment of the judgment, or any other matter in the best interest of the child. The judgment and order may direct the father to pay the reasonable expenses of the mother's pregnancy and confinement.

(4) Support judgment and orders shall be for periodic payments which may vary in amount. The court may limit the father's liability for the past support to the child to the proportion of the expenses already incurred as the court deems just. The court shall not limit or affect in any manner the right of nonparties including the state of Washington to seek reimbursement for support and other services previously furnished to the child.

(5) After considering all relevant factors, the court shall order either or both parents to pay an amount determined pursuant to the schedule and standards adopted under RCW 26.19.040.

(6) On the same basis as provided in chapter 26.09 RCW, the court shall make residential provisions with regard to minor children of the parties, except that a parenting plan shall not be required unless requested by a party.

(7) In any dispute between the ((natural)) birth parents of a child and a person or persons who have (a) commenced adoption proceedings or who have been granted an order of adoption, and (b) pursuant to a court order, or placement by the department of social and health services or by a licensed agency, have had actual custody of the child for a period of one year or more before court action is commenced by the ((natural)) birth parent or parents, the court shall consider the best welfare and interests of the child, including the child's need for situation stability, in determining the matter of custody, and the parent or person who is more fit shall have the superior right to custody.

Sec. 17. Section 74.04.060, chapter 26, Laws of 1959 as last amended by section 29, chapter 435, Laws of 1987 and RCW 74.04.060 are each amended to read as follows:

For the protection of applicants and recipients, the department and the county offices and their respective officers and employees are prohibited, except as hereinafter provided, from disclosing the contents of any records, files, papers and communications, except for purposes directly connected with the administration of the programs of this title. In any judicial proceeding, except such proceeding as is directly concerned with the administration of these programs, such records, files, papers and communications, and their contents, shall be deemed privileged communications and except for the right of any individual to inquire of the office whether a named individual is a recipient of welfare assistance and such person shall be entitled to an affirmative or negative answer. However, upon written request of a parent who has been awarded visitation rights in an action for divorce or separation or any parent with legal custody of the child, the department shall disclose to him or her the last known address and location of his or her ((natural)) birth or adopted children. The secretary shall adopt rules which establish procedures for disclosing the address of the children and providing, when appropriate, for prior notice to the custodian of the children. The notice shall state that a

request for disclosure has been received and will be complied with by the department unless the department receives a copy of a court order which enjoins the disclosure of the information or restricts or limits the requesting party's right to contact or visit the other party or the child. Information supplied to a parent by the department shall be used only for purposes directly related to the enforcement of the visitation and custody provisions of the court order of separation or decree of divorce. No parent shall disclose such information to any other person except for the purpose of enforcing visitation provisions of the said order or decree.

The county offices shall maintain monthly at their offices a report showing the names and addresses of all recipients in the county receiving public assistance under this title, together with the amount paid to each during the preceding month.

The provisions of this section shall not apply to duly designated representatives of approved private welfare agencies, public officials, members of legislative interim committees and advisory committees when performing duties directly connected with the administration of this title, such as regulation and investigation directly connected therewith: PROVIDED, HOWEVER, That any information so obtained by such persons or groups shall be treated with such degree of confidentiality as is required by the federal social security law.

It shall be unlawful, except as provided in this section, for any person, body, association, firm, corporation or other agency to solicit, publish, disclose, receive, make use of, or to authorize, knowingly permit, participate in or acquiesce in the use of any lists or names for commercial or political purposes of any nature. The violation of this section shall be a gross misdemeanor.

Sec. 18. Section 4, chapter 192, Laws of 1983 and RCW 74.14A.040 are each amended to read as follows:

The department shall involve a juvenile offender's family as a unit in the treatment process. The department need not involve the family as a unit in cases when family ties have by necessity been irrevocably broken. When the ((natural)) birth parents have been or will be replaced by a foster family or guardian, the new family will be involved in the treatment process.

Sec. 19. Section 8, chapter 206, Laws of 1963 as amended by section 113, chapter 154, Laws of 1973 1st ex. sess. and RCW 74.20.230 are each amended to read as follows:

Any married parent with minor children, ((natural)) birth or legally adopted children, who is receiving public assistance may apply to the superior court of the county in which such parent resides or in which the spouse may be found for an order upon such spouse, if such spouse is the ((natural)) birth or adoptive mother or father of such children, to provide for such spouse's support and the support of such spouse's minor children by filing in such county a petition setting forth the facts and circumstances upon which such spouse relies for such order. If it appears to the satisfaction of the court that such parent is without funds to employ counsel, the state department of social and health services through the attorney general may file such petition on behalf of such parent. If satisfied that a just cause exists, the court shall direct that a citation issue to the other spouse requiring such spouse to appear at a time set by the court to show cause why an order of support should not be entered in the matter.

Sec. 20. Section 15, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.310 are each amended to read as follows:

The provisions of RCW 26.26.090 requiring appointment of a general guardian or guardian ad litem to represent the child in an action brought to determine the parent and child relationship do not apply to actions brought under chapter 26.26 RCW if:

(1) The action is brought by the attorney general on behalf of the department of social and health services, the child, or the ((natural)) birth mother; or

(2) The action is brought by any prosecuting attorney on behalf of the state, the child, or the ((natural)) birth mother when referral has been made to the prosecuting attorney by the department of social and health services requesting such action.

The court, on its own motion or on motion of a party, may appoint a guardian ad litem when necessary.

Sec. 21. Section 19, chapter 171, Laws of 1979 ex. sess. and RCW 74.20.350 are each amended to read as follows:

In order to facilitate and ensure compliance with Title IV-D of the federal social security act, now existing or hereafter amended, wherein the state is required to undertake to establish paternity of such children as are born out of wedlock, the secretary of social and health services may pay the reasonable and proper fees of attorneys admitted to practice before the courts of this state, who are engaged in private practice for the purpose of maintaining actions under chapter 26.26 RCW on behalf of such children, to the end that parent and child relationships be determined and financial support obligations be established by superior court order. The secretary or the secretary's designee shall make the determination in each case as to which cases shall be referred for representation by such private attorneys. The secretary may advance, pay, or reimburse for payment of, such reasonable costs as may be attendant to an action under chapter 26.26 RCW. The representation by a private attorney shall be only on behalf of the subject child, the custodial ((natural)) birth parent, and the child's personal representative or guardian ad litem, and shall not in any manner be, or be construed to be, in

representation of the department of social and health services or the state of Washington, such representation being restricted to that provided pursuant to chapters 43.10 and 36.27 RCW.

Sec. 22. Section 2, chapter 164, Laws of 1971 1st ex. sess. as last amended by section 1, chapter 55, Laws of 1989 and by section 151, chapter 175, Laws of 1989 and RCW 74.20A.020 are each reenacted and amended to read as follows:

Unless a different meaning is plainly required by the context, the following words and phrases as hereinafter used in this chapter and chapter 74.20 RCW shall have the following meanings:

- (1) 'Department' means the state department of social and health services.
- (2) 'Secretary' means the secretary of the department of social and health services, his designee or authorized representative.
- (3) 'Dependent child' means any person:
 - (a) Under the age of eighteen who is not self-supporting, married, or a member of the armed forces of the United States; or
 - (b) Over the age of eighteen for whom a court order for support exists.
- (4) 'Support obligation' means the obligation to provide for the necessary care, support, and maintenance, including medical expenses, of a dependent child or other person as required by statutes and the common law of this or another state.
- (5) 'Superior court order' means any judgment, decree, or order of the superior court of the state of Washington, or a court of comparable jurisdiction of another state, establishing the existence of a support obligation and ordering payment of a set or determinable amount of support moneys to satisfy the support obligation. For purposes of RCW 74.20A.055, orders for support which were entered under the uniform reciprocal enforcement of support act by a state where the responsible parent no longer resides shall not preclude the department from establishing an amount to be paid as current and future support.
- (6) 'Administrative order' means any determination, finding, decree, or order for support pursuant to RCW 74.20A.055, or by an agency of another state pursuant to a substantially similar administrative process, establishing the existence of a support obligation and ordering the payment of a set or determinable amount of support moneys to satisfy the support obligation.
- (7) 'Responsible parent' means a ((~~natural~~)) birth parent, adoptive parent, or stepparent of a dependent child or a person who has signed an affidavit acknowledging paternity which has been filed with the state office of vital statistics.
- (8) 'Stepparent' means the present spouse of the person who is either the mother, father, or adoptive parent of a dependent child, and such status shall exist and continue as provided for in RCW 26.16.205 until the relationship is terminated by death or dissolution of marriage.
- (9) 'Support moneys' means any moneys or in-kind providings paid to satisfy a support obligation whether denominated as child support, spouse support, alimony, maintenance, or any other such moneys intended to satisfy an obligation for support of any person or satisfaction in whole or in part of arrears or delinquency on such an obligation.
- (10) 'Support debt' means any delinquent amount of support moneys which is due, owing, and unpaid under a superior court order or an administrative order, a debt for the payment of expenses for the reasonable or necessary care, support, and maintenance, including medical expenses, of a dependent child or other person for whom a support obligation is owed; or a debt under RCW 74.20A.100 or 74.20A.270. Support debt also includes any accrued interest, fees, or penalties charged on a support debt, and attorneys fees and other costs of litigation awarded in an action to establish and enforce a support obligation or debt.
- (11) 'State' means any state or political subdivision, territory, or possession of the United States, the District of Columbia, and the commonwealth of Puerto Rico.

Sec. 23. Section 3, chapter 55, Laws of 1989 and RCW 74.20A.056 are each amended to read as follows:

- (1) If an alleged father has signed an affidavit acknowledging paternity which has been filed with the state office of vital statistics, the office of support enforcement may serve a notice and finding of parental responsibility on him. Service of the notice shall be in the same manner as a summons in a civil action or by certified mail, return receipt requested. The notice shall have attached to it a copy of the affidavit and shall state that:
 - (a) The alleged father may file an application for an adjudicative proceeding at which he will be required to appear and show cause why the amount stated in the finding of financial responsibility as to support is incorrect and should not be ordered;
 - (b) An alleged father may request that a blood test be administered to determine whether such test would exclude him from being a ((~~natural~~)) birth parent and, if not excluded, may subsequently request that the office of support enforcement initiate an action in superior court to determine the existence of the parent-child relationship; and
 - (c) If the alleged father does not request that a blood test be administered or file an application for an adjudicative proceeding, the amount of support stated in the notice and finding of parental responsibility shall become final, subject only to a subsequent determination under RCW 26.26.060 that the parent-child relationship does not exist.
- (2) An alleged father who objects to the amount of support requested in the notice may file an application for an adjudicative proceeding up to twenty days after the date the notice was

served. An application for an adjudicative proceeding may be filed within one year of service of the notice and finding of parental responsibility without the necessity for a showing of good cause or upon a showing of good cause thereafter. An adjudicative proceeding under this section shall be pursuant to RCW 74.20A.055. The only issues shall be the amount of the accrued debt, the amount of the current and future support obligation, and the reimbursement of the costs of blood tests if advanced by the department.

(3) If the application for an adjudicative proceeding is filed within twenty days of service of the notice, collection action shall be stayed pending a final decision by the department. If no application is filed within twenty days:

(a) The amounts in the notice shall become final and the debt created therein shall be subject to collection action; and

(b) Any amounts so collected shall neither be refunded nor returned if the parent is later found not to be the father.

(4) An alleged father who denies being a responsible parent may request that a blood test be administered at any time. The request for testing shall be in writing and served on the office of support enforcement personally or by registered or certified mail. If a request for testing is made, the department shall arrange for the test and, pursuant to rules adopted by the department, may advance the cost of such testing. The department shall mail a copy of the test results by certified mail, return receipt requested, to the alleged father's last known address.

(5) If the test excludes the alleged father from being a ((natural)) birth parent, the office of support enforcement shall file a copy of the results with the state office of vital statistics and shall dismiss any pending administrative collection proceedings based upon the affidavit in issue. The state office of vital statistics shall remove the alleged father's name from the birth certificate.

(6) The alleged father may, within twenty days after the date of receipt of the test results, request the office of support enforcement to initiate an action under RCW 26.26.060 to determine the existence of the parent-child relationship. If the office of support enforcement initiates a superior court action at the request of the alleged father and the decision of the court is that the alleged father is a ((natural)) birth parent, the alleged father shall be liable for court costs incurred.

(7) If the alleged father does not request the office of support enforcement to initiate a superior court action, or if the alleged father fails to appear and cooperate with blood testing, the notice of parental responsibility shall become final for all intents and purposes and may be overturned only by a subsequent superior court order entered under RCW 26.26.060."

On page 1, line 1 of the title, after "information," strike the remainder of the title and insert "amending RCW 26.33.330, 26.33.340, 26.33.020, 26.33.260, 26.33.350, 26.33.360, 26.33.380, 26.26.010, 26.26.030, 26.26.040, 26.26.050, 26.26.060, 26.26.090, 74.04.060, 74.14A.040, 74.20.230, 74.20.310, 74.20.350, and 74.20A.056; reenacting and amending RCW 26.26.130 and 74.20A.020; and adding new sections to chapter 26.33 RCW."

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Leonard, Raiter and Winsley.

MINORITY recommendation: Without recommendation. Signed by Representative Hargrove.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 19, 1990

SSB 6494 Prime Sponsor, Committee on Children & Family Services: Revising provisions for adoption. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Raiter and Winsley.

Absent: Representative Padden.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 6535 Prime Sponsor, Senator Lee: Revising provisions for private activity bond allocation ceilings. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Betzoff, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector and Winsley.

Absent: Representative Wang.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 6574 Prime Sponsor, Senator Lee: Changing the definition of housing under the Washington state housing finance commission. Reported by Committee on Housing

MAJORITY recommendation: Do pass. Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Rector and Todd.

MINORITY recommendation: Do not pass. Signed by Representative Padden.

Absent: Representatives Ballard, Inslee and Todd.

Referred to Committee on Capital Facilities & Financing.

February 20, 1990

SB 6576 Prime Sponsor, Senator Metcalf: Making changes regarding harvesting of wild mushrooms. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass. Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers and Raiter.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

February 16, 1990

SB 6577 Prime Sponsor, Senator Metcalf: Extending the termination date for the committee for recycling markets. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 7, after "responsibilities" strike all material through "sources" on line 8, and insert "~~(- provided that the state funds for such contracts are matched by at least an equal amount from private sources)).~~ The committee shall endeavor to ensure that state funds are matched by private funds or in-kind services"

Signed by Representatives Rust, Chair; D. Sommers, Ranking Republican Member; Fraser, Phillips, Pruitt, Schoon, Sprenkle and Walker.

MINORITY recommendation: Without recommendation. Signed by Representative Brekke.

Absent: Representatives Valle, Vice Chair; Phillips, Pruitt and Van Luven.

Passed to Committee on Rules for second reading.

February 19, 1990

ESB 6738 Prime Sponsor, Senator Bauer: Establishing the summer motivation and academic residential training program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representatives Spanel, Vice Chair; Doty and Rector.

Referred to Committee on Appropriations.

February 19, 1990

SJM 8020 Prime Sponsor, Senator Thorsness: Requesting Congress to make disclosure regarding missing in action/prisoner of war Americans. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris, O'Brien and Silver.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heavey, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 90-4748, by Representatives Jacobsen, Wineberry, Ballard, Ebersole, Prince, Spanel, Wood, Prentice, Doty, Van Luven, Fraser, Rector, Basich, Bennett and Wang

WHEREAS, Nearly sixty percent of the young people entering the work force between now and the end of the decade will be African American, Hispanic, Native American or Asian American; and

WHEREAS, During the previous ten years, college participation rates for African Americans, Native Americans and Hispanics have dropped; and

WHEREAS, The percentage of degrees awarded to minorities declines with each successive level of education; and

WHEREAS, Forty percent of all African Americans and more than fifty percent of all Hispanics never make it to college; and

WHEREAS, The failure to educate African Americans, Native Americans and Hispanics in large numbers means that their numbers in the ranks of skilled labor and the professions are also disproportionately low; and

WHEREAS, Recruiting and retaining minority students and faculty on college campuses is essential to providing role models for success; and

WHEREAS, Policies regarding academic preparation, admission and retention have the potential of improving minority graduation; and

WHEREAS, The Office of Financial Management, the Higher Education Coordinating Board, institutions of higher education and governmental agencies are currently undertaking a study of state programs for recruitment and retention and will provide recommendations for consideration in the 1991 legislative session;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize the importance of improving minority recruitment and retention in the state's universities, colleges and community colleges; and

BE IT FURTHER RESOLVED, That the legislature will give due consideration to the results and findings of the study during the 1991 legislative session.

Mr. Jacobsen moved adoption of the resolution. Representatives Jacobsen, Rayburn and Wineberry spoke in favor of the resolution.

House Floor Resolution No. 90-4748 was adopted.

HOUSE FLOOR RESOLUTION NO. 90-4737, by Representatives Baugher, Jesernig, Rector, Rayburn, Fraser, Inslee, Jacobsen, Prentice, O'Brien, Basich, Wood, Anderson, Appelwick, Ballard, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Forner, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, Padden, Peery, Phillips, Prince, Pruitt, Raiter, Rasmussen, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Tate, Todd, Valle, Van Luven,

Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Youngsman and Zellinsky

WHEREAS, Dr. Kathleen A. Ross, snjm, President and Founder of Heritage College, was one of only three education professionals nationally recognized to receive the McGraw Prize in Education in 1989; and

WHEREAS, In 1989, Dr. Ross was awarded the Golden Aztec Award by the Hispanic community of Washington; and

WHEREAS, Dr. Ross was named the 1987 Yakima Herald-Republic's Person of the Year in recognition of her outstanding dedication and contribution to her community's educational and multicultural well-being; and

WHEREAS, In 1986, Dr. Ross received the Washington State Youth Leadership Award and a ten thousand dollar stipend, this being the first time an outstanding citizen from eastern Washington had received it; and

WHEREAS, In 1982, Dr. Ross founded Heritage College in an old elementary school on the Yakima Indian Reservation in Toppenish, Washington, and she continues to bring higher education to a population largely below the poverty level in an educationally isolated area of this state; and

WHEREAS, Ninety-five percent of some four hundred Heritage College graduates have stayed in rural central Washington as teachers and other professionals, offering the area new hope for the future; and

WHEREAS, Dr. Ross continues her inspirational and outstanding service to the multicultural educational process as President of Heritage College and through her leadership in central Washington;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives salute and applaud the extraordinary professional educational accomplishments of Dr. Ross and her outstanding leadership in the educational community of this state; and

BE IT FURTHER RESOLVED, That the Washington State House of Representatives hopes that Dr. Ross will continue her role of inspiration and leadership in the multicultural educational process and continue to contribute her wisdom and advice in aid of a fair, effective, sensitive and efficient state educational process; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted to Dr. Kathleen A. Ross, snjm; Heritage College, Toppenish, Washington; Fort Wright College, Spokane, Washington; and the Higher Education Coordinating Board as record of her recognition by the Washington State House of Representatives.

Mr. Baugher moved adoption of the resolution. Representatives Baugher and Rayburn spoke in favor of the resolution.

On motion of Ms. Doty, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Representatives Inslee, Jacobsen, Miller, Basich, Heavey and Kirby spoke in favor of adoption of the resolution.

House Floor Resolution No. 90-4737 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Dr. Kathleen A. Ross, who was seated on the rostrum. Dr. Ross briefly addressed the members of the House of Representatives.

HOUSE FLOOR RESOLUTION NO. 90-4739, by Representatives Basich, Jacobsen, Bowman, Jones, O'Brien, Wineberry, Cole, G. Fisher, Moyer, Tate, H. Myers, Phillips, Heavey, Bennett and Anderson

WHEREAS, Dance is the oldest of the arts, reflecting one the most personal and effective means of communication; and

WHEREAS, Almost all important occasions in life are celebrated by dancing; and

WHEREAS, Everyone, young and old, has enjoyed ballroom, ballet, jazz, country western, folk, modern, ethnic, square, round, tap, Latin, limbo, salsa, Charleston,

clogging, contra, funky chicken, mashed potato, disco, break or dirty dancing, including the latest craze, the lambada, and will continue to enjoy these and other dances forever; and

WHEREAS, Dancing is both an art form and a form of recreation providing fun, exercise, relaxation and companionship; and

WHEREAS, The week of February 21 through 27 has been proclaimed by Governor Gardner as Washington Dance Week and is an appropriate time to recognize the contributions of dancing to the people of Washington; and

WHEREAS, National Ballroom Dance Champions Elizabeth and Stephan Cullip; Rick Pride and Catherine Joy, top National Latin dancers; and others will be performing in the Rotunda of our Legislative Building at noon today and welcome everyone to join in and dance at 12:45 p.m.;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor dancing and the contributions it has made to the lives of the people of Washington, and the members urge everyone to go out and dance their socks off.

Mr. Basich moved adoption of the resolution and spoke in favor of it.

House Floor Resolution No. 90-4739 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced Elizabeth and Stephan Cullip, National Ballroom Dance Champions, who were seated in the place of honor in the rear of the House Chamber.

HOUSE FLOOR RESOLUTION NO. 90-4740, by Representatives Walker, Rasmussen, Winsley, Dorn, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Former, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, McLean, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rayburn, Rector, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprengle, Tate, Todd, Valle, Van Luvan, Vekich, Wang, K. Wilson, S. Wilson, Wineberry, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, The free people of America, and the now free people of Panama, are justifiably proud of Operation Just Cause and the over one thousand brave men from Washington military bases who participated in that noble action; and

WHEREAS, The citizens of Washington State take particular pride in the vital role played in Operation Just Cause by the 2nd Battalion, 75th Ranger Regiment, the 593rd Area Support Group from Fort Lewis, Washington, the 62nd Military Airlift Wing, and the 446th Military Airlift Wing (Associate)/Reserve from McChord Air Force Base, Washington; and

WHEREAS, The Ranger Regiment has been protecting freedom since the French and Indian Wars; and

WHEREAS, The history of this nation's fight for freedom is chronicled in the history of the Army Rangers; and

WHEREAS, The Rangers' proud history includes Morgan's Riflemen and Marion's Partisans in the Revolutionary War; and

WHEREAS, The Rangers have supplied America with brave and dedicated soldiers in every conflict since that time; and

WHEREAS, The Ranger Motto, Sua Sponte (Of Their Own Accord), has brought great honor and great sacrifice to the Army Rangers; and

WHEREAS, Two young Army Rangers, Specialist Phillip Lear and Private First Class John Mark Price, who were part of the first strike force in Operation Just Cause, gave that last full measure to their country and the freedom for which it stands; and

WHEREAS, Fifty-four Rangers were wounded in the successful effort to rid the Panamanian citizens of a despised despot; and

WHEREAS, Since their conception during the Second World War, the 62nd and 446th Military Airlift Wings have flown countless hazardous missions providing desperately needed supplies to American Soldiers defending freedom on battlefields in Europe, Korea and Vietnam; and

WHEREAS, The 62nd and 446th Military Airlift Wings have continued to provide urgently needed disaster relief for many American citizens throughout the United States who have fallen victim to natural disasters; and

WHEREAS, Nearly five hundred members of the 62nd and 446th Military Airlift Wings from McChord Air Force Base have flown more than forty dangerous missions; and

WHEREAS, The 62nd and 446th Military Airlift Wings' support crews provided important airlift logistical support from home, including the maintenance, aerialport and fuel ground support necessary to launch aircraft successfully for Operation Just Cause; and

WHEREAS, The proud tradition of the citizen soldier in this nation dates back to the days of George Washington during the Revolutionary War; and

WHEREAS, The 446th Military Airlift Wing (Associate)/Reserve continues that tradition, playing a key role alongside its active duty counterpart; and

WHEREAS, The 593rd Area Support Group has consistently provided critical logistical and ground transportation support for the 2nd Battalion, 75th Ranger Regiment; and

WHEREAS, The 593rd Area Support Group played a pivotal role in the unparalleled success of Operation Just Cause through their untiring efforts in coordinating and assembling the diverse resources for this operation;

NOW, THEREFORE, BE IT RESOLVED, By the members of the Washington State House of Representatives, That the 2nd Battalion, 75th Ranger Regiment, the 593rd Area Support Group, the 62nd Military Airlift Wing and the 446th Military Airlift Wing (Associate)/Reserve be commended for their courageous actions in Operation Just Cause and for the sacrifices they made on behalf of freedom everywhere; and

BE IT FURTHER RESOLVED, That a copy of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Commander of I Corps and Fort Lewis, Commanders of each participating Ranger Regiment, the Commander of the 593rd Area Support Group, the Commander of the 62nd Military Airlift Wing, the Commander of the 446th Military Airlift Wing (Associate)/Reserve, and to the parents of Phillip Lear and John Mark Price, the two Rangers who were killed in action.

Ms. Walker moved adoption of the resolution. Representatives Walker, Rasmussen, Dorn and Heavey spoke in favor of the resolution.

On motion of Mr. Fuhrman, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Representatives Sayan, Bennett and D. Sommers spoke in favor of adoption of the resolution.

House Floor Resolution No. 90-4740 was adopted.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) presented a copy of House Floor Resolution No. 90-4740 to Lieutenant Colonel Allan Maestas, Commander of the 2nd Battalion, 75th Ranger Regiment.

REMARKS BY LIEUTENANT COLONEL MAESTAS

Lieutenant Colonel Maestas: Mr. Speaker, ladies and gentlemen of the Legislature: On behalf of the soldiers and the airmen, represented by these young men sitting in the gallery, I would like to express our sincere gratitude and appreciation for taking time to recognize them and to think about them. While I have the microphone, I want to mention something that sometimes gets overlooked. And that is that Panama happens every now and then; Granada happens every now and then. Success in operations like that is not a function of getting up in the morning and deciding that you are going to do well. Success is a function of preparing for it, of having the support of the community, and of raising sons and daughters in a

manner that creates a sense of patriotism. And that comes from you. And it comes from the community. And it comes from the Legislature which outlines the laws that provide the money for the schools. You create the environment that makes our lives possible, and, for that, I would like to thank you. It is my privilege to introduce Major General Paul R. Schwartz, Deputy Commander of I Corps at Fort Lewis.

REMARKS BY MAJOR GENERAL SCHWARTZ

Major General Schwartz: Mr. Speaker, sponsors of this resolution, legislators, guests, soldiers and airmen: I represent the soldiers and airmen, and I speak for them in thanking you for this great honor and in thanking you for the recognition of the heroic acts of these individuals that you honor today. It was been mentioned a little earlier in very kind comments that there is a danger of the military forces becoming a closed society. I would reflect that this is not the case, that through your resolution today and through your support, you have demonstrated that this effort is the effort of your fellow Americans. We are, as you are, responsible individuals. Mostly we are your sons and your daughters, and we stand along side of you in declaring the inviolability of America's freedom. We will continue to do that. You can count on that in the future. On behalf of all the airmen, of the Ranger Battalion, and of the great and important civilian workforce at Fort Lewis and McChord Air Force Base, thank you for this honor.

SPEAKER'S PRIVILEGE

The Speaker (Mr. O'Brien presiding) introduced the following distinguished guests seated in the rear of the House Chamber: Colonel Michael J. McCarthy, Commander of the 62nd Military Airlift Wing; Colonel Michael R. Gallagher, Deputy Commander of Operations, 62nd Military Airlift Wing; Colonel John B. Ritter, Commander of the 593rd Area Support Group; Colonel James Sehorn, Commander of the 446th Military Airlift Wing; Lieutenant Colonel Charles A. Royce, Commander of the 4th Military Airlift Squadron; Lieutenant Colonel Steven R. Scott, Commander of the 1722nd Combat Control Squadron; Lieutenant Colonel William M. Hayes, Jr., Commander, Airlift Control Squadron; Mr. Lyle Arkell, President of the Ranger Association. The Speaker recognized representatives of the 62nd Military Airlift Wing and representatives of the 75th Ranger Regiment, who were seated in the North Gallery. The honored guests were welcomed by the members of the House of Representatives.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

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

SECOND READING

HOUSE BILL NO. 2833, by Representatives Haugen, Ferguson, Basich, Nealey, Dellwo, Wood, Todd, Horn, Jones, Prince, Wang, Holland, K. Wilson, McLean, Dorn, Winsley, Rayburn, Ballard, Schoon, Sprengle, Prentice, Hine, Phillips, Brough, Morris, Rector, Spanel, Valle, Smith, Cooper, May, R. Fisher, Scott, Forner, Leonard, Walker, Locke, Fraser, Belcher, Nutley and Raiter

Changing local government revenue sources and levels.

The bill was read the second time. On motion of Mr. Wang, Substitute House Bill No. 2833 was substituted for House Bill No. 2833, and the substitute bill was placed on the second reading calendar.

Substitute House Bill No. 2833 was read the second time.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Horn, Ferguson and Haugen:

On page 3, beginning on line 6, after "serve" strike everything through "governor" on line 8 and insert "six-year terms"

Mr. Wang spoke in favor of adoption of the amendment, and it was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Horn, Holland, Ferguson and Haugen:

On page 22, beginning on line 23, after "84.34.230;" strike everything through "84.52.069))" and insert "(and) (d) levies for emergency medical care or emergency medical services imposed under RCW 84.52.069; and (e)"

Mr. Wang spoke in favor of adoption of the amendment, and it was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Horn, Holland, Ferguson and Haugen:

On page 25, beginning on line 16, strike all material down through line 29 and insert:

"NEW SECTION, Sec. 26. A new section is added to chapter 41.18 RCW to read as follows:

On or before the first day of November of each even numbered year, each municipality that has a pension system created under this chapter shall provide to the state actuary such available information, including actuarial reports as the state actuary needs to review the fiscal condition of the retirement system.

NEW SECTION, Sec. 27. A new section is added to chapter 44.44 RCW to read as follows:

The state actuary shall submit a report to the legislature on or before the first day of January of each odd numbered year reviewing the fiscal condition of the retirement systems reported under sections 25 and 26 of this act."

Representatives Wang and Horn spoke in favor of adoption of the amendment, and it was adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Holland, Ferguson and Haugen:

On page 26, after line 7, insert:

"(e) Only one county can impose a tax in respect to each employee, regardless of the number of counties in which an employer does business. The department of revenue shall adopt rules for allocation of tax between counties under this section. No county may impose taxes in a manner inconsistent with department rules."

Representatives Wang and Holland spoke in favor of adoption of the amendment, and it was adopted.

Mr. Horn moved adoption of the following amendment by Representatives Horn, Holland, Van Luven, Fuhrman, Brough, Ballard, May, Miller, McLean, Brumsickle, Bowman and Moyer:

On page 25, line 30, strike all of section 28.

Renumber sections consecutively and correct any internal references accordingly.

Mr. Horn spoke in favor of adoption of the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Wang and Haugen spoke against adoption of the amendment, and Ms. Brough spoke in favor of it. Mr. Horn again spoke in favor of the amendment.

ROLL CALL

The Clerk called the roll on adoption of the amendment on page 25, line 30, by Representative Horn and others to Substitute House Bill No. 2833, and the amendment was not adopted by the following vote: Yeas, 43; nays, 55.

Voting yea: Representatives Ballard, Baugher, Beck, Bennett, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Hargrove, Holland, Horn, Insee, Kirby, Leonard, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Rayburn, Schmidt, Schoon, Silver, Smith, Sommers D. Tate, Van Luven, Vekich, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 43.

Voting nay: Representatives Anderson, Appelwick, Basich, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Haugen, Heavey, Hine, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 55.

Mr. Wang moved adoption of the following amendments by Representatives Wang, Horn, Holland, Ferguson and Haugen:

On page 27, line 12 after "~~dollars~~)" insert "in a civil action"

On page 29, line 7, after "motions" insert "in a civil action"

Mr. Wang spoke in favor of adoption of the amendments, and they were adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Horn, Ferguson and Haugen:

On page 28, beginning on line 25, after "fee" strike "of four dollars" and insert "~~(of four dollars)~~ as provided by federal law"

Mr. Wang spoke in favor of adoption of the amendment, and it was adopted.

Mr. Appelwick moved adoption of the following amendment:

Beginning on page 26, line 11, strike sections 29 through 31 on page 29, line 23, and insert the following:

"Sec. 29. Section 1, chapter 342, Laws of 1989 and RCW 36.18.020 are each amended to read as follows:

Clerks of superior courts shall collect the following fees for their official services:

(1) The party filing the first or initial paper in any civil action, including an action for restitution, or change of name, shall pay, at the time said paper is filed, a fee of seventy-eight dollars except in proceedings filed under RCW 26.50.030 or 49.60.227 where the petitioner shall pay a filing fee of twenty dollars, or an unlawful detainer action under chapter 59.18 or 59.20 RCW where the plaintiff shall pay a filing fee of thirty dollars. If the defendant serves or files an answer to an unlawful detainer complaint under chapter 59.18 or 59.20 RCW, the plaintiff shall pay, prior to proceeding with the unlawful detainer action, an additional forty-eight dollars which shall be considered part of the filing fee. The thirty dollar filing fee under this subsection for an unlawful detainer action shall not include an order to show cause or any other order or judgment except a default order or default judgment in an unlawful detainer action.

(2) Any party, except a defendant in a criminal case, filing the first or initial paper on an appeal from a court of limited jurisdiction or any party on any civil appeal, shall pay, when said paper is filed, a fee of seventy-eight dollars.

(3) The party filing a transcript or abstract of judgment or verdict from a United States court held in this state, or from the superior court of another county or from a district court in the county of issuance, shall pay at the time of filing, a fee of ~~(fifteen)~~ twenty dollars.

(4) For the filing of a tax warrant by the department of revenue of the state of Washington, a fee of ~~(five)~~ twenty dollars shall be paid.

(5) For the filing of a petition for modification of a decree of dissolution, a fee of twenty dollars shall be paid.

(6) The party filing a demand for jury ~~(of six)~~ in a civil action, shall pay, at the time of ~~(filing, a fee of twenty-five dollars. If the demand is for a jury of twelve the fee shall be fifty dollars)~~ making the demand, an initial amount equal to one daily jury fee and an additional amount at the conclusion of the time the jury was required equal to the daily jury fee multiplied by the actual number of days required. The daily fee shall be sixty dollars for a jury of six and one hundred twenty dollars for a jury of twelve. If, after the party files a demand for a jury of six and pays the required fee, any other party to the action requests a jury of twelve, ((am)) the additional ((twenty-five dollar)) fee ((will be required of)) shall be paid by the party demanding the increased number of jurors.

(7) For filing any paper, not related to or a part of any proceeding, civil or criminal, or any probate matter, required or permitted to be filed in the clerk's office for which no other charge is provided by law, or for filing a petition, written agreement, or memorandum as provided in RCW 11.96.170, the clerk shall collect ~~((two))~~ twenty dollars.

(8) For copying an instrument on file or of record in the clerk's office, a fee of one dollar per page. For ((preparing, transcribing or)) certifying any instrument on file or of record in the clerk's office, with or without seal, ((for the first page or portion thereof;)) a fee of ((two)) three dollars((- and for each additional page or portion thereof, a fee of one dollar)). For authenticating or exemplifying any instrument, a fee of ((one)) three dollars for each additional seal affixed.

(9) For executing a certificate, with or without a seal, a fee of two dollars shall be charged.

(10) For each garnishee defendant named in an affidavit for garnishment and for each writ of attachment, a fee of ~~((five))~~ twenty dollars shall be charged.

(11) For approving a bond, including justification thereon, in other than civil actions and probate proceedings, a fee of two dollars shall be charged.

(12) In probate proceedings, the party instituting such proceedings, shall pay at the time of filing the first paper therein, a fee of seventy-eight dollars: PROVIDED, HOWEVER, A fee of two dollars shall be charged for filing a will only, when no probate of the will is contemplated. Except as provided for in subsection (13) of this section a fee of two dollars shall be charged for filing a petition, written agreement, or memorandum as provided in RCW 11.96.170.

(13) For filing any petition to contest a will admitted to probate or a petition to admit a will which has been rejected, or a petition objecting to a written agreement or memorandum as provided in RCW 11.96.170, there shall be paid a fee of seventy-eight dollars.

(14) For the issuance of each certificate of qualification and each certified copy of letters of administration, letters testamentary or letters of guardianship there shall be a fee of ~~((two))~~ three dollars.

(15) For the preparation of a passport application there shall be a fee of four dollars.

(16) For searching records for which a written report is issued there shall be a fee of eight dollars per hour.

(17) Upon conviction or plea of guilty, upon failure to prosecute an appeal from a court of limited jurisdiction as provided by law, or upon affirmation of a conviction by a court of limited jurisdiction, a defendant in a criminal case shall be liable for a fee of seventy dollars.

(18) With the exception of demands for jury hereafter made and garnishments hereafter issued, civil actions and probate proceedings filed prior to midnight, July 1, 1972, shall be completed and governed by the fee schedule in effect as of January 1, 1972: PROVIDED, That no fee shall be assessed if an order of dismissal on the clerk's record be filed as provided by rule of the supreme court.

(19) No fee shall be collected when a petition for relinquishment of parental rights is filed pursuant to RCW 26.33.080 or for forms and instructional brochures provided under RCW 26.50.030.

(20) For filing a document with the court for a motion or motions in a civil action, a fee of ten dollars shall be charged.

Renumber the remaining sections consecutively and correct internal references accordingly.

Representatives Appelwick, Hargrove and Holland spoke in favor of adoption of the amendment, and Representatives Wang, Haugen and H. Sommers opposed it. Mr. Appelwick again spoke in favor of the amendment.

The Speaker stated the question before the House to be adoption of the amendment, beginning on page 26, by Representative Appelwick.

The Speaker, being in doubt, called upon the House to divide. The result of the division was: Yeas, 52; Nays, 43. The amendment was adopted.

Mr. Braddock moved adoption of the following amendment:

On page 34, after line 21, strike all of section 37 and insert the following:

"Sec. 37. Section 6, chapter 1, Laws of 1980 and RCW 43.135.060 are each amended to read as follows:

(1) The legislature shall not impose responsibility for new programs or increased levels of service under existing programs on any taxing district unless the districts are reimbursed for the costs thereof by the state. This subsection applies only if the new or existing program is traditionally a function of the state government and the responsibility for the program is imposed on a taxing district in order to avoid the revenue limitations established by this chapter.

(2) ~~((That proportion of state tax revenue which consists of direct state appropriations to taxing districts taken as a group shall not be decreased below that proportion appropriated in the biennium immediately preceding January 1, 1980: PROVIDED: This proportion shall be decreased in any fiscal year only if: (a) The legislature decreases the state tax revenue limit for that fiscal year by an amount equal to the dollar amount of any decrease in direct state appropriations to taxing districts taken as a whole; or (b) the state tax revenue limit has been increased under RCW 43.135.050(3) or 43.135.060(3) and the decrease of the proportion is commensurate with the increase in the state tax revenue limit:~~

~~(3))~~ If by order of any court, or legislative enactment, the costs of a federal or taxing district program are transferred to or from the state, the otherwise applicable state tax revenue limit shall be increased or decreased, as the case may be, by the dollar amount of the costs of the program.

~~((4))~~ (3) The legislature, in consultation with the office of financial management or its successor agency, shall determine the costs of any new programs or increased levels of service under existing programs imposed on any taxing district or transferred to or from the state.

NEW SECTION, Sec. 38. It is the intent of section 37 of this act to clarify the purpose of RCW 43.135.060(1). For that reason, section 37 of this act applies retroactively.

Renumber the remaining sections consecutively and correct any internal references accordingly.

Representatives Braddock, Vekich and Locke spoke in favor of adoption of the amendment, and Representatives Jones, Horn, Haugen and Ballard opposed it.

The Speaker stated the question before the House to be adoption of the amendment on page 34, after line 21, by Representative Braddock.

A division was called. The Speaker called upon the House to divide. The result of the division was: Yeas, 31; Nays, 64. The amendment was not adopted.

Mr. Wang moved adoption of the following amendment by Representatives Wang, Haugen, Fraser and H. Sommers:

On page 34, beginning on line 22, strike all of section 37 and insert the following:

*Sec. 37, Section 6, chapter 1, Laws of 1980 and RCW 43.135.060 are each amended to read as follows:

(1) (a) The legislature shall not impose responsibility for new programs or increased levels of service under existing programs on any taxing district unless the districts are reimbursed for the costs thereof by the state. The amount of increased revenue that is received or could be received by a taxing district as a result of legislative enactments after 1979 shall be included as reimbursement under this section.

(b) Reimbursement is not required under this section in respect to:

(i) Changes in sentences or enforcement procedures for criminal justice activities relating to crimes established before, or substantially similar to crimes established before July 1, 1990.

(ii) Changes relating to criminal justice activities that have historically been the responsibility of the taxing district.

(iii) Enactments that the legislature declares are exempt from this subsection as necessary for the preservation of the public peace, health, or safety.

(c) The legislature finds that adequate resources have been provided to all taxing districts and further reimbursement is thus not required for new programs and increased levels of service under existing programs required by the state through July 1, 1990.

(2) ((That proportion of state tax revenue which consists of direct state appropriations to taxing districts taken as a group shall not be decreased below that proportion appropriated in the biennium immediately preceding January 1, 1980. PROVIDED, This proportion shall be decreased in any fiscal year only if: (a) The legislature decreases the state tax revenue limit for that fiscal year by an amount equal to the dollar amount of any decrease in direct state appropriations to taxing districts taken as a whole; or (b) the state tax revenue limit has been increased under RCW 43.135.050(3) or 43.135.060(3) and the decrease of the proportion is commensurate with the increase in the state tax revenue limit.

(3)) If by order of any court, or legislative enactment, the costs of a federal or taxing district program are transferred to or from the state, the otherwise applicable state tax revenue limit shall be increased or decreased, as the case may be, by the dollar amount of the costs of the program.

((4)) (3) The legislature, in consultation with the office of financial management or its successor agency, shall determine the costs of any new programs or increased levels of service under existing programs imposed on any taxing district or transferred to or from the state.

Sec. 38, Section 2, chapter 19, Laws of 1977 ex. sess. as last amended by section 16, chapter 125, Laws of 1984 and RCW 43.132.020 are each amended to read as follows:

(1) The director of financial management or the director's designee shall, in cooperation with appropriate legislative committees and legislative staff, establish a mechanism for the determination of the fiscal impact of proposed legislation which if enacted into law would directly or indirectly increase or decrease revenues received or expenditures incurred by counties, cities, towns, or any other political subdivisions of the state. The office of financial management shall, when requested by a member of the state legislature, report in writing as to such fiscal impact and said report shall be known as a 'fiscal note'. Fiscal notes under this chapter shall be given the same priority as fiscal notes relating to state revenues and expenditures under chapter 43.88A RCW.

(2) Such fiscal notes shall indicate by fiscal year the total impact on the subdivisions involved for the first two years the legislation would be in effect and also a cumulative six year forecast of the fiscal impact. Where feasible and applicable, the fiscal note also shall indicate the fiscal impact on each individual county or on a representative sampling of cities, towns, or other political subdivisions.

(3) A fiscal note as defined in this section shall be provided only upon request of any member of the state legislature. A legislator also may request that such a fiscal note be revised to reflect the impact of proposed amendments or substitute bills. Fiscal notes shall be completed within seventy-two hours of the request unless a longer time period is allowed by the requesting legislator. In the event a fiscal note has not been completed within seventy-two hours of a request, a daily report shall be prepared for the requesting legislator by the director of financial management which report summarizes the progress in preparing the fiscal note. If the request is referred to the director of community development, the daily report shall also include the date and time such referral was made.

(4) A fiscal note as defined in this section shall be prepared for any bill, substitute bill, or amendment that substantially imposes responsibility for new programs or increased levels of service under existing programs on any unit of local government. A fiscal note under this subsection must be completed before the bill, substitute bill, or amendment becomes law."

Renumber the sections consecutively and correct any internal references accordingly.

Representatives Wang, Haugen, Jones and H. Sommers spoke in favor of adoption of the amendment, and Representatives Horn, Brough and Ballard opposed it.

The Speaker stated the question before the House to be adoption of the amendment on page 34, beginning on line 22, by Representative Wang and others.

A division was called. The Speaker called upon the House to divide. The result of the division was: Yeas, 49; Nays, 43. The amendment was adopted.

Mr. Horn moved adoption of the following amendment by Representatives Horn, Holland, Van Luven, Fuhrman, Brough, Ballard, May, Miller, Silver, McLean, Brumsickle, Bowman and Moyer:

On page 34, line 22, strike all of section 37.

Renumber sections consecutively and correct any internal references accordingly.

Mr. Horn spoke in favor of adoption of the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Wang, Haugen, Hine, Locke, Morris and Fraser spoke against adoption of the amendment, and Representatives Walker, Holland, Smith, Padden and Brough spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the amendment on page 34, line 22, by Representative Horn and others to Substitute House Bill No. 2833, and the amendment was not adopted by the following vote: Yeas, 42; nays, 55; absent, 1.

Voting yea: Representatives Ballard, Beck, Bennett, Betzoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Day, Dellwo, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, King P. Kirby, May, McLean, Miller, Moyer, Myers H. Nealey, Padden, Prince, Rector, Schmidt, Schoon, Silver, Smith, Sommers D. Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 42.

Voting nay: Representatives Anderson, Appelwick, Baugher, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King R, Kremen, Leonard, Locke, Meyers R, Morris, Nelson, Nulley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 55.

Absent: Representative Basich - 1.

Mr. Horn moved adoption of the following amendment by Representatives Horn, Fuhrman, Holland, Van Luven, Brough, Ballard, May, Silver, Miller, Brumsickle, Moyer, McLean, Prince and Bowman:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that there exists in the state of Washington a critical need to examine, plan, and finance criminal justice activities. It is the policy of the state of Washington to encourage self-reliance by cities, towns, and counties in meeting their local government responsibilities. However, local criminal justice needs have accelerated to such an extent that many local governments cannot continue to meet the challenges of crime. It is the policy of the state of Washington to assist cities, towns, and counties in meeting these financial needs while promoting and encouraging local solutions, improved management, coordination, and planning of criminal justice activities.

Sec. 2. Section 1, chapter 18, Laws of 1988 and RCW 82.44.150 are each amended to read as follow:

(1) The director of licensing shall on the twenty-fifth day of February, May, August, and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September, and December, respectively, except for those payable under RCW 82.44.020(6) and 82.44.030, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(6) and 82.44.030, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the

following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(6).

(a) A sum equal to seventeen percent thereof shall be paid to cities and towns in the proportions and for the purposes hereinafter set forth:

(b) A sum equal to two percent thereof shall be allocable to the county sales and use tax equalization account under RCW 82.14.200;

(c) A sum equal to seven and fifty-three one-hundredths percent thereof shall be allocable to the local government criminal justice assistance account under section 3 of this act; and

(d) A sum equal to four and two-tenths percent of the special excise tax levied under RCW 35.58.273 by those municipalities authorized to levy a special excise tax at a rate not exceeding ninety-six one-hundredths of one percent on the fair market value of every motor vehicle owned by a resident of such municipality shall be deposited in the rail development account established in RCW 47.78.010.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned to cities and towns under RCW 82.14.210.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

NEW SECTION. Sec. 3. The local government criminal justice assistance account is created in the state treasury. The account shall consist of all motor vehicle excise tax receipts deposited into the account under RCW 82.44.150(2)(c).

(1) Two percent of the local government criminal justice assistance account shall be appropriated annually to the prosecution assistance revolving account hereby created in the

custody of the state treasurer. Within available funds, moneys in the prosecution assistance revolving account may be disbursed, without appropriation, by the director of community development solely for grants to cities, towns, and counties for costs incurred in a criminal case, but only to the extent the costs exceed five percent of the annual operating budget of the city, town, or county. If the legislature determines that moneys in the prosecution assistance revolving account exceed the anticipated need, the legislature in the omnibus appropriations act may direct the transfer of a specified amount to the state general fund. The prosecution assistance revolving account is subject to the allotment procedures under chapter 43.88 RCW. The department of community development shall adopt such rules as are necessary to implement this subsection.

(2) The remainder of the moneys in the local criminal justice assistance account shall be distributed at such times as distributions are made under RCW 82.44.150 and on the relative basis of each county's funding factor as determined under this subsection.

(a) A county's funding factor is the sum of:

(i) The population of the county, divided by one thousand, and multiplied by two-tenths;

(ii) The crime rate of the county, multiplied by three-tenths; and

(iii) The annual number of criminal cases filed in the county superior court, for each one thousand in population, multiplied by five-tenths.

(b) As used in this subsection:

(i) The population of the county shall be determined by the office of financial management;

(ii) The crime rate of the county is the annual occurrence of specified criminal offenses, as calculated in the most recent annual report on crime in Washington state as published by the Washington association of sheriffs and police chiefs, for each one thousand in population;

(iii) The annual number of criminal cases filed in the county superior court shall be determined by the most recent annual report of the courts of Washington, as published by the office of the administrator for the courts.

(3) Moneys distributed under subsection (2) of this section shall be expended exclusively for criminal justice purposes. Within thirty days following the close of the county's fiscal year, the county shall report to the state auditor the expenditures made under subsection (2) of this section.

NEW SECTION. Sec. 4. (1) The local justice assistance board is created, composed of seventeen members as follows:

(a) The director of the department of community development or the director's designee;

(b) The director of financial management or the director's designee;

(c) The chief of the state patrol or the chief's designee;

(d) Four representatives of cities and towns, appointed by the governor from a list of at least eight persons nominated by the association of Washington cities;

(e) Four representatives of counties, appointed by the governor from a list of at least eight persons nominated by the Washington state association of counties;

(f) One representative of sheriffs and police chiefs, appointed by the governor from a list of at least two persons nominated by the Washington association of sheriffs and police chiefs;

(g) One representative of prosecutors, appointed by the governor from a list of at least two persons nominated by the Washington association of prosecutors;

(h) Two members of the house of representatives, one from each of the two largest caucuses, appointed by the speaker of the house of representatives; and

(i) Two members of the senate, one from each of the two largest caucuses, appointed by the president of the senate.

(2) Vacancies on the board shall be filled by appointment by the original appointing authority under this section. The board shall elect a chairperson from among its members.

(3) Board members shall receive no compensation, but shall be reimbursed as provided in RCW 43.03.050, 43.03.060, and 44.04.120.

NEW SECTION. Sec. 5. (1) The board shall prepare a report or reports on the status of criminal justice in the state of Washington. The reports may include policy recommendations to the legislature for dealing with criminal justice issues and problems. The board shall specifically recommend in its first report on or before January 1, 1991:

(a) The feasibility and desirability of including cities and towns in a funding formula for criminal justice purposes that is the same or similar to the formula specified for counties in section 3 of this act. In making its recommendations, the board shall include potential costs, distribution formula, financing, and the roles of cities and towns in providing criminal justice services, or any other factors deemed appropriate; and

(b) Whether the legislature should authorize cities, towns, or counties to impose an additional four-tenths of one percent real estate excise tax that is in addition to the rate of tax authorized in RCW 82.46.010. In making its recommendation, the board may consider the appropriateness of the tax option as opposed to other local option taxes, revenues generated, and other factors deemed appropriate.

(2) The board may conduct studies and research into criminal policies and practices as identified by the board. In conducting studies and research, the board may request assistance

from the office of financial management, department of corrections, state patrol, sentencing guidelines commission, or other appropriate state, local, or federal agency or private source.

(3) The board may develop a library of materials on trends and techniques in dealing with local government criminal justice problems and issues that may be used by interested parties.

NEW SECTION. Sec. 6. The director of the department of community development shall provide administrative and staff support for the board. The director shall dismiss the board when the director determines the board has satisfactorily completed its assigned duties. It is the intent of the legislature that the board conclude its work within one to two years, unless circumstances compel a longer term.

NEW SECTION. Sec. 7. The sum of fourteen million four hundred thousand dollars, or as much thereof as may be necessary, is appropriated from the state general fund to the local justice assistance board for the biennium ending June 30, 1991, for the purpose of providing grants to local governments for construction and expansion of jail facilities. The appropriation in this section is subject to the following conditions and limitations:

(1) Before receiving a grant, an applicant shall demonstrate an ability to complete the construction or expansion of the jail facility;

(2) The grants shall not exceed an amount equivalent to sixty-six percent of the cost per bed, up to a maximum of twelve thousand dollars per bed, created or added to a jail facility;

(3) The office of financial management shall develop eligibility criteria for grants. The intent of the criteria is to award grants based on highest need. The criteria shall include, among other things determined by the office, a requirement for a jail management plan to reduce the local jail inmate population;

(4) The office of financial management may create a local advisory committee to develop the criteria for selection of projects for funding under this section. The advisory committee shall consist of representatives of law enforcement, jail administrators, prosecutors, judges, the department of corrections, the office of financial management, and other officials as deemed appropriate by the office.

Sec. 8. Section 21, chapter 49, Laws of 1982 1st ex. sess. as last amended by section 82, chapter 57, Laws of 1985 and RCW 82.14.200 are each amended to read as follows:

There is created in the state treasury a special account to be known as the 'county sales and use tax equalization account.' Into this account shall be placed a portion of all motor vehicle excise tax receipts as provided in RCW 82.44.150(2). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for the unincorporated area of each county and the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, (~~as now or hereafter amended~~) the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than one hundred fifty thousand dollars from the tax for the previous calendar year, an amount from the county sales and use tax equalization account sufficient, when added to the amount of revenues received the previous calendar year by the county, to equal one hundred fifty thousand dollars.

The department of revenue shall establish a governmental price index as provided in this subsection. The base year for the index shall be the end of the third quarter of 1982. Prior to November 1, 1983, and prior to each November 1st thereafter, the department of revenue shall establish another index figure for the third quarter of that year. The department of revenue may use the implicit price deflators for state and local government purchases of goods and services calculated by the United States department of commerce to establish the governmental price index. Beginning on January 1, 1984, and each January 1st thereafter, the one hundred fifty thousand dollar base figure in this subsection shall be adjusted in direct proportion to the percentage change in the governmental price index from 1982 until the year before the adjustment. Distributions made under this subsection for 1984 and thereafter shall use this adjusted base amount figure.

(3) Subsequent to the distributions under subsection (2) of this section and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(1) at the maximum rate and receiving less than seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties as determined by the department of revenue under subsection (1) of this section, an amount from the county sales and use tax equalization account sufficient, when added to the per capita level of revenues for the unincorporated area received the previous calendar year by the county, to equal seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties determined under subsection (1) of this section, subject to reduction under subsections (6) and (7) of this section. When computing distributions under this section, any distribution under subsection (2) of this section shall be considered revenues received from the tax imposed under RCW 82.14.030(1) for the previous calendar year.

(4) Subsequent to the distributions under subsection (3) of this section and at such times as distributions are made under RCW 82.44.150, ~~((as now or hereafter amended:))~~ the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (2) of this section, a third distribution from the county sales and use tax equalization account. The distribution to each qualifying county shall be equal to the distribution to the county under subsection (2) of this section, subject to the reduction under subsections (6) and (7) of this section. To qualify for the total distribution under this subsection, the county must impose the tax under RCW 82.14.030(2) for the entire calendar year. Counties imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) Subsequent to the distributions under subsection (4) of this section and at such times as distributions are made under RCW 82.44.150, ~~((as now or hereafter amended:))~~ the state treasurer shall apportion to each county imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a fourth distribution from the county sales and use tax equalization account. The distribution to each qualifying county shall be equal to the distribution to the county under subsection (3) of this section, subject to the reduction under subsections (6) and (7) of this section. To qualify for the distributions under this subsection, the county must impose the tax under RCW 82.14.030(2) for the entire calendar year. Counties imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

~~(6) ((Revenues distributed under this section in any calendar year shall not exceed an amount equal to seventy percent of the state-wide weighted average per capita level of revenues for the unincorporated areas of all counties during the previous calendar year. If distributions under subsections (3) through (5) of this section cannot be made because of this limitation, then distributions under subsections (3) through (5) of this section shall be reduced ratably among the qualifying counties)) Subsequent to distributions under subsection (5) of this section and at such times as distributions are made under RCW 82.44.150, the department of revenue shall apportion and the state treasurer shall distribute to each fourth through ninth class county a fifth distribution from the county sales and use tax equalization account. The distribution to each qualifying county shall be one hundred thousand dollars or an amount that when added to the distribution under subsection (2) of this section and the previous year's distribution under RCW 82.14.030(1) equals three hundred seventy-five thousand dollars, whichever is greater.~~

~~(7) Beginning on January 1, 1992, and each January 1st thereafter, the one hundred thousand dollars and three hundred seventy-five thousand dollars in subsection (6) of this section shall be adjusted by the same percentage calculated under subsection (2) of this section.~~

~~((7)) (8) If inadequate revenues exist in the county sales and use tax equalization account to make the distributions under subsections (3) through ((5)) (6) of this section, then the distributions under subsections (3) through ((5)) (6) of this section shall be reduced ratably among the qualifying counties. At such time during the year as additional funds accrue to the county sales and use tax equalization account, additional distributions shall be made under subsections (3) through ((5)) (6) of this section to the counties.~~

~~((8)) (9) If the level of revenues in the county sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through ((5)) (6) of this section, then the additional revenues shall be credited and transferred to the state general fund.~~

~~((9)) (10) All earnings of investments of balances in the county sales and use tax equalization account shall be credited to the general fund.~~

Sec. 9. Section 22, chapter 49, Laws of 1982 1st ex. sess. as last amended by section 83, chapter 57, Laws of 1985 and RCW 82.14.210 are each amended to read as follows:

There is created in the state treasury a special account to be known as the 'municipal sales and use tax equalization account.' Into this account shall be placed such revenues as are provided under RCW 82.44.150(3)(b). Funds in this account shall be allocated by the state treasurer according to the following procedure:

(1) Prior to April 1st of each year the director of revenue shall inform the state treasurer of the total and the per capita levels of revenues for each city and the state-wide weighted average per capita level of revenues for all cities imposing the sales and use tax authorized under RCW 82.14.030(1) for the previous calendar year.

(2) At such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city not imposing the sales and use tax under RCW 82.14.030(2) an amount from the municipal sales and use tax equalization account equal to the amount distributed to the city under RCW 82.44.150(3)(a) multiplied by thirty-five sixty-fifths.

(3) Subsequent to the distributions under subsection (2) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(1) at the

maximum rate and receiving less than seventy percent of the state-wide weighted average per capita level of revenues for all cities as determined by the department of revenue under subsection (1) of this section, an amount from the municipal sales and use tax equalization account sufficient, when added to the per capita level of revenues received the previous calendar year by the city, to equal seventy percent of the state-wide weighted average per capita level of revenues for all cities determined under subsection (1) of this section, subject to reduction under subsection (5) of this section.

(4) Subsequent to the distributions under subsection (3) of this section, and at such times as distributions are made under RCW 82.44.150, as now or hereafter amended, the state treasurer shall apportion to each city imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate and receiving a distribution under subsection (3) of this section, a third distribution from the municipal sales and use tax equalization account. The distribution to each qualifying city shall be equal to the distribution to the city under subsection (3) of this section, subject to the reduction under subsection (5) of this section. To qualify for the distributions under this subsection, the city must impose the tax under RCW 82.14.030(2) for the entire calendar year. Cities imposing the tax for less than the full year shall qualify for prorated allocations under this subsection proportionate to the number of months of the year during which the tax is imposed.

(5) If inadequate revenues exist in the municipal sales and use tax equalization account to make the distributions under subsection (3) or (4) of this section, then the distributions under subsection (3) or (4) of this section shall be reduced ratably among the qualifying cities. At such time during the year as additional funds accrue to the municipal sales and use tax equalization account, additional distributions shall be made under subsections (3) and (4) of this section to the cities.

(6) If the level of revenues in the municipal sales and use tax equalization account exceeds the amount necessary to make the distributions under subsections (2) through (4) of this section, then the additional revenues shall be apportioned among the several cities within the state ratably on the basis of population as last determined by the office of financial management: PROVIDED, That no such distribution shall be made to those cities receiving a distribution under subsection (2) of this section.

(7) The municipal targeted fiscal assistance account is created in the state treasury. Into this account shall be placed such revenues as are provided under RCW 82.44.150(2)(b).

(8) Prior to January 1, 1991, and each January 1st thereafter, the department of revenue shall determine which cities and towns will receive distributions from the municipal targeted fiscal assistance account. Cities and towns shall be eligible to receive distributions from this account if the following conditions are met:

(a) They are receiving a distribution under RCW 82.14.210(3); and

(b) They have a per capita assessed valuation of property that is at or below seventy percent of the state-wide average per capita assessed valuation of property for all cities.

(9) Beginning January 1, 1991, and each January 1st thereafter, at the same time as distributions are made under RCW 82.44.150, the department of revenue shall apportion and the state treasurer shall distribute to each city and town eligible under subsection (8) of this section an amount which when added to the per capita level of revenues received from the distributions under RCW 82.14.030(1) the previous calendar year and from the current year's distributions under RCW 82.14.210(3) equals seventy-five percent of the state-wide average per capita level of revenues for all cities and towns as determined under RCW 82.14.210(1). The minimum payment under this subsection shall be five hundred dollars in any calendar year. The maximum payment under this subsection shall be twenty-six thousand dollars in any calendar year.

(10) Subsequent to the distributions under subsection (9) of this section and at such times as distributions are made under RCW 82.44.150, the department of revenue shall apportion and the state treasurer shall distribute to each city and town imposing the sales and use tax under RCW 82.14.030(2) at the maximum rate during the full previous calendar year and receiving a distribution under subsection (9) of this section a second distribution from the municipal targeted fiscal assistance account. The distribution to each qualifying city or town shall be equal to the distribution to the city or town under subsection (9) of this section. Cities imposing the tax for less than the full calendar year shall qualify for prorated allocation under this subsection proportionate to the number of months of the year during which the tax was imposed.

(11) If inadequate revenues exist in the municipal targeted fiscal assistance account to make the distributions under subsections (9) and (10) of this section, the distributions under subsection (10) of this section shall be ratably reduced to the qualifying cities and towns. If inadequate revenues still exist then the distributions under subsection (9) of this section shall be ratably reduced.

(12) If the level of revenues in the municipal targeted fiscal assistance account exceeds the amount necessary to make the distributions under this section, then the additional revenues shall be credited and transferred to the state general fund.

(13) For a city or town initially incorporated on or after January 1, 1983, at the time distributions are made under subsection (3) of this section, the state treasurer shall place into a separate designated account for such city or town a pro rata amount of the revenues received under RCW 82.44.150(3)(b) equal to the city's or town's population multiplied by the amount of

equalization funds to which the city or town would be entitled if its per capita yield the previous calendar year were zero. Such account shall take effect on January 1st of the first full calendar year during which the city or town imposes the taxes authorized by RCW 82.14.030(1) and shall cease to exist on December 31st of that year.

~~((8) All earnings of investments of balances in the municipal sales and use tax equalization account shall be credited to the general fund.))~~

(14) At the time that sales and use tax distributions are made pursuant to RCW 82.14.060, the revenues in such designated account shall be added to the city's or town's sales and use tax distributions so as to provide to such city or town an amount which reflects what such jurisdiction's entitlement from the municipal sales and use tax equalization account would have been if the actual distributions of sales and use tax revenues to such city or town had been received the previous full calendar year. Any excess revenues remaining in such designated account upon its expiration shall be apportioned according to subsection (6) of this section. If the department of revenue determines during the year that any funds in the designated account are not necessary for the purposes of distribution under this subsection, the department may deposit those funds in the municipal sales and use tax equalization account to be apportioned according to subsection (6) of this section.

(15) All earnings of investments of balances in the municipal sales and use tax equalization account shall be credited to the general fund.

Sec. 10. Section 1, chapter 18, Laws of 1988 and RCW 82.44.150 are each amended to read as follows:

(1) The director of licensing shall on the twenty-fifth day of February, May, August, and November of each year, commencing with November, 1971, advise the state treasurer of the total amount of motor vehicle excise taxes remitted to the department of licensing during the preceding calendar quarter ending on the last day of March, June, September, and December, respectively, except for those payable under RCW 82.44.020(6) and 82.44.030, from motor vehicle owners residing within each municipality which has levied a tax under RCW 35.58.273, which amount of excise taxes shall be determined by the director as follows:

The total amount of motor vehicle excise taxes remitted to the department, except those payable under RCW 82.44.020(6) and 82.44.030, from each county shall be multiplied by a fraction, the numerator of which is the population of the municipality residing in such county, and the denominator of which is the total population of the county in which such municipality or portion thereof is located. The product of this computation shall be the amount of excise taxes from motor vehicle owners residing within such municipality or portion thereof. Where the municipality levying a tax under RCW 35.58.273 is located in more than one county, the above computation shall be made by county, and the combined products shall provide the total amount of motor vehicle excise taxes from motor vehicle owners residing in the municipality as a whole. Population figures required for these computations shall be supplied to the director by the office of financial management, who shall adjust the fraction annually.

(2) On the first day of the months of January, April, July, and October of each year, the state treasurer based upon information provided by the department of licensing shall make the following apportionment and distribution of motor vehicle excise taxes deposited in the general fund except taxes collected under RCW 82.44.020(6)((:));

(a) A sum equal to seventeen percent thereof shall be ~~((paid))~~ distributed to cities and towns ~~((in the proportions and for the purposes hereinafter set forth))~~ as provided in subsections (3) and (4) of this section:

(b) A sum equal to one-half of one percent shall be distributed to the municipal targeted fiscal assistance account created under RCW 82.14.210(7);

(c) A sum equal to ~~((two))~~ three percent thereof shall be ~~((allocable))~~ distributed to the county sales and use tax equalization account under RCW 82.14.200; and

(d) A sum equal to four and two-tenths percent of the special excise tax levied under RCW 35.58.273 by those municipalities authorized to levy a special excise tax at a rate not exceeding ninety-six one-hundredths of one percent on the fair market value of every motor vehicle owned by a resident of such municipality shall be deposited in the rail development account established in RCW 47.78.010.

(3) The amount payable to cities and towns shall be apportioned among the several cities and towns within the state according to the following formula:

(a) Sixty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned ratably on the basis of population as last determined by the office of financial management.

(b) Thirty-five percent of the sum specified in subsection (2) of this section to be paid to cities and towns shall be apportioned to cities and towns under RCW 82.14.210.

(4) When so apportioned, the amount payable to each such city and town shall be transmitted to the city treasurer thereof, and shall be utilized by such city or town for the purposes of police and fire protection and the preservation of the public health therein, and not otherwise. In case it be adjudged that revenue derived from the excise tax imposed by this chapter cannot lawfully be apportioned or distributed to cities or towns, all moneys directed by this section

to be apportioned and distributed to cities and towns shall be credited and transferred to the state general fund.

(5) On the first day of the months of January, April, July, and October of each year, the state treasurer, based upon information provided by the department of licensing, shall remit motor vehicle excise tax revenues imposed and collected under RCW 35.58.273 as follows:

(a) The amount required to be remitted by the state treasurer to the treasurer of any municipality levying the tax shall not exceed in any calendar year the amount of locally-generated tax revenues, excluding the excise tax imposed under RCW 35.58.273 for the purposes of this section, which shall have been budgeted by the municipality to be collected in such calendar year for any public transportation purposes including but not limited to operating costs, capital costs, and debt service on general obligation or revenue bonds issued for these purposes; and

(b) In no event may the amount remitted in a single calendar quarter exceed the amount collected on behalf of the municipality under RCW 35.58.273 during the calendar quarter next preceding the immediately preceding quarter.

(6) At the close of each calendar year accounting period, but not later than April 1, each municipality that has received motor vehicle excise taxes under subsection (5) of this section shall transmit to the director of licensing and the state auditor a written report showing by source the previous year's budgeted tax revenues for public transportation purposes as compared to actual collections. Any municipality that has not submitted the report by April 1 shall cease to be eligible to receive motor vehicle excise taxes under subsection (5) of this section until the report is received by the director of licensing. If a municipality has received more or less money under subsection (5) of this section for the period covered by the report than it is entitled to receive by reason of its locally-generated collected tax revenues, the director of licensing shall, during the next ensuing quarter that the municipality is eligible to receive motor vehicle excise tax funds, increase or decrease the amount to be remitted in an amount equal to the difference between the locally-generated budgeted tax revenues and the locally-generated collected tax revenues. In no event may the amount remitted for a calendar year exceed the amount collected on behalf of the municipality under RCW 35.58.273 during that same calendar year. At the time of the next fiscal audit of each municipality, the state auditor shall verify the accuracy of the report submitted and notify the director of licensing of any discrepancies.

(7) The motor vehicle excise taxes imposed under RCW 35.58.273 and required to be remitted under this section shall be remitted without legislative appropriation.

(8) Any municipality levying and collecting a tax under RCW 35.58.273 which does not have an operating, public transit system or a contract for public transportation services in effect within one year from the initial effective date of the tax shall return to the state treasurer all motor vehicle excise taxes received under subsection (5) of this section.

Sec. 11, Section 6, chapter 94, Laws of 1970 ex. sess. as last amended by section 81, chapter 57, Laws of 1985 and RCW 82.14.050 are each amended to read as follows:

The counties, metropolitan municipal corporations and cities shall contract, prior to the effective date of a resolution or ordinance imposing a sales and use tax, the administration and collection to the state department of revenue, which shall deduct a percentage amount, as provided by contract, not to exceed two percent of the taxes collected for administration and collection expenses incurred by the department. The remainder of any portion of any tax authorized by this chapter which is collected by the department of revenue shall be deposited by the state department of revenue in the local sales and use tax account hereby created in the state treasury. Moneys in the local sales and use tax account may be spent only for distribution to counties, metropolitan municipal corporations, and cities imposing a sales and use tax. All administrative provisions in chapters 82.03, 82.08, 82.12, and 82.32 RCW, as they now exist or may hereafter be amended, shall, insofar as they are applicable to state sales and use taxes, be applicable to taxes imposed pursuant to this chapter. All earnings of investments of balances in the local sales and use tax account shall be credited to the local sales and use tax account and distributed to the counties, metropolitan municipal corporations, and cities monthly.

Sec. 12, Section 7, chapter 94, Laws of 1970 ex. sess. as last amended by section 11, chapter 4, Laws of 1981 2nd ex. sess. and RCW 82.14.060 are each amended to read as follows:

~~(Bimonthly)~~ Monthly the state treasurer shall make distribution from the local sales and use tax account to the counties, metropolitan municipal corporations and cities the amount of tax collected on behalf of each county, metropolitan municipal corporation or city, less the deduction provided for in RCW 82.14.050. The state treasurer shall make the distribution under this section without appropriation.

In the event that any ordinance or resolution imposes a sales and use tax at a rate in excess of the applicable limits contained herein, such ordinance or resolution shall not be considered void in toto, but only with respect to that portion of the rate which is in excess of the applicable limits contained herein.

NEW SECTION. Sec. 13, Sections 10 and 11 of this act shall not be effective for earnings on balances prior to July 1, 1990, regardless of when a distribution is made.

Sec. 14. Section 11, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.46.010 are each amended to read as follows:

(1) ~~((Subject to the enactment into law of the 1982 amendment to RCW 82.02.020 by section 5, chapter 49, Laws of 1982 1st ex. sess.))~~ The governing body of any county or any city may impose an excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding one-quarter of one percent of the selling price.

(2) ~~((Subject to the enactment into law of the 1982 amendment to RCW 82.02.020 by section 5, chapter 49, Laws of 1982 1st ex. sess., in lieu of imposing the tax authorized in RCW 82.14.030(2).))~~ The governing body of any county or any city may impose an additional excise tax on each sale of real property in the unincorporated areas of the county for the county tax and in the corporate limits of the city for the city tax at a rate not exceeding ~~((one-half))~~ one-tenth of one percent of the selling price.

(3) Taxes imposed under this section shall be collected from persons who are taxable by the state under chapter 82.45 RCW upon the occurrence of any taxable event within the unincorporated areas of the county or within the corporate limits of the city, as the case may be.

(4) Taxes imposed under this section shall comply with all applicable rules, regulations, laws, and court decisions regarding real estate excise taxes as imposed by the state under chapter 82.45 RCW.

(5) As used in this section, 'city' means any city or town.

NEW SECTION. Sec. 15. A new section is added to chapter 41.26 RCW to read as follows:

(1) For taxes levied for collection in 1991 through 2021 only, the legislative authority of any county may levy an annual property tax of three cents per thousand dollars of assessed valuation of the property in the taxing district for the purpose of paying for disability benefits under RCW 41.26.150 including, but not limited to, medical benefits, nursing home benefits, congregational care benefits, or any related health benefits.

(2) The receipts from the tax imposed under this section shall be distributed as follows:

(a) Each city or town located within the county that is obligated to pay disability benefits under RCW 41.26.150 shall receive a portion of these tax receipts equal to the total receipts for the county under this section, multiplied by a fraction. The numerator of the fraction is the number of persons for whom the city or town is obligated to pay such benefits. The denominator of the fraction is the total number of persons eligible to receive such benefits in the county.

(b) The county shall retain the remainder of the receipts under this section.

(3) The receipts from tax under this section, and any interest earnings from these tax receipts, shall be used exclusively to pay for disability benefits under RCW 41.26.150.

(4) This section shall expire December 31, 2021.

Sec. 16. Section 134, chapter 195, Laws of 1973 1st ex. sess. as last amended by section 36, chapter 378, Laws of 1989 and RCW 84.52.043 are each amended to read as follows:

Within and subject to the limitations imposed by RCW 84.52.050 as amended, the regular ad valorem tax levies upon real and personal property by the taxing districts hereafter named shall be as follows:

(1) Levies of the senior taxing districts shall be as follows: (a) The levy by the state shall not exceed three dollars and sixty cents per thousand dollars of assessed value adjusted to the state equalized value in accordance with the indicated ratio fixed by the state department of revenue to be used exclusively for the support of the common schools; (b) the levy by any county shall not exceed one dollar and eighty cents per thousand dollars of assessed value; (c) the levy by any road district shall not exceed two dollars and twenty-five cents per thousand dollars of assessed value; and (d) the levy by any city or town shall not exceed three dollars and ~~((thirty-seven and one-half))~~ sixty cents per thousand dollars of assessed value. However any county is hereby authorized to increase its levy from one dollar and eighty cents to a rate not to exceed two dollars and forty-seven and one-half cents per thousand dollars of assessed value for general county purposes if the total levies for both the county and any road district within the county do not exceed four dollars and five cents per thousand dollars of assessed value, and no other taxing district has its levy reduced as a result of the increased county levy.

(2) Except as provided in RCW 84.52.100, the aggregate levies of junior taxing districts and senior taxing districts, other than the state, shall not exceed five dollars and fifty-five cents per thousand dollars of assessed valuation. The term 'junior taxing districts' includes all taxing districts other than the state, counties, road districts, cities, towns, port districts, and public utility districts. The limitations provided in this subsection shall not apply to: (a) Levies at the rates provided by existing law by or for any port or public utility district; (b) excess property tax levies authorized in Article VII, section 2 of the state Constitution; (c) levies for acquiring conservation futures as authorized under RCW 84.34.230; and (d) ~~((levies for emergency medical care or emergency medical services imposed under RCW 84.52.069))~~ levies for medical services and related health care as provided under section 15 of this act.

Sec. 17. Section 6, chapter 91, Laws of 1947 as last amended by section 2, chapter 319, Laws of 1987 and RCW 41.16.060 are each amended to read as follows:

It shall be the duty of the legislative authority of each municipality, each year ~~((as a part of its annual tax levy, to levy and place in))~~ to transfer into the fund ((a tax of)) an amount of

money equal to twenty-two and one-half cents per thousand dollars of the municipality's assessed value ((against all the taxable property of such municipality- PROVIDED: That)), However, if a report by a qualified actuary on the condition of the fund establishes that the whole or any part of ((said dollar rate)) this amount of money is not necessary to maintain the actuarial soundness of the fund, the ((levy of said twenty-two and one-half cents per thousand dollars of assessed value may be omitted, or the whole or any part of said dollar rate may be levied and used for any other municipal purpose)) municipality need transfer to the fund only the amount that the actuary finds is necessary to maintain the actuarial soundness of the fund.

Further, it shall be the duty of the legislative authority of each municipality, each year ((as a part of its annual tax levy and in addition to the city levy limit set forth in RCW 84.52.043, to levy and place in)) to transfer an additional amount of money into the fund ((an additional tax)) of up to an amount equal to twenty-two and one-half cents per thousand dollars of the municipality's assessed value ((against all taxable property of such municipality- PROVIDED: That)) if a report by a qualified actuary establishes that ((all or any part of the additional twenty-two and one-half cents per thousand dollars of assessed value levy is unnecessary)) such moneys are necessary to meet the estimated demands on the fund under this chapter for the ensuing budget year((- the levy of said additional twenty-two and one-half cents per thousand dollars of assessed value may be omitted, or the whole or any part of such dollar rate may be levied and used for any other municipal purpose- PROVIDED FURTHER, That cities that have annexed to library districts according to RCW 27.12.360 through 27.12.395 and/or fire protection districts according to RCW 52.04.061 through 52.04.081 shall not levy this additional tax to the extent that it causes the combined levies to exceed the statutory or constitutional limits).

The amount of a levy under this section allocated to the pension fund may be reduced in the same proportion as the regular property tax levy of the municipality is reduced by chapter 84.55 RCW).

Sec. 18. Section 5, chapter 91, Laws of 1947 as last amended by section 3, chapter 296, Laws of 1986 and RCW 41.16.050 are each amended to read as follows:

There is hereby created and established in the treasury of each municipality a fund which shall be known and designated as the firemen's pension fund, which shall consist of: (1) All bequests, fees, gifts, emoluments or donations given or paid thereto; (2) ((forty-five percent of all moneys received)) contributions made by the state from taxes on fire insurance premiums; (3) taxes paid pursuant to the provisions of RCW 41.16.060; (4) interest on the investments of the fund; and (5) contributions by firemen as provided for herein.

Forty-five percent of the moneys received by the state from the insurance premiums tax on fire insurance premiums ((under the provisions of this chapter)) shall be distributed to cities, towns, and fire protection districts in the proportion that the number of ((paid)) retired firemen and widows or widowers in the city, town or fire protection district bears to the total number of paid firemen throughout the state to be ascertained in the following manner: The secretary of the firemen's pension board of each city, town and fire protection district now or hereafter coming under the provisions of this chapter shall within thirty days after June 7, 1961, and on or before the fifteenth day of January thereafter, certify to the state treasurer the number of ((paid)) firemen ((in the fire department in)) and former firemen who are eligible for benefits under chapter 41.16 or 41.18 RCW from such city, town or fire protection district together with the number of their widows and widowers who are eligible for such pension benefits and the number of former pension system members whose interests are being distributed to children of such members. The state treasurer shall on or before the first day of June of each year deliver to the treasurer of each city, town and fire protection district coming under the provisions of this chapter his warrant, payable to each city, town or fire protection district for the amount due such city, town or fire protection district ascertained as herein provided and the treasurer of each such city, town or fire protection district shall place the amount thereof to the credit of the firemen's pension fund of such city, town or fire protection district.

Annually, on or before the first day of September, any money remaining in the firemen's pension fund of a city, town, or fire protection district, that was obtained from distributions of the state insurance premiums tax on fire insurance premiums, shall be transferred to the state treasurer if no persons are eligible for pension benefits under chapter 41.16 or 41.18 RCW. The money so transferred to the state treasurer shall be distributed to cities, towns, and fire protection districts by the state treasurer, in the same manner as fire insurance premium tax receipts are distributed, when the next distribution of such fire insurance premium tax receipts is made.

NEW SECTION. Sec. 19. A new section is added to chapter 41.16 RCW to read as follows:

On or before the first day of November of each year, each municipality that has a pension system created under this chapter shall provide to the state actuary such information as the state actuary needs to analyze the fiscal condition of the retirement system.

NEW SECTION. Sec. 20. A new section is added to chapter 41.18 RCW to read as follows:

On or before the first day of November of each year, each municipality that has a pension system created under this chapter shall provide to the state actuary such information as the state actuary needs to analyze the fiscal condition of the retirement system.

NEW SECTION. Sec. 21. A new section is added to chapter 44.44 RCW to read as follows:

The state actuary shall adopt rules detailing the information that is to be provided by municipalities under sections 19 and 20 of this act, and shall submit a report to the legislature on or before the first day of January of each year analyzing the fiscal condition of each retirement system.

NEW SECTION. Sec. 22. A new section is added to chapter 63.29 RCW to read as follows:

A local government holding abandoned intangible property that is not forwarded to the department of revenue, as authorized under RCW 63.29.170, shall not be required to maintain current records of this property for longer than five years after the property is presumed to be abandoned, and at that time may archive records of this intangible property and transfer the intangible property to its general fund. However, the local government shall remain liable to pay the intangible property to a person or entity subsequently establishing its ownership of this intangible property.

Sec. 23. Section 19, chapter 179, Laws of 1983 and RCW 63.29.190 are each amended to read as follows:

(1) Except as otherwise provided in subsections (2) and (3) of this section, a person who is required to file a report under RCW 63.29.170, within six months after the final date for filing the report as required by RCW 63.29.170, shall pay or deliver to the department all abandoned property required to be reported. Counties, cities, towns, and other municipal and quasi-municipal corporations which hold funds representing warrants canceled pursuant to RCW 36.22.100 and 39.56.040, excess proceeds from property tax and irrigation district foreclosures, and property tax overpayments or refunds, may retain such funds until the owner notifies them and establishes ownership.

(2) If the owner establishes the right to receive the abandoned property to the satisfaction of the holder before the property has been delivered or it appears that for some other reason the presumption of abandonment is erroneous, the holder need not pay or deliver the property to the department, and the property will no longer be presumed abandoned. In that case, the holder shall file with the department a verified written explanation of the proof of claim or of the error in the presumption of abandonment.

(3) Property reported under RCW 63.29.170 for which the holder is not required to report the name of the apparent owner must be delivered to the department at the time of filing the report.

(4) The holder of an interest under RCW 63.29.100 shall deliver a duplicate certificate or other evidence of ownership if the holder does not issue certificates of ownership to the department. Upon delivery of a duplicate certificate to the department, the holder and any transfer agent, registrar, or other person acting for or on behalf of a holder in executing or delivering the duplicate certificate is relieved of all liability of every kind in accordance with RCW 63.29.200 to every person, including any person acquiring the original certificate or the duplicate of the certificate issued to the department, for any losses or damages resulting to any person by the issuance and delivery to the department of the duplicate certificate.

NEW SECTION. Sec. 24. A new section is added to chapter 63.29 RCW to read as follows:

Any funds covered by RCW 63.29.190 that were received by the state prior to the effective date of this section shall be retained by the state of Washington, and any such funds not remitted to the state prior to the effective date of this section may be retained as provided for under RCW 63.29.190.

Sec. 25. Section 1, chapter 224, Laws of 1984 and RCW 46.16.216 are each amended to read as follows:

(1) To renew a vehicle license, an applicant shall satisfy all listed standing, stopping, and parking violations for the vehicle incurred while the vehicle was registered in the applicant's name and forwarded to the department pursuant to RCW 46.20.270(3). For the purposes of this section, 'listed' standing, stopping, and parking violations include only those violations for which notice has been received from local agencies by the department (~~one hundred fifty~~) ninety days or more before the date the vehicle license expires and that are placed on the records of the department. Notice of such violations received by the department later than (~~one hundred fifty~~) ninety days before that date that are not satisfied shall be considered by the department in connection with any applications for license renewal in any subsequent license year. The renewal application may be processed by the department or its agents only if the applicant:

(a) Presents a preprinted renewal application showing no listed standing, stopping, and parking violations, or in the absence of such presentation, the agent verifies the information that would be contained on the preprinted renewal application; or

(b) If listed standing, stopping, and parking violations exist, presents proof of payment and pays a (~~ten~~) fifteen dollar surcharge.

(2) The (~~ten dollar~~) surcharge shall be allocated as follows:

(a) (~~Five~~) Ten dollars shall be deposited in the motor vehicle fund to be used exclusively for the administrative costs of the department of licensing; and

(b) Five dollars shall be retained by the agent handling the renewal application to be used by the agent for the administration of this section.

(3) If there is a change in the registered owner of the vehicle, the department shall forward the information regarding the change to the local charging jurisdiction and release any hold on the renewal of the vehicle license resulting from parking violations incurred while the certificate of license registration was in a previous registered owner's name.

(4) The department shall send to all registered owners of vehicles who have been reported to have outstanding listed parking violations, at the time of renewal, a statement setting out the dates and jurisdictions in which the violations occurred as well as the amounts of unpaid fines and penalties relating to them and the surcharge to be collected.

Sec. 26. Section 46.20.270, chapter 12, Laws of 1961 as last amended by section 5, chapter 14, Laws of 1982 1st ex. sess. and RCW 46.20.270 are each amended to read as follows:

(1) Whenever any person is convicted of any offense for which this title makes mandatory the suspension or revocation of the driver's license of such person by the department, the privilege of the person to operate a vehicle is suspended until the department takes the action required by this chapter, and the court in which such conviction is had shall forthwith secure the immediate forfeiture of the driver's license of such convicted person and immediately forward such driver's license to the department, and on failure of such convicted person to deliver such driver's license the judge shall cause such person to be confined for the period of such suspension or revocation or until such driver's license is delivered to such judge: PROVIDED, That if the convicted person testifies that he or she does not and at the time of the offense did not have a current and valid vehicle driver's license, the judge shall cause such person to be charged with the operation of a motor vehicle without a current and valid driver's license and on conviction punished as by law provided, and the department may not issue a driver's license to such persons during the period of suspension or revocation: PROVIDED, ALSO, That if the driver's license of such convicted person has been lost or destroyed and such convicted person makes an affidavit to that effect, sworn to before the judge, the convicted person may not be so confined, but the department may not issue or reissue a driver's license for such convicted person during the period of such suspension or revocation: PROVIDED, That perfection of notice of appeal shall stay the execution of sentence including the suspension and/or revocation of the driver's license.

(2) Every court having jurisdiction over offenses committed under this chapter, or any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, or any federal authority having jurisdiction over offenses substantially the same as those set forth in Title 46 RCW which occur on federal installations within this state, shall forward to the department within ten days of a forfeiture of bail or collateral deposited to secure the defendant's appearance in court, a payment of a fine or penalty, a plea of guilty or a finding of guilt, or a finding that any person has committed a traffic infraction an abstract of the court record in the form prescribed by rule of the supreme court, showing the conviction of any person or the finding that any person has committed a traffic infraction in said court for a violation of any said laws other than regulations governing standing, stopping, parking, and pedestrian offenses.

(3) Every municipality having jurisdiction over offenses committed under this chapter, or under any other act of this state or municipal ordinance adopted by a local authority regulating the operation of motor vehicles on highways, may forward to the department within ten days of failure to respond, failure to pay a penalty, failure to appear at a hearing to contest the determination that a violation of any statute, ordinance, or regulation relating to standing, stopping, or parking has been committed, or failure to appear at a hearing to explain mitigating circumstances, an abstract of the citation record in the form prescribed by rule of the department, showing the finding by such municipality that ~~((three))~~ two or more violations of laws governing standing, stopping, and parking have been committed and indicating the nature of the defendant's failure to act. Such violations may not have occurred while the vehicle is stolen from the registered owner or is leased or rented under a bona fide commercial vehicle lease or rental agreement between a lessor engaged in the business of leasing vehicles and a lessee who is not the vehicle's registered owner. The department may enter into agreements of reciprocity with the duly authorized representatives of the states for reporting to each other violations of laws governing standing, stopping, and parking.

(4) For the purposes of Title 46 RCW the term 'conviction' means a final conviction in a state or municipal court or by any federal authority having jurisdiction over offenses substantially the same as those set forth in Title 46 RCW which occur on federal installations in this state, an unvacated forfeiture of bail or collateral deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt on a traffic law violation charge, regardless of whether the imposition of sentence is deferred or the penalty is suspended.

(5) For the purposes of Title 46 RCW the term 'finding that a traffic infraction has been committed' means a failure to respond to a notice of infraction or a determination made by a court pursuant to this chapter. Payment of a monetary penalty made pursuant to RCW 46.63.070(2) is deemed equivalent to such a finding.

NEW SECTION, Sec. 27. The expiration of section 15 of this act shall not be construed as affecting any existing right acquired or liability or obligation incurred under that section or

under any rule or order adopted under that section, nor as affecting any proceeding instituted under that section.

NEW SECTION. Sec. 28. 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. 29. 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 shall take effect immediately except for sections 8 through 10 and 17 through 21 of this act, which shall take effect on January 1, 1991, and sections 25 and 26 of this act which shall take effect on July 1, 1990.

NEW SECTION. Sec. 30. Section 16 of this act shall be effective for taxes levied for collection in 1991 and thereafter."

Mr. Horn spoke in favor of adoption of the amendment.

Mr. May demanded an electric roll call vote, and the demand was sustained.

Representatives Wang, Jones, Haugen and Hine spoke against adoption of the amendment, and Representatives Holland and Ballard spoke in favor of it.

ROLL CALL

The Clerk called the roll on adoption of the striking amendment by Representative Horn and others to Substitute House Bill No. 2833, and the amendment was not adopted by the following vote: Yeas, 36; nays, 62.

Voting yea: Representatives Ballard, Beck, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, Kirby, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 36.

Voting nay: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 62.

With consent of the House, the following amendment by Representative Appelwick to the title was adopted:

On page 1, line 3 of the title, strike "3.62.060, 12.40.020."

With consent of the House, the following amendment by Representative Wang and others to the title was adopted:

On page 1, line 4 of the title, strike "and 43.135.060" and insert "43.135.060, and 43.132.020"

The bill was ordered engrossed. On motion of Mr. Ebersole, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Haugen, Wang, Jones, Basich and Ebersole spoke in favor of passage of the bill, and Representatives Holland and Ballard opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2833, and the bill passed the House by the following vote: Yeas, 62; nays, 36.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Braddock, Brekke, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kremen, Leonard, Locke, Meyers R, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprenkle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Winsley, Zellinsky, and Mr. Speaker - 62.

Voting nay: Representatives Ballard, Beck, Bennett, Betrozoff, Bowman, Brooks, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, Kirby, May, McLean, Miller, Moyer, Nealey, Padden, Prince, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Wolfe, Wood, Youngsman - 36.

Engrossed Substitute House Bill No. 2833, having received the constitutional majority, was declared passed.

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

MOTION

On motion of Mr. Heavey, the House adjourned until 12:00 noon, Thursday, February 22, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-SIXTH DAY

NOON SESSION

House Chamber, Olympia, Thursday, February 22, 1990

The House was called to order at 12:00 noon by the Speaker (Mr. O'Brien presiding).

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

MESSAGE FROM THE SENATE

February 21, 1990

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 6407,

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

INTRODUCTION AND FIRST READING

SSB 6407 by Committee on Ways & Means (originally sponsored by Senators McDonald, Gaspard, Rasmussen and Conner; by request of Governor)

Adopting the supplemental operating budget.

Referred to Committee on Appropriations.

MOTION

The Speaker (Mr. O'Brien presiding) referred the bill listed on today's introduction sheet under the fourth order of business to the committee so designated.

REPORTS OF STANDING COMMITTEES

February 21, 1990

SSB 5013 Prime Sponsor, Committee on Education: Relating to second class school districts changing back to having directors run at-large. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 3 insert the following:

"NEW SECTION, Sec. 1. In a second class school district no more than two of the directors may reside within the boundaries of a director district if a second class school district maintains a system which allows members of the board of directors to be elected from a combination of three director districts and two director at-large districts."

Renumber the remaining sections consecutively and correct internal references.

On page 3, line 17 strike ~~"(five)"~~ and insert "five"

On page 3, line 25 after "districts" strike ", or" and insert "and no second class school district shall be divided into"

On page 4, line 21 after "petition" insert "from a second class school district"

On page 5, line 32 after "into" insert "five directors' districts in first class school districts and a choice of five directors' districts or"

On page 5, line 33 after "large" insert "in second class school districts"

On page 6, line 13 after "every" insert "first class"

On page 6, line 19 after "or" insert "for second class school districts into director districts or"

On page 1, line 1 of the title after "districts;" insert "creating a new section;"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Walker and K. Wilson.

Absent: Representatives Fuhrman, Holland, Rasmussen and Valle.

Passed to Committee on Rules for second reading.

February 21, 1990

ESSB 5206 Prime Sponsor, Committee on Ways & Means: Changing provisions relating to the economic and revenue forecast council. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Horn, Assistant Ranking Republican Member; Basich, Brumsickle, Fuhrman, Grant, Haugen, Morris, Phillips and Van Luven.

Absent: Representatives Holland, Ranking Republican Member; Appelwick and Silver.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 5340 Prime Sponsor, Committee on Financial Institutions & Insurance: Regulating disbursements by escrow agents. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 23, after "deposited" strike all material to and including "transfers." on line 24 and insert "unless the deposit is made in cash, by interbank electronic transfer, or in a form that permits conversion of the deposit to cash on the same day the deposit is made."

Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Baugher, Beck, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative Anderson.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 5487 Prime Sponsor, Senator McCaslin: Requiring real estate licensees to disclose certain information in writing. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 4, line 17, after "disclosing" strike "in writing"

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives Jones, R. King and Leonard.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 5503 Prime Sponsor, Committee on Higher Education: Establishing the Cherberg scholarship program. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Rector and Wood.

Absent: Representative Prince.

Referred to Committee on Appropriations.

February 20, 1990

3SSB 5550 Prime Sponsor, Committee on Ways & Means: Providing a procedure for the classification and valuation of property devoted primarily to low-income housing. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

On page 3, line 18, after "income," strike "scaled" and insert "adjusted"
On page 4, beginning on line 8, strike all of section 4 and insert the following:

"NEW SECTION. Sec. 4. (1) Any property occupied by a building that meets the following criteria may be classified in whole or in part as 'devoted to low-income housing,' and valued and taxed at its current use value unless disqualified under subsection (7) of this section:

(a) At least fifty percent of the rentable floor area of the building shall be dedicated to housing for persons of low income. The remainder of the building may be: (i) Committed to other uses, or (ii) vacant for up to six months, as long as the remainder does not impair the habitability of the units rented for housing to persons of low income;

(b) At least five dwelling units in the building must be dedicated to housing for persons of low income;

(c) The rents charged to persons of low income shall be set below market rates; and

(d) The building and the dwelling units dedicated to housing for persons of low income must comply with local health and safety standards.

(2) A classification of the real property occupied by a building devoted to low-income housing applies to the portion of the parcel dedicated to housing for persons of low income, including ancillary areas used for parking, lawn, garden, or landscaping, as required by local zoning and building ordinances.

(3) Any property used for a mobile home park that meets the following criteria may be classified in whole or in part as 'devoted to low-income housing' and valued and taxed at its current use value unless disqualified under subsection (7) of this section:

(a) At least fifty percent of the mobile home park spaces shall be dedicated to persons of low income at all times for residential purposes by persons of low income. The remainder of the mobile home park may be: (i) Committed to other uses, or (ii) vacant for up to six months, as long as the remainder does not impair the habitability of the mobile home park spaces rented to persons of low income;

(b) At least five mobile home spaces in the mobile home park must be dedicated to housing for persons of low income;

(c) The rents charged to persons of low income shall be set below market rates for mobile home park spaces; and

(d) The mobile home park must comply with local health and safety standards.

(4) A classification of real property used for a mobile home park applies to the portion of the property dedicated to housing for persons of low income, including ancillary areas used for parking, lawn, garden, or landscaping, as required by local zoning and building ordinances.

(5) In the event that the property for which a classification under this section is applied for is used in part as other than either residential rental property or a mobile home park, only the portion of the property dedicated to housing for persons of low income or a mobile home park shall be eligible for classification under this chapter.

(6) An assessor may, for property tax purposes, segregate those portions of a property dedicated to housing for persons of low income.

(7) The following properties are not eligible for classification as property 'devoted to low-income housing':

(a) Slums: (i) Property under a municipal or judicial order for abatement; (ii) property with a building that the local jurisdiction has found to violate applicable building, health, and safety standards and on which compliance has not been completed or satisfactory progress shown within sixty days after notice; or (iii) property that is repeatedly cited for a substantial violation of such local standards.

(b) Institutional housing: (i) Residential units that serve an institution, when payments for health care, education, or other institutional services are made by or for the occupants to the owner in addition to rent for the dwelling; (ii) privately-owned student housing, including fraternities and sororities; or (iii) resorts for recreational purposes. This subsection (b) does not exclude from eligibility housing that is under contract to a governmental organization or private nonprofit health care organization and is devoted to persons of low income.

(c) Employee housing: Property used primarily for industrial, commercial, institutional, farm or agricultural purposes or as timber land in which the dwelling units identified as devoted to use by persons of low income are occupied by employees of the owner, contract workers for the owner, or relatives of the owner.

(d) Any portion of the property that exceeds five acres; except that this requirement does not apply to mobile home parks."

Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Padden, Rector and Todd.

Absent: Representatives Ballard and Inslee.

Referred to Committee on Revenue.

February 21, 1990

SSB 5594 Prime Sponsor, Committee on Health Care & Corrections: Allowing prescriptions to be filled across state borders. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Prentice, D. Sommers, Sprengle, Vekich and Wolfe.

Absent: Representatives Chandler and Morris.

Passed to Committee on Rules for second reading.

February 21, 1990

2SSB 5996 Prime Sponsor, Committee on Energy & Utilities: Authorizing feasibility study of waste management education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 14, strike "(1)"

On page 1, beginning on line 19, strike all material through "act." on line 22

On page 1, line 28, strike "associate in applied sciences" and insert "an associate of applied sciences degree"

On page 1, line 2 of the title, after "program," strike the remainder of the title and insert "and creating new sections."

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luvan, Ranking Republican Member; Bennett, Fraser, Jesernig, Miller, Rector and Wood.

Absent: Representatives Miller and Prince.

Passed to Committee on Rules for second reading.

February 19, 1990

SSB 6190 Prime Sponsor, Committee on Health & Long Term Care: Providing for the prevention of head injuries. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. This act shall be known and cited as the Head Injury Prevention Act of 1990.

NEW SECTION. Sec. 2. The legislature finds that head injury is a major cause of death and disability for Washington citizens. The costs of head injury treatment and rehabilitation are extensive and resultant disabilities are long and indeterminate. These costs are often borne by public programs such as medicaid. The legislature finds further that many such injuries are preventable. The legislature intends to reduce the occurrence of head injury by educating persons whose behavior may place them at risk and by regulating certain activities.

NEW SECTION. Sec. 3. As used in sections 1 through 6 of this act, the term 'head injury' means traumatic brain injury.

A head injury prevention program is created in the department of health. The program's functions may be integrated with those of similar programs to promote comprehensive, integrated, and effective health promotion and disease prevention.

In consultation with the traffic safety commission, the department shall, directly or by contract, identify and coordinate public education efforts currently underway within state government and among private groups to prevent traumatic brain injury, including, but not limited to, bicycle safety, pedestrian safety, bicycle passenger seat safety, motorcycle safety, motor vehicle safety, and sports safety. If the department finds that programs are not available or not in use, it may, within funds appropriated for the purpose, provide grants to promote public education efforts. Grants may be awarded only after recipients have demonstrated coordination with relevant and knowledgeable groups within their communities, including at least schools, brain injury support organizations, hospitals, physicians, traffic safety specialists, police, and the public. The department may accept grants, gifts, and donations from public or private sources to use to carry out the head injury prevention program.

The department may assess or contract for the assessment of the effectiveness of public education efforts coordinated or initiated by any agency of state government. Agencies are directed to cooperate with assessment efforts by providing access to data and program records as reasonably required. The department may seek and receive additional funds from the federal government or private sources for assessments. Assessments shall contain findings and recommendations that will improve the effectiveness of public education efforts. These

findings shall be distributed among public and private groups concerned with traumatic brain injury prevention.

NEW SECTION. Sec. 4. The department of health, the department of licensing, and the traffic safety commission shall jointly prepare information for driver license manuals, driver education programs, and driving tests to increase driver awareness of pedestrian safety, to increase driver skills in avoiding pedestrian and motor vehicle accidents, and to determine drivers' abilities to avoid pedestrian motor vehicle accidents.

NEW SECTION. Sec. 5. The department shall establish a state-wide trauma registry to collect information on the incidence, severity, and causes of traumatic brain injury. The state-wide trauma registry shall identify and track major brain injury cases from injury through rehabilitation or recovery. The registry shall keep specific statistics on helmet and nonhelmet, motorcycle-related head and neck injuries. Specific data elements of the registry, sources for collecting the data, and data collection procedures shall be determined by the department by rule. Information obtained shall be used to design prevention and treatment programs. By January 1, 1991, the department shall report to the legislature on the feasibility, cost, and benefits of expanding the registry requirements of this section to include information on minor brain injuries.

NEW SECTION. Sec. 6. The department shall prepare guidelines on relevant training and education regarding traumatic brain injury for health and education professionals, and relevant public safety and law enforcement officials. The department shall distribute such guidelines and any recommendations for training or educational requirements for health professionals or educators to the disciplinary authorities governed by chapter 18.130 RCW and to educational service districts established under chapter 28A.21 RCW. Specifically, all emergency medical personnel shall be trained in proper helmet removal.

Sec. 7. Section 4, chapter 232, Laws of 1967 as last amended by section 732, chapter 330, Laws of 1987 and by section 1, chapter 454, Laws of 1987 and RCW 46.37.530 are each repealed and amended to read as follows:

(1) It is unlawful:

(a) For any person to operate a motorcycle or motor-driven cycle not equipped with mirrors on the left and right sides of the motorcycle which shall be so located as to give the driver a complete view of the highway for a distance of at least two hundred feet to the rear of the motorcycle or motor-driven cycle: PROVIDED, That mirrors shall not be required on any motorcycle or motor-driven cycle over twenty-five years old originally manufactured without mirrors and which has been restored to its original condition and which is being ridden to or from or otherwise in conjunction with an antique or classic motorcycle contest, show, or other such assemblage: PROVIDED FURTHER, That no mirror is required on any motorcycle manufactured prior to January 1, 1931:

(b) For any person to operate a motorcycle or motor-driven cycle which does not have a windshield unless wearing glasses, goggles, or a face shield of a type conforming to rules adopted by the state patrol:

(c) For any person (~~under the age of eighteen years~~) to operate or ride upon a motorcycle ~~(or)~~, motor-driven cycle, or moped on a state highway, county road, or city street unless wearing upon his or her head a protective helmet of a type conforming to rules adopted by the ~~(commission on equipment)~~ state patrol except when the vehicle is an antique motor-driven cycle or automobile that is licensed as a motorcycle or when the vehicle is equipped with seat belts and roll bars approved by the state patrol. The helmet must be equipped with either a neck or chin strap which shall be fastened securely while the motorcycle or motor-driven cycle is in motion:

(d) For any person to transport a child under the age of five on a motorcycle or motor-driven cycle:

(e) For any person to sell or offer for sale a motorcycle helmet which does not meet the requirements established by the state patrol.

(2) The state patrol is hereby authorized and empowered to adopt and amend rules, pursuant to the administrative procedure act, concerning the standards and procedures for conformance of rules adopted for glasses, goggles, face shields, and protective helmets.

Sec. 8. Section 10, chapter 232, Laws of 1967 as last amended by section 733, chapter 330, Laws of 1987 and RCW 46.37.535 are each amended to read as follows:

It is unlawful for any person to rent out motorcycles, motor-driven cycles, or mopeds unless ~~(he)~~ the person also has on hand for rent helmets of a type conforming to rules adopted by the state patrol.

It shall be unlawful for any person to rent a motorcycle, motor-driven cycle, or moped unless the person has in his or her possession a helmet of a type approved by the state patrol, regardless of from whom the helmet is obtained.

NEW SECTION. Sec. 9. Sections 1 through 6 of this act are each added to chapter 43.70 RCW.

NEW SECTION. Sec. 10. The sum of forty-nine thousand dollars, or as much thereof as may be necessary, is appropriated from the general fund to the department of health for the biennium ending June 30, 1991, to carry out the purposes of this act."

On page 1, line 1 of the title, after "injuries;" strike the remainder of the title and insert "amending RCW 46.37.535; reenacting and amending RCW 46.37.530; adding new sections to chapter 43.70 RCW; and making an appropriation."

Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Sprenkle and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representatives Chandler and Vekich.

Referred to Committee on Appropriations.

February 21, 1990

SB 6192 Prime Sponsor, Senator West: Revising provisions for substitution of generic drugs. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Absent: Representatives Chandler and Morris.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 6201 Prime Sponsor, Senator Lee: Changing regulation of health studio services. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives Jones, R. King and Walker.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6210 Prime Sponsor, Senator Saling: Amending sunset provisions for radiologic technologists. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Prentice, D. Sommers, Sprenkle, Vekich and Wolfe.

Absent: Representatives Chandler and Morris.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6213 Prime Sponsor, Senator West: Revising provisions for reimbursement to department of social and health services employees for costs related to assaults. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden and Winsley.

Absent: Representative Raiter.

Referred to Committee on Appropriations.

February 21, 1990

SB 6267 Prime Sponsor, Senator Moore: Changing provisions regulating occupational therapy. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, D. Sommers, Sprenkle, Vekich and Wolfe.

Absent: Representatives Chandler and Morris.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6350 Prime Sponsor, Senator Smith: Modifying acceptable proof of a corporation's nonresident status. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Horn, Assistant Ranking Republican Member; Appelwick, Basich, Fraser, Fuhrman, Grant, Morris, Phillips, Rust, H. Sommers and Van Luven.

MINORITY recommendation: Do not pass. Signed by Representatives Brumsickle and Haugen.

Absent: Representatives Holland, Ranking Republican Member; and Silver.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6371 Prime Sponsor, Committee on Financial Institutions & Insurance: Creating the department of financial institutions. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member, Baugher, Beck, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative Anderson.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6390 Prime Sponsor, Committee on Law & Justice: Modifying marital deduction provisions regarding qualified domestic trusts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6395 Prime Sponsor, Committee on Law & Justice: Correcting obsolete inheritance tax references. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 20, 1990

ESSB 6412 Prime Sponsor, Committee on Environment & Natural Resources: Funding the acquisition of land for wildlife conservation and outdoor recreation. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. The legislature finds:

(1) That Washington possesses an abundance of natural wealth in the form of forests, mountains, wildlife, waters, and other natural resources, all of which help to provide an unparalleled diversity of outdoor recreation opportunities and a quality of life unmatched in this nation;

(2) That as the state's population grows, the demand on these resources is growing too, placing greater stress on today's already overcrowded public recreational lands and facilities, and resulting in a significant loss of wildlife habitat and lands of unique natural value;

(3) That public acquisition and development programs have not kept pace with the state's expanding population;

(4) That private investment and employment opportunities in general and the tourist industry in particular are dependent upon the continued availability of recreational opportunities and our state's unique natural environment;

(5) That if current trends continue, some wildlife species and rare ecosystems will be lost in the state forever and public recreational lands will not be adequate to meet public demands;

(6) That there is accordingly a need for the people of the state to reserve certain areas of the state, in rural as well as urban settings, for the benefit of present and future generations.

It is therefore the policy of the state to acquire as soon as possible the most significant lands for wildlife conservation and outdoor recreation purposes before they are converted to other uses, and to develop existing public recreational land and facilities to meet the needs of present and future generations.

NEW SECTION. Sec. 2. The definitions set forth in this section apply throughout this chapter.

(1) 'Acquisition' means the purchase on a willing seller basis of fee or less than fee interests in real property. These interests include, but are not limited to, options, rights of first refusal, conservation easements, leases, and mineral rights.

(2) 'Committee' means the interagency committee for outdoor recreation.

(3) 'Critical habitat' means lands important for the protection, management, or public enjoyment of certain wildlife species or groups of species, including, but not limited to, wintering range for deer, elk, and other species, waterfowl and upland bird habitat, fish habitat, and habitat for endangered, threatened, or sensitive species.

(4) 'Local agencies' means a city, county, town, tribe, special purpose district, port district, or other political subdivision of the state providing services to less than the entire state.

(5) 'Natural areas' means areas that have, to a significant degree, retained their natural character and are important in preserving rare or vanishing flora, fauna, geological, natural historical, or similar features of scientific or educational value.

(6) 'Special needs populations' means physically restricted people or people of limited means.

(7) 'Trails' means public ways constructed for and open to pedestrians, equestrians, or bicyclists, or any combination thereof, other than a sidewalk constructed as a part of a city street or county road for exclusive use of pedestrians.

(8) 'Urban wildlife habitat' means lands that provide habitat important to wildlife in proximity to a metropolitan area.

(9) 'Water access' means boat or foot access to marine waters, lakes, rivers, or streams.

NEW SECTION. Sec. 3. The habitat conservation account is established in the state treasury. The committee shall administer the account in accordance with chapter 43.99 RCW and this chapter, and shall hold it separate and apart from all other money, funds, and accounts of the committee.

NEW SECTION. Sec. 4. (1) Moneys appropriated for this chapter shall be divided equally between the habitat conservation and outdoor recreation accounts and shall be used exclusively for the purposes specified in this chapter.

(2) Moneys deposited in these accounts shall be invested as authorized for other state funds, and any earnings on them shall be credited to the respective account.

(3) All moneys deposited in the habitat conservation and outdoor recreation accounts shall be allocated under sections 5 and 6 of this act as grants to state or local agencies for acquisition, development, and renovation within the jurisdiction of those agencies, subject to legislative appropriation. The committee may use or permit the use of any funds appropriated for this chapter as matching funds where federal, local, or other funds are made available for projects within the purposes of this chapter.

(4) Projects receiving grants under this chapter that are developed or otherwise accessible for public recreational uses shall be available to the public on a nondiscriminatory basis.

(5) The committee may make grants to an eligible project from both the habitat conservation and outdoor recreation accounts and any one or more of the applicable categories under such accounts described in sections 5 and 6 of this act.

NEW SECTION. Sec. 5. (1) Moneys appropriated for this chapter to the habitat conservation account shall be distributed in the following way:

(a) Not less than thirty-five percent for the acquisition and development of critical habitat;

(b) Not less than twenty percent for the acquisition and development of natural areas;

(c) Not less than fifteen percent for the acquisition and development of urban wildlife habitat; and

(d) The remaining amount shall be considered unallocated and shall be used by the committee to fund high priority acquisition and development needs for critical habitat, natural areas, and urban wildlife habitat.

(2) In distributing these funds, the committee retains discretion to meet the most pressing needs for critical habitat, natural areas, and urban wildlife habitat, and is not required to meet the percentages described in subsection (1) of this section in any one biennium.

(3) Only state agencies may apply for acquisition and development funds for critical habitat and natural areas projects under subsection (1) (a), (b), and (d) of this section.

(4) State and local agencies may apply for acquisition and development funds for urban wildlife habitat projects under subsection (1) (c) and (d) of this section.

NEW SECTION. Sec. 6. (1) Moneys appropriated for this chapter to the outdoor recreation account shall be distributed in the following way:

(a) Not less than twenty-five percent to the state parks and recreation commission for the acquisition and development of state parks, with at least seventy-five percent of this money for acquisition costs;

(b) Not less than twenty-five percent for the acquisition, development, and renovation of local parks, with at least fifty percent of this money for acquisition costs;

(c) Not less than fifteen percent for the acquisition and development of trails;

(d) Not less than ten percent for the acquisition and development of water access sites, with at least seventy-five percent of this money for acquisition costs; and

(e) The remaining amount shall be considered unallocated and shall be distributed by the committee to state and local agencies to fund high priority acquisition and development needs for parks, trails, and water access sites.

(2) In distributing these funds, the committee retains discretion to meet the most pressing needs for state and local parks, trails, and water access sites, and is not required to meet the percentages described in subsection (1) of this section in any one biennium.

(3) Only local agencies may apply for acquisition, development, or renovation funds for local parks under subsection (1)(b) of this section.

(4) State and local agencies may apply for funds for trails under subsection (1)(c) of this section.

(5) State and local agencies may apply for funds for water access sites under subsection (1)(d) of this section.

NEW SECTION. Sec. 7. (1) The committee may adopt rules establishing acquisition policies and priorities for distributions from the habitat conservation account.

(2) Moneys appropriated for this chapter may not be used by the committee to fund additional staff positions or other overhead expenses, or by a state, regional, or local agency to fund operation and maintenance of areas acquired under this chapter.

(3) Moneys appropriated for this chapter may be used for costs incidental to acquisition, including, but not limited to, surveying expenses, fencing, and signing.

(4) The committee may not approve a local project where the local agency share is less than the amount to be awarded from the habitat conservation account.

(5) In determining acquisition priorities with respect to the habitat conservation account, the committee shall consider, at a minimum, the following criteria:

(a) For critical habitat and natural areas proposals:

(i) Community support;

(ii) Immediacy of threat to the site;

(iii) Uniqueness of the site;

(iv) Diversity of species using the site;

(v) Quality of the habitat;

(vi) Long-term viability of the site;

(vii) Presence of endangered, threatened, or sensitive species;

(viii) Enhancement of existing public property;

(ix) Consistency with a local land use plan, or a regional or state-wide recreational or resource plan; and

(x) Educational and scientific value of the site.

(b) For urban wildlife habitat proposals, in addition to the criteria of (a) of this subsection:

(i) Population of, and distance from, the nearest urban area;

(ii) Proximity to other wildlife habitat;

(iii) Potential for public use; and

(iv) Potential for use by special needs populations.

(6) Before October 1st of each even-numbered year, the committee shall recommend to the governor a prioritized list of state agency projects to be funded under section 5(1) (a), (b), and (c) of this act. The governor may remove projects from the list recommended by the committee and shall submit this amended list in the capital budget request to the legislature. The list shall include, but not be limited to, a description of each project; and shall describe for each project any anticipated restrictions upon recreational activities allowed prior to the project.

(7) Before October 1st of each year, the committee shall recommend to the governor a prioritized list of all local projects to be funded under section 5(1)(c) of this act. The governor may remove projects from the list recommended by the committee and shall submit this amended list in the capital budget request to the legislature. The list shall include, but not be limited to, a description of each project and any particular match requirement, and describe for each project any anticipated restrictions upon recreational activities allowed prior to the project.

(8) If the governor removes a project or projects from the list submitted by the committee, the committee shall recommend an additional project or projects.

NEW SECTION. Sec. 8. (1) In determining which state parks proposals and local parks proposals to fund, the committee shall use existing policies and priorities.

(2) Moneys appropriated for this chapter may not be used by the committee to fund additional staff or other overhead expenses, or by a state, regional, or local agency to fund operation and maintenance of areas acquired under this chapter.

(3) Moneys appropriated for this chapter may be used for costs incidental to acquisition, including, but not limited to, surveying expenses, fencing, and signing.

(4) The committee may not approve a project of a local agency where the share contributed by the local agency is less than the amount to be awarded from the outdoor recreation account.

(5) The committee may adopt rules establishing acquisition policies and priorities for the acquisition and development of trails and water access sites to be financed from moneys in the outdoor recreation account.

(6) In determining the acquisition and development priorities, the committee shall consider, at a minimum, the following criteria:

(a) For trails proposals:

(i) Community support;

(ii) Immediacy of threat to the site;

(iii) Linkage between communities;

(iv) Linkage between trails;

(v) Existing or potential usage;

(vi) Consistency with an existing local land use plan or a regional or state-wide recreational or resource plan;

(vii) Availability of water access or views;

(viii) Enhancement of wildlife habitat; and

(ix) Scenic values of the site.

(b) For water access proposals:

(i) Community support;

(ii) Distance from similar water access opportunities;

(iii) Immediacy of threat to the site;

(iv) Diversity of possible recreational uses; and

(v) Public demand in the area.

(7) Before October 1st of each even-numbered year, the committee shall recommend to the governor a prioritized list of state agency projects to be funded under section 6(1) (a), (c), and (d) of this act. The governor may remove projects from the list recommended by the committee and shall submit this amended list in the capital budget request to the legislature. The list shall include, but not be limited to, a description of each project; and shall describe for each project any anticipated restrictions upon recreational activities allowed prior to the project.

(8) Before October 1st of each year, the committee shall recommend to the governor a prioritized list of all local projects to be funded under section 6(1) (b), (c), and (d) of this act. The governor may remove projects from the list recommended by the committee and shall submit this amended list in the capital budget request to the legislature. The list shall include, but not be limited to, a description of each project and any particular match requirement, and describe for each project any anticipated restrictions upon recreational activities allowed prior to the project.

(9) If the governor removes a project or projects from the list submitted by the committee, the committee shall recommend an additional project or projects.

NEW SECTION. Sec. 9. The committee shall not sign contracts or otherwise financially obligate funds from the habitat conservation account or the outdoor recreation account as provided in this chapter before the legislature has appropriated funds for a specific list of projects. The legislature may remove projects from the list recommended by the governor.

NEW SECTION. Sec. 10. Moneys made available under this chapter for land acquisition shall not be used to acquire land through condemnation.

NEW SECTION. Sec. 11. On or before November 1st of each odd-numbered year, the committee shall submit to the governor and the standing committees of the legislature dealing with fiscal affairs, fish and wildlife, and natural resources a report detailing the acquisitions and development projects funded under this chapter during the immediately preceding biennium.

NEW SECTION. Sec. 12. 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. 13. (1) To ensure that the most important wildlife habitat and outdoor recreation sites are not lost to development or converted to other uses during the next twelve months, the sum of thirty-one million dollars, or as much thereof as may be necessary, is appropriated from the habitat conservation account, and thirty-one million dollars, or as much thereof as may be necessary, is appropriated from the outdoor recreation account, to the interagency committee for outdoor recreation, for the fiscal biennium ending June 30, 1991.

(2) The appropriations in this section for the habitat conservation account and the outdoor recreation account shall be expended to acquire projects recommended by the committee to the governor by March 31, 1990. The governor may remove projects from the list and shall approve by April 15, 1990, a list of projects to be acquired for the fiscal biennium ending June 30, 1991.

(3) Up to five million dollars of this appropriation may be spent from the habitat conservation account for emergency acquisition of threatened or newly available properties.

(4) Up to five million dollars of this appropriation may be spent from the outdoor recreation account for emergency acquisition of threatened or newly available properties.

(5) Acquisitions made with funds appropriated by this section shall be completed to the extent possible within available funds. If a site has been converted, or the owner is not willing to sell, the committee shall select from the list until all funds have been expended. The committee shall not approve a project of a local agency where the share contributed by the local agency is less than the amount awarded by the state.

NEW SECTION. Sec. 14. Sections 1 through 12 of this act shall constitute a new chapter in Title 43 RCW.

NEW SECTION. Sec. 15. 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 shall take effect immediately."

On page 1, line 2 of the title, after "recreation;" strike the remainder of the title and insert "adding a new chapter to Title 43 RCW; making an appropriation; and declaring an emergency."

Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Hargrove, H. Myers and Raiter.

MINORITY recommendation: Do not pass. Signed by Representative Fuhrman.

Absent: Representative Sayan.

Referred to Committee on Capital Facilities & Financing.

February 20, 1990

SSB 6446 Prime Sponsor, Committee on Energy & Utilities: Revising provisions for public water systems. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representative H. Myers, Vice Chair.

Referred to Committee on Appropriations.

February 20, 1990

SB 6451 Prime Sponsor, Senator McDonald: Modifying the cigarette tax. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Fraser, Fuhrman, Grant, Morris, Phillips, Rust, H. Sommers and Van Luven.

Absent: Representatives Appelwick, Basich, Haugen and Silver.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6453 Prime Sponsor, Committee on Financial Institutions & Insurance: Authorizing the supervisor of banking to examine agricultural lenders participating in loan guaranty programs. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Baugher, Beck, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative Anderson.

Referred to Committee on Appropriations.

February 20, 1990

SB 6464 Prime Sponsor, Senator Patrick: Exempting law enforcement officers from commercial driver's license requirements. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 7, chapter 178, Laws of 1989 and RCW 46.25.050 are each amended to read as follows:

(1) Drivers of commercial motor vehicles shall obtain a commercial driver's license as required under this chapter by April 1, 1992. The director shall establish a program to convert all qualified commercial motor vehicle drivers by that date. After April 1, 1992, except when driving under a commercial driver's instruction permit and a valid automobile or classified license and accompanied by the holder of a commercial driver's license valid for the vehicle being driven, no person may drive a commercial motor vehicle unless the person holds and is in immediate possession of a commercial driver's license and applicable endorsements valid for the vehicle they are driving. However, this requirement does not apply to any person:

(a) Who is the operator of a farm vehicle, and the vehicle is:

(i) Controlled and operated by a farmer;

(ii) Used to transport either agricultural products, farm machinery, farm supplies, or any combination of those materials to or from a farm;

(iii) Not used in the operations of a common or contract motor carrier; and

(iv) Used within one hundred fifty miles of the person's farm; ~~((and~~

~~(v) Not transporting hazardous materials required to be identified by a placard;))~~ or

(b) Who is a fire fighter or law enforcement officer operating emergency equipment, and:

(i) The fire fighter or law enforcement officer has successfully completed a driver training course approved by the director; and

(ii) The fire fighter or law enforcement officer carries a certificate attesting to the successful completion of the approved training course; or

(c) Who is operating a recreational vehicle for noncommercial purposes. As used in this section, 'recreational vehicle' includes a vehicle towing a horse trailer for a noncommercial purpose.

(2) No person may drive a commercial motor vehicle while his or her driving privilege is suspended, revoked, or canceled, while subject to disqualification, or in violation of an out-of-service order. Violations of this subsection shall be punished in the same way as violations of RCW 46.20.342(1)."

In line 2 of the title, starting with "and" strike the remainder of the title, and insert "and amending RCW 46.25.050."

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betrozoff, Cooper, Day, G. Fisher, Gallagher, Hankins, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Cantwell, Haugen, Jones, Kremen and S. Wilson.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 6520 Prime Sponsor, Senator Lee: Giving the department of health responsibility for matters relating to nonionizing radiation. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Referred to Committee on Appropriations.

February 21, 1990

SB 6533 Prime Sponsor, Senator Owen: Changing provisions relating to school suspension. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzozoff, Ranking Republican Member; Brumsickle, Dorn, Jones, P. King, Phillips, Pruitt, Rasmussen, Walker and K. Wilson.

MINORITY recommendation: Do not pass. Signed by Representatives Cole, Rayburn and Schoon.

Absent: Representatives Fuhrman, Holland, Horn and Valle.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 6558 Prime Sponsor, Senator Conner: Allowing the department of licensing to waive the driving examination for certain driver's license applicants. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzozoff, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Cantwell, Haugen, Jones, Kremen and S. Wilson.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6562 Prime Sponsor, Senator Craswell: Creating additional superior court positions in Kitsap and Thurston counties. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Locke and Wineberry.

Referred to Committee on Appropriations.

February 21, 1990

SB 6564 Prime Sponsor, Senator von Reichbauer: Removing the pooling of funds by commercial fishers from the definition of insurer under the insurance code. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Baugher, Beck, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative Anderson.

Passed to Committee on Rules for second reading.

February 20, 1990

SSB 6573 Prime Sponsor, Committee on Energy & Utilities: Revising the administration of the energy facility site evaluation council. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6626 Prime Sponsor, Committee on Higher Education: Requiring an assessment of higher education needs of placebound students. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Rector and Wood.

Absent: Representative Prince.

Referred to Committee on Appropriations.

February 21, 1990

SB 6640 Prime Sponsor, Senator McMullen: Expanding the use of hotel-motel tax revenues to develop tourism strategies. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Horn, Assistant Ranking Republican Member; Basich, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust, H. Sommers and Van Luven.

Voting nay: Representative Fuhrman.

Absent: Representatives Holland, Ranking Republican Member; Appelwick and Silver.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 6652 Prime Sponsor, Senator McDonald: Revising penalties on cigarette taxes. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendment:
On page 2, line 18, strike "July" and insert "January"

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Fraser, Fuhrman, Grant, Morris, Phillips, Rust, H. Sommers and Van Luven.

Absent: Representatives Appelwick, Basich, Haugen and Silver.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6681 Prime Sponsor, Committee on Education: Changing provisions relating to the lease or rental of surplus real property owned by a school district. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 18, after "where" insert ", due to proximity to an international airport."

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Walker and K. Wilson.

Absent: Representatives Fuhrman, Holland, Horn and Valle.

Passed to Committee on Rules for second reading.

February 20, 1990

SB 6727 Prime Sponsor, Senator Kreidler: Regulating sale of valuable material, including shellfish, from state-owned aquatic lands. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 27, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.90.210 are each amended to read as follows:

All sales of tidelands and shorelands belonging to the state, otherwise permitted by RCW 79.94.150 to be sold, shall be at public auction and all sales of valuable materials shall be at public auction or by sealed bid to the highest responsible bidder, on the terms prescribed by law and as specified in the notice provided, and no land or materials shall be sold for less than their appraised value: PROVIDED, That when valuable material has been appraised at an amount not exceeding ((twenty)) one hundred thousand dollars, the department of natural resources, when authorized by the board of natural resources, may arrange for the sale at public auction of said valuable material and for its removal under such terms and conditions

as the department may prescribe, after the department shall have caused to be published not less than ten days prior to sale a notice of such sale in a newspaper of general circulation located nearest to the property to be sold(~~(- PROVIDED FURTHER- That))~~). However, any sale of valuable material on aquatic lands of an appraised value of ~~((one))~~ ten thousand dollars or less may be sold directly to the applicant for cash without notice or advertising.

NEW SECTION. Sec. 2. A new section is added to chapter 79.90 RCW to read as follows:

(1) To determine the 'highest responsible bidder' under RCW 79.90.210, the department of natural resources shall be entitled to consider, in addition to price, the following:

- (a) The financial and technical ability of the bidder to perform the contract;
- (b) Whether the bid contains material defects;
- (c) Whether the bidder has previously or is currently complying with terms and conditions of any other contracts with the state or relevant contracts with entities other than the state;
- (d) Whether the bidder has been convicted of a crime relating to the public lands or natural resources of the state of Washington, the United States, or any other state, tribe, or country, where 'conviction' shall include a guilty plea, or unvacated forfeiture of bail;
- (e) Whether the bidder is owned, controlled, or managed by any person, partnership, or corporation that is not responsible under this statute; and
- (f) Whether the subcontractors of the bidder, if any, are responsible under this statute.

(2) Whenever the department has reason to believe that the apparent high bidder is not a responsible bidder, the department may award the sale to the next responsible bidder or the department may reject all bids pursuant to RCW 79.90.240.

Sec. 3. Section 30, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.90.240 are each amended to read as follows:

(1) A sale of valuable materials or tidelands or shorelands otherwise permitted by RCW 79.94.150 to be sold shall be confirmed if:

(a) No affidavit showing that the interest of the state in such sale was injuriously affected by fraud or collusion, ~~((shall be))~~ is filed with the commissioner of public lands within ten days from the receipt of the report of the auctioneer conducting the sale ~~((of any tidelands or shorelands belonging to the state, otherwise permitted by RCW 79.94.150 to be sold, or valuable materials located within or upon any aquatic lands, and));~~

(b) It shall appear from such report that the sale was fairly conducted, that the purchaser was the highest responsible bidder at such sale, and that ~~((his bid was))~~ the sale price is not less than the appraised value of the property sold~~((- if))~~;

(c) The commissioner ~~((shall be))~~ is satisfied that the lands~~((:))~~ or material~~((:))~~ sold would not, upon being readvertised and offered for sale, sell for ~~((at least ten percent more than the price at which it shall have been sold.))~~ a substantially higher price; and

(d) The payment required by law to be made at the time of making the sale~~((:))~~ has been made, and that the best interests of the state may be subserved thereby~~((:))~~.

(2) Upon confirming a sale, the commissioner shall enter upon his records ~~((a))~~ the confirmation of sale and thereupon issue to the purchaser a contract of sale or bill of sale as the case may be, as is provided for in this chapter.

Sec. 4. Section 141, chapter 21, Laws of 1982 1st ex. sess. and RCW 79.96.080 are each amended to read as follows:

(1) Geoducks shall be sold as valuable materials under the provisions of chapter 79.90 RCW. After confirmation of the sale, the department of natural resources may enter into ~~((leases or harvesting))~~ an agreement~~((s))~~ with the purchaser for the harvesting of geoducks. The department of natural resources may place terms and conditions in the ~~((leases or))~~ harvesting agreements as the department deems necessary. The department of natural resources may enforce the provisions of any ~~((lease or))~~ harvesting agreement by suspending or cancelling the ~~((lease or))~~ harvesting agreement or through any other means contained in the ~~((lease or))~~ harvesting agreement. ~~((The department of natural resources may cancel any lease or harvesting agreement upon receiving a report from the department of fisheries of the person's second violation of the geoduck licensing or harvesting provisions under Title 75 RCW.))~~ Any ~~((lessee))~~ geoduck harvester may terminate a ~~((lease))~~ harvesting agreement entered into pursuant to this subsection if actions of a governmental agency, beyond the control of the ~~((lessee))~~ harvester, its agents, or its employees, prohibit harvesting, for a period exceeding thirty days~~((:))~~ during the term of the harvesting agreement, except as provided within the agreement. Upon such termination of the ~~((lease))~~ agreement by the harvester, the ~~((lessee))~~ harvester shall be reimbursed by the ~~((lessor))~~ department of natural resources for the cost paid to the department on the ~~((lease))~~ agreement, less the value of the harvest already accomplished by the ~~((lessee or the leasehold))~~ harvester under the agreement.

(2) ~~((After May 8, 1979, all leases or))~~ Harvesting agreements under this title for the purpose of harvesting geoducks ~~((claims))~~ shall require the ~~((lessee))~~ harvester and the ~~((lessee's))~~ harvester's agent or representatives to comply with all applicable commercial diving safety standards and regulations promulgated and implemented by the federal occupational safety and health administration established under the federal occupational safety and health act of 1970 as such law exists ~~((on July 1, 1983))~~ or as hereafter amended (84 Stat. 1590 et seq.: 29 U.S.C. Sec. 651 et seq.): PROVIDED, That for the purposes of this section and RCW 75.24.100 as

now or hereafter amended, all persons who dive for geoducks are deemed to be employees as defined by the federal occupational safety and health act. All ~~((leases)) harvesting agreements~~ shall provide that failure to comply with these standards is cause for suspension or cancellation of the ~~((lease)) harvesting agreement~~; PROVIDED FURTHER, That for the purposes of this subsection if the ~~((lessee is the holder of a tract license and))~~ harvester contracts with another person or entity for the harvesting of geoducks, the ~~((lease)) harvesting agreement~~ shall not be suspended or canceled if the ~~((lessee)) harvester~~ terminates its business relationship with such entity until compliance with ~~((the)) this~~ subsection is secured.

Sec. 5. Section 5, chapter 141, Laws of 1979 ex. sess. as amended by section 129, chapter 46, Laws of 1983 1st ex. sess. and RCW 79.96.085 are each amended to read as follows:

The department of natural resources shall designate the areas of aquatic lands owned by the state ~~((which)) that~~ are available for geoduck harvesting by licensed geoduck harvesters in accordance with ~~((RCW 79.91.124)) chapter 79.90 RCW~~.

Sec. 6. Section 4, chapter 253, Laws of 1969 ex. sess. as last amended by section 13, chapter 316, Laws of 1989 and RCW 75.28.287 are each amended to read as follows:

~~((1) A geoduck tract license is required for the commercial harvest of geoducks from each subtidal tract for which harvest rights have been granted by the department of natural resources. Unless adjusted by the director pursuant to the director's authority granted in RCW 75.28.065, the annual license fee is one hundred thirty-five dollars for residents and two hundred seventy dollars for nonresidents.~~

~~((2)) Every diver engaged in the commercial harvest of geoduck or other clams shall obtain a nontransferable geoduck diver license.~~

Sec. 7. Section 7, chapter 141, Laws of 1979 ex. sess. as last amended by section 4, chapter 80, Laws of 1984 and RCW 75.10.140 are each amended to read as follows:

(1) In addition to the penalties prescribed in RCW 75.10.110 and 75.10.120, the director may revoke geoduck diver licenses ~~((or geoduck tract licenses))~~ held by a person if:

~~((a)) within a five-year period that person is convicted or has an unvacated bail forfeiture for two or more violations of this title or rules of the director relating to geoduck licensing or harvesting~~ ~~((or~~

~~((b) The department of natural resources suspended or canceled the lease or harvesting agreement under RCW 79.96.080.~~

~~((2) When a geoduck tract licensee permits a person to harvest geoducks on that tract, each violation by that person of this title or rules of the director relating to geoduck licensing or harvesting resulting in: (a) Conviction or unvacated forfeiture of bail; or (b) suspension or cancellation of the lease or harvesting agreement by the department of natural resources under RCW 79.96.080; shall be imputed to the tract licensee for the purpose of computing the number of violations by the tract licensee under subsection (1) of this section).~~

~~((3)) (2) Except as provided in subsection ~~((4)) (3)~~ of this section, the director shall not issue a geoduck diver license ~~((or geoduck tract license))~~ to a person who has had a license revoked. This prohibition is effective for one year after the revocation.~~

~~((4)) (3) Appeals of revocations under this section may be taken under the judicial review provisions of chapter 34.05 RCW. If the license revocation is determined to be invalid, the director shall reissue the license to that person.~~

NEW SECTION. Sec. 8. A new section is added to chapter 79.01 RCW to read as follows:

The department of natural resources is authorized to offer and pay a reward not to exceed one thousand dollars in each case for information regarding violations of any statute or rule adopted pursuant to any statute relating to the state's public lands and natural resources including, but not limited to, Titles 75, 76, 78, and 79 RCW, and any rule adopted pursuant thereto. No reward may be paid to any federal, state, or local government or agency employees for information obtained by them in the normal course of their employment. The department of natural resources is authorized to promulgate rules in pursuit of its authority under this section to determine the appropriate account or fund from which to pay the reward. No appropriation shall be required for disbursement.

NEW SECTION. Sec. 9. A new section is added to chapter 79.96 RCW to read as follows:

(1) If a person wrongfully takes shellfish or causes shellfish to be wrongfully taken from the public lands and the wrongful taking is intentional and knowing, then the person shall be liable for damages of treble the fair market retail value of the amount of shellfish wrongfully taken. If a person wrongfully takes shellfish from the public lands under other circumstances, then the person shall be liable for damages of double the fair market value of the amount of shellfish wrongfully taken.

(2) For purposes of this section, a person 'wrongfully takes' shellfish from public lands if the person takes shellfish: (a) Above the limits of any applicable laws that govern the harvest of shellfish from public lands; (b) without reporting the harvest to the department of fisheries or the department of natural resources where such reporting is required by law or contract; (c) outside the area or above the limits that an agreement or contract from the department of natural resources allows the harvest of shellfish from public lands; or (d) without a lease or purchase of the shellfish where such lease or purchase is required by law prior to harvest of the shellfish.

(3) The remedies in this section are for civil damages and shall be proved by a preponderance of the evidence. The department of natural resources may file a civil action in Thurston county superior court or the county where the shellfish were taken against any person liable under this section. Damages recovered under this section shall be applied in the same way as received under geoduck harvesting agreements authorized by RCW 79.96.080.

(4) For purposes of the remedies created by this section, the amount of shellfish wrongfully taken by a person may be established either:

(a) By surveying the aquatic lands to reasonably establish the amount of shellfish taken from the immediate area where a person is shown to have been wrongfully taking shellfish;

(b) By weighing the shellfish on board any vessel or in possession of a person shown to be wrongfully taking shellfish; or

(c) By any other evidence that reasonably establishes the amount of shellfish wrongfully taken.

The amount of shellfish established by (a) or (b) of this subsection shall be presumed to be the amount wrongfully taken unless the defendant shows by a preponderance of evidence that the shellfish were lawfully taken or that the defendant did not take the shellfish presumed to have been wrongfully taken. Whenever there is reason to believe that shellfish in the possession of any person were wrongfully taken, the department of natural resources or the department of fisheries may require the person to proceed to a designated off-load point and to weigh all shellfish in possession of the person or on board the person's vessel.

(5) This civil remedy is supplemental to the state's power to prosecute any person for theft of shellfish, for other crimes where shellfish are involved, or for violation of regulations of the department of fisheries."

On page 1, line 2 of the title, after "lands;" strike the remainder of the title and insert "amending RCW 79.90.210, 79.90.240, 79.96.080, 79.96.085, 75.28.287, and 75.10.140; adding a new section to chapter 79.01 RCW; adding a new section to chapter 79.90 RCW; adding a new section to chapter 79.96 RCW; creating a new section; and prescribing penalties."

Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers and Raiter.

Absent: Representative Sayan.

Passed to Committee on Rules for second reading.

February 20, 1990

2SSB 6780

Prime Sponsor, Committee on Ways & Means: Establishing farmworker housing inspection procedures and standards. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 43.70 RCW to read as follows:

The legislature finds that the demand for housing for migrant and seasonal farmworkers far exceeds the supply of adequate housing in the state of Washington. In addition, increasing numbers of these housing units are in deteriorated condition because they cannot be economically maintained and repaired.

The legislature further finds that the lack of a clear program for the regulation and inspection of farmworker housing has impeded the construction and renovation of housing units in this state.

It is the purpose of this act for the various agencies involved in the regulation of farmworker housing to coordinate and consolidate their activities to provide for efficient and effective monitoring of farmworker housing. It is intended that this action will provide greater responsiveness in dealing with public concerns over farmworker housing, and allow greater numbers of housing units to be built.

NEW SECTION, Sec. 2. A new section is added to chapter 43.70 RCW to read as follows:

(1) The department of health shall be the primary inspector of labor camps and farmworker housing for the state of Washington: PROVIDED, That the department of labor and industries shall be the inspector for all farmworker housing not covered by the authority of the state board of health.

(2) The department of health, the department of labor and industries, the department of community development, the state board of health, and the employment security department shall develop an interagency agreement defining the rules and responsibilities for the inspection of farmworker housing. This agreement shall recognize the department of health as the primary inspector of labor camps for the state, and shall further be designed to provide a central information center for public information and education regarding farmworker housing. The agencies shall provide the legislature with a report on the results of this agreement by January 1, 1991.

NEW SECTION. Sec. 3. A new section is added to chapter 43.70 RCW to read as follows:

(1) The farmworker housing inspection fund is established in the custody of the state treasury. The department of health shall deposit all funds received under subsection (2) of this section and from the legislature to administer a labor camp inspection program conducted by the department of health. Disbursement from the fund shall be on authorization of the secretary of health or the secretary's designee. The fund is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

(2) There is imposed a fee on each operating license issued by the department of health to every operator of a labor camp that is regulated by the state board of health. The fee paid under this subsection shall include all necessary inspection of the units to ensure compliance with applicable state board of health rules on labor camps.

(a) Fifty dollars shall be charged for each labor camp containing six or less units.

(b) Seventy-five dollars shall be charged for each labor camp containing more than six units.

(3) The term of the operating license and the application procedures shall be established, by rule, by the department of health.

Sec. 4. Section 1, chapter 231, Laws of 1969 ex. sess. and RCW 70.54.110 are each amended to read as follows:

The state board of health shall develop rules for labor camps, which shall include as a minimum the standards developed under the Washington industrial safety and health act in chapter 49.17 RCW as relates to sanitation and temporary labor camps.

All new housing and new construction together with the land areas appurtenant thereto which shall be started on and after May 3, 1969, and is to be provided by employers, growers, management, or any other persons, for occupancy by workers or by workers and their dependents, in agriculture, shall comply with the rules and regulations of the state board of health pertaining to labor camps (~~as filed with the office of the code reviser on November 29, 1968 and future amendments and revisions thereof~~).

NEW SECTION. Sec. 5. A new section is added to chapter 43.63A RCW to read as follows:

The department shall develop, and make available to the public, model or prototype construction plans and manuals for several types of farmworker housing, including but not limited to seasonal housing for individuals and families, campgrounds, and recreational vehicle parks. Any person or organization intending to construct farmworker housing may adopt one or more of these models as the plan for the proposed housing.

NEW SECTION. Sec. 6. A new section is added to chapter 43.63A RCW to read as follows:

The department shall work with the departments of natural resources, transportation, and general administration to identify and catalog under-utilized, state-owned land and property for possible lease. The department shall provide an inventory of real property that is owned or administered by each agency and is available for lease. The inventories shall be provided to the department by November 1, 1990, with inventory revisions provided each November 1 thereafter. The department shall assist local governments, public housing authorities, public nonprofit organizations, and private nonprofit organizations in obtaining long-term leases of suitable and available sites. The leases shall be for the purpose of providing sites to be used for affordable housing for farmworkers.

NEW SECTION. Sec. 7. A new section is added to chapter 36.34 RCW to read as follows:

If a county owns property that is located anywhere within the county, including within the limits of a city or town, and that is suitable for seasonal or migrant farmworker housing, the legislative authority of the county may, by negotiation, lease the property for seasonal or migrant farmworker housing for a term not to exceed seventy-five years to any public housing authority or nonprofit organization that has demonstrated its ability to construct or operate housing for seasonal or migrant farmworkers. Leases for housing for migrant and seasonal farmworkers shall not be subject to any requirement of periodic rental adjustments, as provided in RCW 36.34.180, but shall provide for such fixed annual rents as appear reasonable considering the public, social, and health benefits to be derived by providing an adequate supply of safe and sanitary housing for migrant and seasonal farmworkers.

NEW SECTION. Sec. 8. To carry out this act, the sum of one hundred twenty-five thousand dollars, or as much thereof as may be necessary, is appropriated from the state general fund for the biennium ending June 30, 1991. The appropriation is subject to the following limitations and conditions:

(1) Not less than sixty-five thousand dollars, to the department of community development, for the purposes of section 5 of this act; and

(2) Not less than sixty thousand dollars, to the department of health, for the purposes of section 3 of this act."

On page 1, line 1 of the title, after "standards," strike the remainder of the title and insert "amending RCW 70.54.110; adding new sections to chapter 43.70 RCW; adding new sections to chapter 43.63A RCW; adding a new section to chapter 36.34 RCW; and making an appropriation."

Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Padden, Rector and Todd.

Absent: Representatives Ballard, Inslee and Todd.

Referred to Committee on Appropriations.

February 21, 1990

SB 6822 Prime Sponsor, Senator Bluechel: Exempting small timber harvesters from business and occupation tax.

Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8, after "84.33.073" insert "and whose value of products, gross proceeds of sales, or gross income of the business is less than one hundred thousand dollars per tax year"

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Horn, Assistant Ranking Republican Member; Basich, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, H. Sommers and Van Luven.

Voting nay: Representative Rust.

Absent: Representatives Holland, Ranking Republican Member; Appelwick and Silver.

Passed to Committee on Rules for second reading.

February 20, 1990

SSB 6827 Prime Sponsor, Committee on Energy & Utilities: Studying state-wide 911. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, Jesernig, May, R. Meyers, Miller and S. Wilson.

Absent: Representative H. Myers, Vice Chair.

Referred to Committee on Appropriations.

February 21, 1990

SJM 8018 Prime Sponsor, Senator Conner: Requesting congress to pass legislation concerning taxation of pensions. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Horn, Assistant Ranking Republican Member; Basich, Brumsickle, Fraser, Haugen, Morris, Phillips, Rust and Van Luven.

Absent: Representatives Holland, Ranking Republican Member; Appelwick and Silver.

Passed to Committee on Rules for second reading.

February 21, 1990

SJM 8025 Prime Sponsor, Senator von Reichbauer: Petitioning Congress to support the earthquake project. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Baugher, Beck, Crane, Day, Dorn, Inslee, P. King, Nutley, Schmidt, K. Wilson and Winsley.

Absent: Representative Anderson.

Passed to Committee on Rules for second reading.

February 20, 1990

2SSJR 8212 Prime Sponsor, Committee on Ways & Means: Amending the Constitution to allow property devoted to low-income housing to be taxed based on its current use value. Reported by Committee on Housing

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 13, after "beauty," strike "or"

On page 1, line 15, after "devoted" insert "primarily"

On page 1, line 16, after "units," insert "or (d) of property that is used for a mobile home park."

Signed by Representatives Nutley, Chair; Leonard, Vice Chair; Winsley, Ranking Republican Member; Anderson, Padden, Rector and Todd.

Absent: Representatives Ballard and Inslee.

Referred to Committee on Revenue.

MOTION

On motion of Mr. Heavey, the bills, memorials and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

MOTION

On motion of Mr. Heavey, the House adjourned until 10:00 a.m., Friday, February 23, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FORTY-SEVENTH DAY

MORNING SESSION

House Chamber, Olympia, Friday, February 23, 1990

The House was called to order at 10:00 a.m. by the Speaker. The Clerk called the roll and all members were present except Representatives Brooks, Crane, R. Meyers and Prince. On motion of Ms. Fraser, Representatives Crane and R. Meyers were excused. On motion of Ms. Miller, Representatives Brooks and Prince were excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Seth King and Adam King. Prayer was offered by the Reverend Hendrick Laur, Minister of the Gull Harbor Lutheran Church of Olympia.

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

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

REPORTS OF STANDING COMMITTEES

February 21, 1990

SSB 5007 Prime Sponsor, Committee on Ways & Means: Establishing the international marketing internship program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon and Tate.

Absent: Representatives Raiter and Tate.

Referred to Committee on Appropriations.

February 22, 1990

SSB 5146 Prime Sponsor, Committee on Environment & Natural Resources: Providing a Hood Canal marine fish preservation area. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 21, after "within" strike "one-half mile of" and insert "close proximity to"

On page 1, line 22, after "within" strike "one-half mile of" and insert "close proximity to"

On page 1, beginning on line 26, strike all material through "opportunity." on page 2, line

Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Bowman, Brooks and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives Basich, Cole, Haugen, Smith and Spanel.

Referred to Committee on Revenue.

February 22, 1990

ESSB 5290 Prime Sponsor, Committee on Environment & Natural Resources: Enhancing salmon resources. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 5328 Prime Sponsor, Committee on Economic Development & Labor: Revising provisions for the community economic revitalization board. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 12, after "area" insert "and that will create employment for Washington state residents"

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representatives Raiter and Tate.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 5484 Prime Sponsor, Senator Thorsness: Creating Washington national guard day. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representatives Morris and Silver.

Passed to Committee on Rules for second reading.

February 21, 1990

ESSB 5545 Prime Sponsor, Committee on Higher Education: Establishing the state board for vocational education. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. As used in this chapter the following definitions shall apply:

(1) 'Board' means the state board for vocational education.

(2) 'Vocational education' means a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations, and home and family life programs, which are not designated as professional or requiring a baccalaureate or higher degree.

NEW SECTION. Sec. 2. (1) The state board for vocational education is hereby created as a state agency and as the successor agency to the commission for vocational education. The board shall have authority to carry out any existing statutory duties formerly administered by the commission and other duties assigned by the governor. The board shall be composed of five members consisting of the governor, the superintendent of public instruction, the director of the state board for community college education, one representative of organized labor appointed by the governor, and one representative of business appointed by the governor. Each board member may appoint a designee to function in his or her place with the right to vote. The governor shall appoint an executive director of the board. The board may delegate, by resolution, to the executive director any of its duties or responsibilities. The board may also delegate by interagency agreement its responsibilities under the Washington award for vocational excellence program to any existing state agency, board, or council. The board may employ such other personnel as may be necessary to carry out the purposes of this chapter.

(2) All references to the commission for vocational education in the Revised Code of Washington shall be construed to mean the state board for vocational education.

NEW SECTION. Sec. 3. The board may adopt such rules as are necessary to comply with the intent of this chapter in accordance with chapter 34.05 RCW, the administrative procedure act, and adopt such bylaws as deemed necessary to the business of the board. Rules of the commission for vocational education shall remain in effect until the board acts to adopt or revoke those rules.

NEW SECTION. Sec. 4. Members of the board shall be compensated in accordance with RCW 43.03.240 and will receive travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Sec. 5. Section 2, chapter 299, Laws of 1986 and RCW 28C.10.020 are each amended to read as follows:

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

(1) 'Agency' means the ((commission)) state board for vocational education or its successor.

(2) 'Agent' means a person owning an interest in, employed by, or representing for remuneration a private vocational school within or without this state, who enrolls or personally attempts to secure the enrollment in a private vocational school of a resident of this state, offers to award educational credentials for remuneration on behalf of a private vocational school, or holds himself or herself out to residents of this state as representing a private vocational school for any of these purposes.

(3) 'Degree' means any designation, appellation, letters, or words including but not limited to 'associate,' 'bachelor,' 'master,' 'doctor,' or 'fellow' which signify or purport to signify satisfactory completion of an academic program of study beyond the secondary school level.

(4) 'Education' includes but is not limited to, any class, course, or program of training, instruction, or study.

(5) 'Educational credentials' means degrees, diplomas, certificates, transcripts, reports, documents, or letters of designation, marks, appellations, series of letters, numbers, or words which signify or appear to signify enrollment, attendance, progress, or satisfactory completion of the requirements or prerequisites for any educational program.

(6) 'Entity' includes, but is not limited to, a person, company, firm, society, association, partnership, corporation, or trust.

(7) 'Private vocational school' means any location where an entity offering postsecondary education in any form or manner for the purpose of instructing, training, or preparing persons for any vocation or profession.

(8) 'To grant' includes to award, issue, sell, confer, bestow, or give.

(9) 'To offer' includes, in addition to its usual meanings, to advertise or publicize. 'To offer' also means to solicit or encourage any person, directly or indirectly, to perform the act described.

(10) 'To operate' means to establish, keep, or maintain any facility or location where, from, or through which education is offered or educational credentials are offered or granted to residents of this state, and includes contracting for the performance of any such act.

Sec. 6. Section 3, chapter 299, Laws of 1986 and RCW 28C.10.030 are each amended to read as follows:

This chapter does not apply to:

(1) Bona fide trade, business, professional, or fraternal organizations sponsoring educational programs primarily for that organization's membership or offered by that organization on a no-fee basis;

(2) Entities offering education that is exclusively avocational or recreational;

(3) Education not requiring payment of money or other consideration if this education is not advertised or promoted as leading toward educational credentials;

(4) Entities that are established, operated, and governed by this state or its political subdivisions under Title 28A, 28B, or 28C RCW;

(5) Degree-granting programs in compliance with the rules of the higher education coordinating board;

(6) Any other entity to the extent that it has been exempted from some or all of the provisions of this chapter under RCW 28C.10.100;

(7) Entities not otherwise exempt that are of a religious character, but only as to those educational programs exclusively devoted to religious or theological objectives and represented accurately in institutional catalogs or other official publications;

(8) Entities offering only courses certified by the federal aviation administration;

(9) Barber and cosmetology schools licensed under chapter 18.16 RCW;

(10) Entities which only offer courses approved to meet the continuing education requirements for licensure under chapters 18.04, 18.78, 18.88, or 48.17 RCW; and

(11) Entities not otherwise exempt offering only workshops or seminars lasting no longer than three calendar days.

Sec. 7. Section 5, chapter 299, Laws of 1986 as amended by section 3, chapter 459, Laws of 1987 and RCW 28C.10.050 are each amended to read as follows:

(1) The agency shall adopt by rule minimum standards for private vocational schools. The minimum standards shall include, but not be limited to, requirements for each school to:

(a) Disclose to the agency information about its ownership and financial position and to demonstrate that it has sufficient financial resources to fulfill its commitments to students. Financial disclosures provided to the agency shall not be subject to public disclosure under chapter 42.17 RCW((:));

(b) Follow a uniform state-wide cancellation and refund policy as specified by the agency((:));

(c) Disclose through use of a school catalog, brochure, or other written material, necessary information to students so that students may make informed enrollment decisions. The agency shall specify what information is required((:));

(d) Use an enrollment contract or agreement that includes: (i) The cancellation and refund policy, (ii) a brief statement that the school is licensed under this chapter and that inquiries may be made to the agency, and (iii) other necessary information as determined by the agency((:));

(e) Describe accurately and completely in writing to students before their enrollment prerequisites and requirements for (i) completing successfully the programs of study in which they are interested and (ii) qualifying for the fields of employment for which their education is designed(;;):

(f) Comply with the requirements of RCW 28C.10.084(;;):

((?)) (g) Assess the basic skills and relevant aptitudes of each potential student to determine that a potential student has the basic skills and relevant aptitudes necessary to complete and benefit from the program in which the student plans to enroll. Guidelines for such assessments shall be developed by the agency, in consultation with the schools. The method of assessment shall be reported to the agency. Assessment records shall be maintained in the student's file:

(h) Discuss with each potential student the potential student's obligations in signing any enrollment contract and/or incurring any debt for educational purposes. The discussion shall include the inadvisability of acquiring an excessive educational debt burden that will be difficult to repay given employment opportunities and average starting salaries in the potential student's chosen occupation.

(2) Any enrollment contract shall have an attachment in a format provided by the agency. The attachment shall be signed by both the school and the student. The attachment shall stipulate that the school has complied with subsection (1)(h) of this section and that the student understands and accepts his or her responsibilities in signing any enrollment contract or debt application. The attachment shall also stipulate that the enrollment contract shall not be binding for at least five days, excluding Sundays and holidays, following signature of the enrollment contract by both parties.

(3) The agency shall deny, revoke, or suspend the license of any school that does not meet or maintain the minimum standards.

Sec. 8. Section 1, chapter 459, Laws of 1987 and RCW 28C.10.084 are each amended to read as follows:

(1) The agency shall establish, maintain, and administer a tuition recovery fund. All funds collected for the tuition recovery fund are payable to the state for the benefit and protection of any student or enrollee of a private vocational school licensed under this chapter, or, in the case of a minor, his or her parents or guardian, for purposes including but not limited to the settlement of claims procedures under subsection (9) of this section and RCW 28C.10.120. The fund shall be liable for settlement of claims and costs of administration but shall not be liable to pay out or recover penalties assessed under RCW 28C.10.130 or 28C.10.140. No liability accrues to the state of Washington from claims made against the fund.

(2) To be and remain licensed under this chapter each entity shall, in addition to other requirements under this chapter, make cash deposits into a tuition recovery fund as a means to assure payment of claims brought under this chapter. The fund shall be initially capitalized at two hundred thousand dollars and shall achieve an operating balance of at least one million dollars within five years after May 18, 1987, as required under subsection (5) of this section.

(3) The amount of liability that can be satisfied by this fund on behalf of each individual entity licensed under this chapter shall be established by the agency, based on an incremental scale that recognizes the average amount of unearned prepaid tuition in possession of the entity. However, the minimum amount of liability for any entity shall not be less than five thousand dollars and the maximum amount shall not exceed two hundred thousand dollars. Such limitation on each entity's liability remains unchanged by single or cumulative disbursements made on behalf of the entity. The upper limit of liability is reestablished following the settlement of any claim.

(4) Within sixty days after any entity deposits its initial contribution into the fund, the agency shall release whatever surety such entity had previously filed. Thereupon, the tuition recovery fund shall be liable for a period of one year following the date such surety is released with respect to prior claims against the surety. However, the liability of the fund is limited to the amount of and subject to the defenses of that released surety as though it had remained on file with the agency. The fund's liability with respect to each entity that makes an initial deposit into the fund commences on that date and ceases one year from the date it is no longer licensed under this chapter.

(5) The agency shall adopt by rule a matrix for calculating the deposits into the fund required of each entity. Proration shall be determined by factoring the entity's share of liability in proportion to the aggregated liability of all participants under the fund by grouping such prorations under the incremental scale created in subsection (3) of this section. Expressed as a percentage of the total liability, that figure determines the amount to be contributed when factored into a fund containing one million dollars. The total amount of its prorated share, minus the amount paid for initial capitalization, shall be payable in ten equal increments over a five-year period, commencing with the sixth month after May 18, 1987. Additionally, the agency shall require deposits for initial capitalization, under which the amount each entity deposits is proportionate to its share of two hundred thousand dollars, employing the matrix developed under this subsection. The amount thus established shall be deposited by each licensee of

record, within thirty days after May 18, 1987, and a like amount shall be deposited by each subsequent applicant for licensing before the issuance of such license.

(6) No vested right or interests in deposited funds is created or implied for the depositor, either at any time during the operation of the fund or at any such future time that the fund may be dissolved. All funds deposited are payable to the state for the purposes described under this section. The agency shall maintain the fund, collect deposits when due by serving appropriate notices to affected entities, and make disbursements to settle claims. When the deposits total five million dollars and the history of disbursements so warrants, the agency may at its own option reduce the schedule of deposits whether as to time, amount, or both. When such level is achieved, the agency may also entertain proposals from among the licensees with regard to disbursing surplus funds for such purposes as vocational scholarships.

(7) The agency shall make determinations based on annual financial data supplied by the entity whether the increment assigned to that entity on the incremental scale established under subsection (5) of this section has changed. If an increase or decrease has occurred, a corresponding change in its incremental position and contribution schedule shall be made before the date of its next scheduled deposit into the fund.

(8) If fifty-one percent or more of the ownership interest in an entity is conveyed through sale or other means into different ownership, the contribution schedule of the prior owner is canceled. All contributions made to the date of transfer accrue to the fund. The new owner commences contributions under provisions applying to a new applicant.

(9) To settle complaints adjudicated under RCW 28C.10.120 and claims resulting ~~((from closure of an entity))~~ when a private vocational school ceases to provide educational services, the agency may make disbursements from the fund. In addition to the processes described under RCW 28C.10.120 for handling complaints, the following additional procedures are established to deal with school closures:

(a) The agency shall attempt to notify all potential claimants. The absence of records and other circumstances may make it impossible or unreasonable for the agency to ascertain the names and whereabouts of each potential claimant but the agency shall make reasonable inquiries to secure that information from all likely sources. The agency shall then proceed to settle the claims on the basis of information in its possession. The agency is not responsible or liable for claims or for handling claims that may subsequently appear or be discovered.

(b) Thirty days after identified potential claimants have been notified, if a claimant refuses or neglects to file a claim verification as requested in such notice, the agency shall be relieved of further duty or action on behalf of the claimant under this chapter.

(c) After verification and review, the agency may disburse funds from the tuition recovery fund to settle or compromise the claims. However, the liability of the fund for claims against the closed entity shall not exceed that total amount of the contribution schedule assigned to that entity under subsection (5) of this section.

(d) The agency shall seek to recover such disbursed funds from the assets of the defaulted entity, including but not limited to asserting claims as a creditor in bankruptcy proceedings.

(10) When funds are disbursed to settle claims against a current licensee, the agency shall make demand upon the licensee for recovery. The agency shall adopt schedules of times and amounts acceptable for effecting recoveries. An entity's failure to perform subjects its license to suspension or revocation under RCW 28C.10.050 in addition to any other available remedies.

(11) A minimum operating balance of two hundred thousand dollars shall be maintained in the fund. If disbursements reduce the balance below two hundred thousand dollars, each participating entity shall be assessed a prorata share of the deficiency created, based upon the incremental scale created under subsection (5) of this section. The agency shall promptly adopt schedules of times and amounts acceptable for affecting payments of assessments.

Sec. 9. Section 11, chapter 299, Laws of 1986 and RCW 28C.10.110 are each amended to read as follows:

It is an unfair business practice for a private vocational school or agent to:

- (1) Fail to comply with the terms of a student enrollment contract or agreement;
- (2) Use an enrollment contract form, catalog, brochure, or similar written material affecting the terms and conditions of student enrollment other than that previously submitted to the agency and authorized for use;
- (3) Advertise in the help wanted section of a newspaper or otherwise represent falsely, directly or by implication, that the school is an employment agency, is making an offer of employment or otherwise is attempting to conceal the fact that what is being represented are course offerings of a school;
- (4) Represent falsely, directly or by implication, that an educational program is approved by a particular industry or that successful completion of the program qualifies a student for admission to a labor union or similar organization or for the receipt of a state license in any business, occupation, or profession;
- (5) Represent falsely, directly or by implication, that a student who successfully completes a course or program of instruction may transfer credit for the course or program to any institution of higher education;

(6) Represent falsely, directly or by implication, in advertising or in any other manner, the school's size, location, facilities, equipment, faculty qualifications, or the extent or nature of any approval received from an accrediting association;

(7) Represent that the school is approved, recommended, or endorsed by the state of Washington or by the agency, except the fact that the school is authorized to operate under this chapter may be stated;

(8) Provide prospective students with any testimonial, endorsement, or other information which has the tendency to mislead or deceive prospective students or the public regarding current practices of the school, current conditions for employment opportunities, or probable earnings in the occupation for which the education was designed;

(9) Designate or refer to sales representatives as 'counselors,' 'advisors,' or similar terms which have the tendency to mislead or deceive prospective students or the public regarding the authority or qualifications of the sales representatives;

(10) Make or cause to be made any statement or representation in connection with the offering of education if the school or agent knows or reasonably should have known the statement or representation to be false, substantially inaccurate, or misleading; ((or))

(11) Engage in methods of advertising, sales, collection, credit, or other business practices which are false, deceptive, misleading, or unfair, as determined by the agency by rule; or

(12) Attempt to recruit students in or within forty feet of a building that contains a welfare or unemployment office. Recruiting includes, but is not limited to canvassing and surveying. Recruiting does not include leaving materials at or near an office for a person to pick up of his or her own accord, or handing a brochure or leaflet to a person provided that no attempt is made to obtain a name, address, telephone number, or other data, or to otherwise actively pursue the enrollment of the individual.

It is a violation of this chapter for a private vocational school to engage in an unfair business practice.

Sec. 10. Section 12, chapter 299, Laws of 1986 as amended by section 83, chapter 175, Laws of 1989 and RCW 28C.10.120 are each amended to read as follows:

(1) A person claiming loss of tuition or fees as a result of an unfair business practice may file a complaint with the agency. The complaint shall set forth the alleged violation and shall contain information required by the agency. A complaint may also be filed with the agency by an authorized staff member of the agency or by the attorney general.

(2) The agency shall investigate any complaint under this section and may attempt to bring about a settlement. The agency may hold a hearing pursuant to the Administrative Procedure Act, chapter 34.05 RCW, in order to determine whether a violation has occurred. ~~((If the agency prevails, the private vocational school shall pay the costs of the administrative hearing.))~~

(3) If, after the hearing, the agency finds that the private vocational school or its agent engaged in or is engaging in any unfair business practice, the agency shall issue and cause to be served upon the violator an order requiring the violator to cease and desist from the act or practice and may impose the penalties under RCW 28C.10.130. If the agency finds that the complainant has suffered loss as a result of the act or practice, the agency may order full or partial restitution for the loss. The complainant is not bound by the agency's determination of restitution and may pursue any other legal remedy.

(4) If the agency prevails in any administrative hearing, the private vocational school shall pay the costs of the administrative hearing.

NEW SECTION. Sec. 11. Until December 31, 1990, the agency shall distribute copies of sections 5 through 10 of this act to each private vocational school licensed by the agency.

NEW SECTION. Sec. 12. This chapter shall be known and cited as the vocational-technical institute act.

NEW SECTION. Sec. 13. The purpose of this chapter is to provide for the dramatically increasing number of students requiring high standards of education either as a part of vocational training or retraining by creating a new, independent system of vocational-technical institutes which will:

(1) Offer an open door to every citizen, regardless of his or her academic background or experience, at a cost normally within his or her economic means;

(2) Ensure that each vocational-technical district shall offer thoroughly comprehensive educational, training, and service programs to meet the needs of both the communities and students served by combining, with equal emphasis, high standards of excellence; realistic and practical courses in vocational education, both graded and ungraded; community services of an educational, cultural, and recreational nature; and adult education;

(3) Provide administration by state and local boards which will avoid unnecessary duplication of facilities or programs and which will encourage efficiency in operation and creativity and imagination in education, training, and service to meet the needs of the community and students;

(4) Allow for the growth, improvement, flexibility, and modification of the vocational-technical institutes and their education, training, and service programs as future needs occur; and

(5) Establish firmly that vocational-technical institutes are an independent, unique, and vital section of our state's higher education system, separate from both the common school system and other institutions of higher learning, and never to be considered for conversion into four-year liberal arts colleges or community colleges.

NEW SECTION, Sec. 14. As used in this chapter, unless the context requires otherwise, the term:

(1) 'System' means the state system of vocational-technical institutes, which shall be a system of higher education.

(2) 'Institute board' means the vocational-technical institute board created by this chapter.

(3) 'Director' means the administrative director for the state system of vocational-technical institutes.

(4) 'Board of trustees' means the local vocational-technical institute board of trustees established for each vocational-technical institute within the state.

(5) 'State Board' means the state board for vocational education.

(6) 'Vocational education' means a planned series of learning experiences, the specific objective of which is to prepare persons to enter, continue in, or upgrade themselves in gainful employment in recognized occupations, and home and family life programs, which are not designated as professional or requiring a baccalaureate or higher degree.

(7) 'K-12 system' means the public school program including kindergarten through the twelfth grade.

(8) 'Common school board' means a public school district board of directors.

(9) 'Community college' includes, where applicable, vocational-technical and adult education programs conducted by community colleges.

(10) 'Vocational-technical institute' means a specialized area nongraded vocational education facility established and operated for the purpose of offering comprehensive courses primarily oriented to the job market area in vocational education for persons sixteen years of age and older without regard to residence, pursuant to laws and rules pertaining to the maintenance, operation, and capital funding of vocational-technical institutes.

NEW SECTION, Sec. 15. There is hereby created the 'vocational-technical institute board,' to consist of eight members, one from each congressional district, as now or hereafter existing, who shall be appointed by the governor, with the consent of the senate. The successors of the members initially appointed shall be appointed for terms of four years except that any persons appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed only for the remainder of such term. Each member shall serve until the appointment and qualification of his or her successor. All members shall be citizens and bona fide residents of the state. The majority of institute board members shall represent business and labor with the remaining members representing education and the community.

The institute board shall not be deemed unlawfully constituted and a member of the institute board shall not be deemed ineligible to serve the remainder of the member's unexpired term on the institute board solely by reason of the establishment of new or revised boundaries for congressional districts.

Members of the institute board shall be compensated in accordance with RCW 43.03.240 and shall receive reimbursement for travel expenses in accordance with RCW 43.03.050 and 43.03.060 for each day actually spent in attending to the duties as a member of the institute board.

The members of the institute board may be removed by the governor for inefficiency, neglect of duty, or malfeasance in office, in the manner provided by RCW 28B.10.500.

NEW SECTION, Sec. 16. The terms of office of members of the institute board who are appointed from the various congressional districts shall not be affected by the creation of either new boundaries for congressional districts or additional districts. In such an event, each institute board member may continue to serve in office for the balance of the term for which he or she was appointed if the institute board member continues to reside within the boundaries of the congressional district as they existed at the time of his or her appointment. Vacancies which occur in an institute board member position during the balance of any such term shall be filled pursuant to section 15 of this act by a successor who resides within the boundaries of the congressional district from which the member whose office was vacated was appointed as they existed at the time of his or her appointment. At the completion of such term, and thereafter, a successor shall be appointed from the congressional district which corresponds in number with the congressional district from which the incumbent was appointed.

NEW SECTION, Sec. 17. A director of the system shall be appointed by the institute board and shall serve at the pleasure of the institute board. The director shall be appointed with due regard to his or her fitness and background in education, by his or her knowledge of and recent practical experience in the field of vocational and technical educational administration particularly in institutions beyond the high school level. The institute board may also take into consideration an applicant's proven management background even though not particularly in the field of education.

The director shall devote his or her time to the duties of office and shall not have any direct pecuniary interest in or any stock or bonds of any business connected with or selling

supplies to the field of vocational-technical education within this state, in keeping with chapter 42.18 RCW, the executive conflict of interest act.

The director shall receive a salary to be fixed by the institute board and shall be reimbursed for travel expenses incurred in the discharge of official duties in accordance with RCW 43.03.050 and 43.03.060.

The director shall be the executive officer of the institute board and serve as its secretary and under its supervision shall administer the provisions of this chapter and the rules and orders established thereunder and all other laws of the state. The director shall attend, but not vote at, all meetings of the institute board. The director shall be in charge of offices of the institute board and responsible to the institute board for the preparation of reports and the collection and dissemination of data and other public information relating to the system.

The director shall, with the approval of the institute board: (1) Employ necessary assistant directors of major staff divisions who shall serve at the director's pleasure on such terms and conditions as the director determines, and (2) subject to the provisions of chapter 28B.16 RCW, the higher education personnel law, the director shall, with the approval of the institute board, appoint and employ such field and office assistants, clerks, and other employees as may be required and authorized for the proper discharge of the functions of the institute board and for whose services funds have been appropriated.

The institute board may, by written order filed in its office, delegate to the director any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised by the director in the name of the institute board.

NEW SECTION. Sec. 18. The governor shall make the appointments to the institute board.

The institute board shall organize, adopt a seal, and adopt bylaws for its administration, not inconsistent herewith, as it may deem expedient and may from time to time amend such bylaws. Annually the board shall elect a chairperson and vice-chairperson; all to serve until their successors are appointed and qualified. The institute board shall at its initial meeting fix a date and place for its regular meeting. Five members shall constitute a quorum, and no meeting shall be held with less than a quorum present, and no action shall be taken by less than a majority of the institute board.

Special meetings may be called as provided by its rules. Regular meetings shall be held at the institute board's established offices in Olympia, but whenever the convenience of the public or of the parties may be promoted, or delay or expenses may be prevented, it may hold its meetings, hearings, or proceedings at any other place designated by it. Subject to RCW 40.07.040, the institute board shall transmit a report in writing to the governor biennially, which report shall contain such information as may be requested by the governor. The fiscal year of the institute board shall conform to the fiscal year of the state.

NEW SECTION. Sec. 19. Suitable offices and office equipment shall be provided by the state for the institute board in the city of Olympia, and the institute board may incur the necessary expense for office furniture, stationery, printing, incidental expenses, and other expenses necessary for the administration of this chapter.

NEW SECTION. Sec. 20. The institute board shall appoint a treasurer who shall be the financial officer of the institute board, who shall make such vendor payments and salary payments for the entire system as authorized by the institute board, and who shall hold office during the pleasure of the institute board. All moneys received by the institute board and not required to be deposited elsewhere, shall be deposited in a depository selected by the institute board, which moneys shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the institute board shall conform to the collateral requirements required for the deposit of other state funds. Disbursement shall be made by check signed by the treasurer. The treasurer shall render a true and faithful account of all moneys received and paid out by him or her and shall give bond for the faithful performance of the duties of his or her office in such amount as the institute board requires. The institute board shall pay the fee for any such bonds.

NEW SECTION. Sec. 21. The institute board shall have general supervision and control over the system. In addition to the other powers and duties imposed upon the institute board by this chapter, the institute board shall be charged with the following powers, duties, and responsibilities:

(1) Review the budgets prepared by the boards of trustees, prepare a single budget for the support of the system, and submit this budget to the governor as provided in RCW 43.88.090;

(2) Establish guidelines for the disbursement of funds; and receive and disburse such funds for maintenance, operation, and capital support of the individual vocational-technical institutes in conformance with the state and individual institute budgets, and in conformance with chapter 43.88 RCW;

(3) Ensure, through the full use of its authority:

(a) That each vocational-technical institute offers thoroughly comprehensive educational, training, and service programs to meet the needs of students served by providing realistic and practical courses in vocational education, both graded and ungraded;

(b) That each vocational-technical institute maintains an open-door policy, to the end that no student will be denied admission because of the location of his or her residence or because

of his or her educational background or ability; that, insofar as is practical in the judgment of the institute board, curriculum offerings will be provided to meet the educational and training needs of the community generally and the students thereof; and that all students, regardless of their differing courses of study, will be considered, known and recognized equally as members of the student body. The administrative officers of a vocational-technical institute may deny admission to a prospective student or attendance to an enrolled student if, in their judgment, the student would not be competent to profit from the curriculum offerings of the vocational-technical institute, or would, by his or her presence or conduct, create a disruptive atmosphere within the vocational-technical institute not consistent with the purposes of the institution;

(4) Prepare a comprehensive master plan for the development of vocational and technical training and retraining in the state; and assist the office of financial management in the preparation of enrollment projections to support plans for providing adequate vocational-technical institute facilities in all areas of the state;

(5) Define and administer criteria and guidelines for the establishment of new vocational-technical institutes;

(6) Establish minimum standards to govern the operation of the vocational-technical institutes with respect to:

(a) Qualifications and credentials of instructional and key administrative personnel;

(b) Internal budgeting, accounting, auditing, and financial procedures as necessary to supplement the general requirements prescribed pursuant to chapter 43.88 RCW;

(c) The content of the curriculums and other educational and training programs, and the requirement for degrees and certificates awarded by the vocational-technical institutes;

(d) Standard admission policies; and

(e) Eligibility of courses to receive state fund support;

(7) Establish and administer criteria and procedures for all capital construction including the establishment, installation, and expansion of facilities within the various vocational-technical institutes;

(8) Encourage innovation in the development of new educational and training programs and instructional methods; coordinate research efforts to this end; and disseminate the findings thereof;

(9) Exercise any other powers, duties, and responsibilities necessary to carry out the purposes of this chapter;

(10) Notwithstanding any other law or statute regarding the sale of state property, sell or exchange and convey any or all interest in any vocational-technical institute real and personal property, when it determines that such property is surplus or that such a sale or exchange is in the best interests of the vocational-technical institute system;

(11) In order that the treasurer for the institute board appointed in accordance with section 20 of this act may make vendor payments, the state treasurer shall honor warrants drawn by the institute board providing for an initial advance on July 1, 1992, and on July 1 of each succeeding biennium from the state general fund in an amount equal to twenty-four percent of the average monthly allotment for such budgeted biennium expenditures for the vocational-technical institutes as certified by the office of financial management; and at the conclusion of such initial month and for each succeeding month of any biennium, the state treasurer shall reimburse expenditures incurred and reported monthly by the institute board treasurer in accordance with chapter 43.88 RCW. The reimbursement to the institute board for actual expenditures incurred in the final month of each biennium shall be less the initial advance made in such biennium;

(12) May receive such gifts, grants, conveyances, devises, and bequests of real or personal property from private sources as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the vocational-technical institute programs and may sell, lease or exchange, invest or expend the same or the proceeds, rents, profits, and income thereof according to the terms and conditions thereof; and adopt rules to govern the receipt and expenditure of the proceeds, rents, profits, and income thereof.

The institute board shall have the power of eminent domain.

NEW SECTION. Sec. 22. In addition to other powers and duties, the institute board may issue rules permitting a student to register at more than one vocational-technical institute, provided that such student shall pay tuition and fees as if he or she were registered at a single institute.

NEW SECTION. Sec. 23. There is hereby created a local vocational-technical institute board of trustees for each vocational-technical institute. Each local vocational-technical institute board of trustees shall be composed of five trustees, who shall be appointed by the governor for terms commencing October 1st of the year in which appointed. In making such appointments the governor shall give consideration to geographical exigencies, and the interests of labor, industry, education, the professions, and ethnic groups. The initial trustees shall be selected from the vocational-technical institute's advisory board.

The successors of the trustees initially appointed shall be appointed by the governor to serve for a term of five years except that any person appointed to fill a vacancy occurring prior to the expiration of any term shall be appointed only for the remainder of the term. Each member shall serve until a successor is appointed and qualified.

No trustee may be an employee of the vocational-technical institute system, a member of the board of directors of any school district, or a member of the governing board of any public or private educational institution.

Each board of trustees shall organize itself by electing a chairperson from its members. The local board of trustees shall adopt a seal and may adopt such bylaws and rules, as it deems necessary for its own government. Three members of the local board of trustees shall constitute a quorum, but a lesser number may adjourn from time to time and may compel the attendance of absent members in such manner as prescribed in its bylaws and rules. The local institute president shall serve as, or may designate another person to serve as, the secretary of the local board of trustees, who shall not be deemed to be a member of the local board of trustees.

Members of the boards of trustees may be removed for misconduct or malfeasance in office in the manner provided by RCW 28B.10.500.

NEW SECTION. Sec. 24. Within thirty days of their appointment or July 1, 1992, whichever is sooner, the various district boards of trustees shall organize, adopt bylaws for its own government, and make such rules not inconsistent with this chapter as they deem necessary. At such organizational meeting it shall elect from among its members a chairperson and a vice-chairperson, each to serve for one year, and annually thereafter shall elect such officers to serve until their successors are appointed or qualified. The chief executive officer of the local vocational-technical institute, or his or her designee, shall serve as secretary of the local board of trustees. Three trustees shall constitute a quorum, and no action shall be taken by less than a majority of the trustees of the local board of trustees. The local boards of trustees shall transmit such reports to the institute board as may be requested by the institute board. The fiscal year of the local boards of trustees shall conform to the fiscal year of the state.

NEW SECTION. Sec. 25. Each local vocational-technical institute board of trustees:

- (1) Shall operate the existing vocational-technical institute;
- (2) Shall create comprehensive programs of education and training and maintain an open-door policy in accordance with the provisions of section 21 of this act;
- (3) Shall employ for a period to be fixed by the board of trustees a local institute president for each vocational-technical institute, members of the faculty, and such other administrative officers and other employees as may be necessary or appropriate and fix their salaries and duties. Salary increases shall not exceed the amount or percentage established in the state appropriations act by the legislature as allocated to the board of trustees by the institute board;
- (4) May establish, under the approval and direction of the institute board, new facilities as community needs and interests demand. The authority of local vocational-technical institute boards of trustees to purchase or lease major off-campus facilities shall be subject to the approval of the institute board;
- (5) May establish or lease, operate, equip, and maintain food service facilities, bookstores, and other self-supporting facilities connected with the operation of the vocational-technical institute;
- (6) May, with the approval of the institute board, borrow money and issue and sell revenue bonds or other evidences of indebtedness for the construction, reconstruction, erection, equipping with permanent fixtures, demolition, and major alteration of buildings or other capital assets, and the acquisition of sites, rights of way, easements, improvements or appurtenances, food service facilities, and other self-supporting facilities connected with the operation of the local vocational-technical institute in accordance with the provisions of RCW 28B.10.300 through 28B.10.330 where applicable;
- (7) May receive such gifts, grants, conveyances, devises, and bequests of real or personal property from private sources, as may be made from time to time, in trust or otherwise, whenever the terms and conditions thereof will aid in carrying out the vocational-technical institute programs as specified by law and the rules of the institute board; sell, lease or exchange, invest or expend the same or the proceeds, rents, profits, and income thereof according to the terms and conditions thereof; and adopt rules to govern the receipt and expenditure of the proceeds, rents, profits, and income thereof;
- (8) May establish and maintain night schools whenever in the discretion of the local board of trustees it is deemed advisable, and authorize classrooms and other facilities to be used for summer or night schools, or for public meetings and for any other uses consistent with the use of such classrooms or facilities for vocational-technical institute purposes;
- (9) May make rules for pedestrian and vehicular traffic on property owned, operated, or maintained by the vocational-technical institute;
- (10) Shall prescribe, with the assistance of the faculty, the course of study in the various departments of the vocational-technical institute and publish such catalogues and bulletins as may become necessary;
- (11) May grant to every student, upon graduation or completion of a course of study, a suitable diploma, nonbaccalaureate degree, or certificate;
- (12) Shall enforce the rules prescribed by the institute board for the government of vocational-technical institutes, students and teachers, and adopt such rules and perform all other

acts not inconsistent with law or rules of the institute board as the local board of trustees may in its discretion deem necessary or appropriate to the administration of vocational-technical institutes. Such rules shall include, but not be limited to, rules relating to scholarships, conduct at the various institute facilities, and discipline. The local board of trustees may suspend or expel from the vocational-technical institute students who refuse to obey any of the adopted rules;

(13) May, by written order filed in its office, delegate to the president any of the powers and duties vested in or imposed upon it by this chapter. Such delegated powers and duties may be exercised in the name of the local board of trustees;

(14) May perform such other activities consistent with this chapter and not in conflict with the directives of the institute board;

(15) Notwithstanding any other provision of law, may offer educational services on a contractual basis other than the tuition and fee basis set forth in chapter 28B.15 RCW for a special fee to private or governmental entities, consistent with rules adopted by the institute board. The whole of such special fee shall go to the local institute and be not less than the full instructional costs of such services including any salary increases authorized by the legislature for vocational-technical institute employees during the term of the agreement;

(16) Notwithstanding any other provision of law, may offer educational services on a contractual basis, charging tuition and fees as set forth in chapter 28B.15 RCW, counting such enrollments for state funding purposes, and may additionally charge a special supplemental fee when necessary to cover the full instructional costs of such services. Such contracts shall be subject to review by the institute board and to such rules as the institute board may adopt for that purpose to assure that the sum of the supplemental fee and the normal state funding does not exceed the projected total cost of offering the educational service. Enrollments generated by courses offered on the basis of contracts requiring payment of a share of the normal costs of the course shall be discounted to the percentage provided by the vocational-technical institute;

(17) Shall be authorized to pay dues to any association of trustees that may be formed by the various boards of trustees; such association may expend any or all of such funds to submit biennially, or more often if necessary, to the governor and to the legislature, the recommendations of the association regarding changes that would affect the efficiency of the association;

(18) Subject to the approval of the higher education coordinating board pursuant to RCW 28B.80.340(4), may participate in higher education centers and consortia that involve any four-year public or independent college or university; and

(19) Shall perform any other duties and responsibilities imposed by law or rule of the institute board.

NEW SECTION. Sec. 26. Each local board of vocational-technical institute trustees shall appoint a treasurer who shall be the financial officer of the local board of trustees and who shall hold office during the pleasure of the board of trustees. Each treasurer shall render a true and faithful account of all moneys received and paid out by him or her, comply with the provisions of section 27 of this act, and shall give bond for the faithful performance of the duties of his or her office in such amount as the trustees require. The respective local vocational-technical institutes shall pay the fees for any such bonds.

NEW SECTION. Sec. 27. In order that each local institute treasurer appointed in accordance with section 26 of this act may make vendor payments, the state treasurer shall honor warrants drawn by each local vocational-technical institute providing for one initial advance on September 1, 1992, and on July 1 of each succeeding biennium from the state general fund in an amount equal to seventeen percent of each institute's average monthly allotment for such budgeted biennium expenditures as certified by the office of financial management, and at the conclusion of each such initial month, and for each succeeding month of any biennium, the state treasurer shall reimburse each institute for each expenditure incurred and reported monthly by each local institute treasurer in accordance with chapter 43.83 RCW. The reimbursement to each institute for actual expenditures incurred in the final month of each biennium shall be less the initial advance.

NEW SECTION. Sec. 28. The local boards of trustees of the various vocational-technical institutes are hereby directed to create no later than January 1, 1991, at each vocational-technical institute a faculty senate or similar organization to be selected by periodic vote of the faculties.

NEW SECTION. Sec. 29. Any resident of the state may enroll in any program or course maintained or conducted by a vocational-technical institute upon the same terms and conditions regardless of the district of his or her residence.

NEW SECTION. Sec. 30. The institute board shall make information available to all newly matriculated students on methods of transmission of the human immunodeficiency virus and prevention of acquired immunodeficiency syndrome. The curricula and materials shall be reviewed for medical accuracy by the office on AIDS in coordination with the appropriate regional AIDS service network.

NEW SECTION, Sec. 31. Title to or all interest in real estate, choses in action and all other assets, including but not limited to assignable contracts, cash, deposits in county funds (including any interest or premiums thereon), equipment, buildings, facilities, and appurtenances thereto held as of the effective date of this section by or for a school district and obtained identifiably with federal, state, or local funds appropriated for vocational-technical institutes purposes or posthigh school vocational educational purposes, or used or obtained with funds budgeted for posthigh school vocational educational purposes, or used or obtained primarily for vocational-technical institute educational purposes, shall, on the date on which the first board of trustees of each district takes office, vest in or be assigned to the institute board. Cash, funds, accounts, or other deposits obtained or raised by a school district to pay for indebtedness, bonded or otherwise, contracted on or before February 2, 1992, for vocational-technical institute purposes shall remain with and continue to be, after February 2, 1992, an asset of the school district. Any option acquired by the school district to purchase real property which in the judgment of the school district will be used in the common school program may remain with the school district notwithstanding that such option was obtained in consideration of the purchase by such school district of other property for vocational-technical institute purposes. Unexpended funds of a common school district derived from the sale, prior to July 1, 1992, of bonds authorized for any purpose which includes vocational-technical institute purposes and not committed for any existing construction contract, shall remain with and continue to be an asset of such common school district, unless within thirty days after said date such common school district determines to transfer such funds to the board of trustees.

NEW SECTION, Sec. 32. Whenever a common school board has contracted to redeem general obligation bonds used for the construction or acquisition of facilities which are now to be under the administration, control, and occupancy of the institute board, the common school board shall continue to redeem the bonds in accordance with the provisions of the bonds.

NEW SECTION, Sec. 33. All operating fees, services and activities fees, and all other income which the local board of trustees is authorized to impose shall be deposited as the local board of trustees may direct unless otherwise provided by law. Such sums of money shall be subject to the budgetary and audit provisions of law applicable to state agencies. The depository selected by the local board of trustees shall conform to the collateral requirements required for deposit of other state funds.

Disbursement shall be made by check signed by the president of the vocational-technical institute or his or her designee appointed in writing, and such other person as may be designated by the local board of trustees. Each person authorized to sign as provided above, shall execute a surety bond as provided in RCW 43.17.100. Said bond or bonds shall be filed in the office of the secretary of state.

NEW SECTION, Sec. 34. All powers, duties, and functions of the superintendent of public instruction pertaining to vocational-technical institutes are transferred to the vocational-technical institute board. All references to the superintendent of public instruction in the Revised Code of Washington shall be construed to mean the vocational-technical institute board when referring to the functions transferred in this section.

NEW SECTION, Sec. 35. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the superintendent of public instruction pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the vocational-technical institute board. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the superintendent of public instruction in carrying out the powers, functions, and duties transferred shall be made available to the vocational-technical institute board. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the vocational-technical institute board.

Any appropriations made to the superintendent of public instruction for carrying out the powers, functions, and duties transferred shall, on the effective date of this section, be transferred and credited to the vocational-technical institute board.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION, Sec. 36. All employees of the superintendent of public instruction engaged in performing the powers, functions, and duties transferred are transferred to the jurisdiction of the vocational-technical institute board. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the vocational-technical institute board to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

NEW SECTION, Sec. 37. All rules and all pending business before the superintendent of public instruction pertaining to the powers, functions, and duties transferred shall be continued

and acted upon by the vocational-technical institute board. All existing contracts and obligations shall remain in full force and shall be performed by the vocational-technical institute board.

NEW SECTION. Sec. 38. The transfer of the powers, duties, functions, and personnel of the superintendent of public instruction shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 39. If apportionments of budgeted funds are required because of the transfers directed by sections 35 through 38 of this act, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

NEW SECTION. Sec. 40. Nothing contained in sections 34 through 39 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

NEW SECTION. Sec. 41. All powers, duties, and functions of the school district pertaining to a vocational-technical institute are transferred to the local vocational-technical institute board of trustees. All references to the school district in the Revised Code of Washington shall be construed to mean the local vocational-technical institute board of trustees when referring to the functions transferred in this section.

NEW SECTION. Sec. 42. All reports, documents, surveys, books, records, files, papers, or written material in the possession of the local school district pertaining to the powers, functions, and duties transferred shall be delivered to the custody of the local vocational-technical institute board of trustees. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the local school district in carrying out the powers, functions, and duties transferred shall be made available to the local vocational-technical institute board of trustees. All funds, credits, or other assets held in connection with the powers, functions, and duties transferred shall be assigned to the local vocational-technical institute board of trustees.

Any appropriations made to the local school district for carrying out the powers, functions, and duties transferred shall, on the effective date of this section, be transferred and credited to the local vocational-technical institute board of trustees.

Whenever any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

NEW SECTION. Sec. 43. All employees of the local school district engaged in performing the powers, functions, and duties transferred are transferred to the jurisdiction of the local vocational-technical institute board of trustees. All employees under local collective bargaining agreements are assigned to the local vocational-technical institute board of trustees to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing their service.

NEW SECTION. Sec. 44. All rules and all pending business before the local school district pertaining to the powers, functions, and duties transferred shall be continued and acted upon by the local vocational-technical institute board of trustees. All existing contracts and obligations shall remain in full force and shall be performed by the local vocational-technical institute board of trustees.

NEW SECTION. Sec. 45. The transfer of the powers, duties, functions, and personnel of the local school district shall not affect the validity of any act performed prior to the effective date of this section.

NEW SECTION. Sec. 46. Nothing contained in sections 41 through 45 of this act may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law.

NEW SECTION. Sec. 47. Vocational-technical institutes shall not be considered common schools for the purpose of Article IX, sections 2 and 3 of the Washington state Constitution.

NEW SECTION. Sec. 48. All employees transferred from the superintendent of public instruction or from a school district shall:

(1) Retain all rights under their existing contract. After termination of the contract, employees shall have the right to determine who will represent them; and collective bargaining shall be controlled by chapter 28B.52 RCW and the tenure provisions of chapter 28B.50 RCW; and

(2) Retain the right to remain in their present retirement system.

Sec. 49. Section 1, chapter 169, Laws of 1977 ex. sess. and RCW 28B.10.016 are each amended to read as follows:

For the purposes of this title:

(1) 'State universities' means the University of Washington and Washington State University.

(2) 'Regional universities' means Western Washington University at Bellingham, Central Washington University at Ellensburg, and Eastern Washington University at Cheney.

(3) 'State college' means The Evergreen State College in Thurston county.

(4) 'Institutions of higher education' or 'postsecondary institutions' means the state universities, the regional universities, The Evergreen State College, ~~((and))~~ the community colleges, and the vocational-technical institutes.

Sec. 50. Section 1, chapter 279, Laws of 1971 ex. sess. as amended by section 33, chapter 169, Laws of 1977 ex. sess. and RCW 28B.15.005 are each amended to read as follows:

(1) 'Colleges and universities' for the purposes of this chapter shall mean Central Washington University at Ellensburg, Eastern Washington University at Cheney, Western Washington University at Bellingham, The Evergreen State College in Thurston county, community colleges as are provided for in chapter 28B.50 RCW, the University of Washington, ~~((and))~~ Washington State University, and the vocational-technical institutes.

(2) 'State universities' for the purposes of this chapter shall mean the University of Washington and Washington State University.

(3) 'Regional universities' for the purposes of this chapter shall mean Central Washington University, Eastern Washington University and Western Washington University.

(4) 'Community colleges' for the purposes of this chapter includes vocational-technical institutes as defined in section 14 of this act that are subject to the provisions of Title 28D RCW.

Sec. 51. Section 2, chapter 273, Laws of 1971 ex. sess. as last amended by section 1, chapter 96, Laws of 1987 and by section 1, chapter 137, Laws of 1987 and RCW 28B.15.012 are each reenacted and amended to read as follows:

Whenever used in chapter 28B.15 RCW:

(1) The term 'institution' shall mean a public university, college, ~~((or))~~ community college, or vocational-technical institute within the state of Washington.

(2) The term 'resident student' shall mean: (a) A financially independent student who has had a domicile in the state of Washington for the period of one year immediately prior to the time of commencement of the first day of the semester or quarter for which the student has registered at any institution and has in fact established a bona fide domicile in this state primarily for purposes other than educational; (b) a dependent student, if one or both of the student's parents or legal guardians have maintained a bona fide domicile in the state of Washington for at least one year immediately prior to commencement of the semester or quarter for which the student has registered at any institution; (c) a student classified as a resident based upon domicile by an institution on or before May 31, 1982, who was enrolled at a state institution during any term of the 1982-1983 academic year, so long as such student's enrollment (excepting summer sessions) at an institution in this state is continuous; or (d) any student who has spent at least seventy-five percent of both his or her junior and senior years in high schools in this state, whose parents or legal guardians have been domiciled in the state for a period of at least one year within the five-year period before the student graduates from high school, and who enrolls in a public institution of higher education within six months of leaving high school, for as long as the student remains continuously enrolled for three quarters or two semesters in any calendar year: PROVIDED, That a nonresident student enrolled for more than six hours per semester or quarter shall be considered as attending for primarily educational purposes, and for tuition and fee paying purposes only such period of enrollment shall not be counted toward the establishment of a bona fide domicile of one year in this state unless such student proves that the student has in fact established a bona fide domicile in this state primarily for purposes other than educational.

(3) The term 'nonresident student' shall mean any student who does not qualify as a 'resident student' under the provisions of RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended. A nonresident student shall include:

(a) A student attending an institution with the aid of financial assistance provided by another state or governmental unit or agency thereof, such nonresidency continuing for one year after the completion of such semester or quarter.

(b) A person who is not a citizen of the United States of America who does not have permanent or temporary resident status or does not hold 'Refugee-Parolee' or 'Conditional Entrant' status with the United States immigration and naturalization service or is not otherwise permanently residing in the United States under color of law and who does not also meet and comply with all the applicable requirements in RCW 28B.15.011 through 28B.15.014 and 28B.15.015, each as now or hereafter amended.

(4) The term 'domicile' shall denote a person's true, fixed and permanent home and place of habitation. It is the place where the student intends to remain, and to which the student expects to return when the student leaves without intending to establish a new domicile elsewhere. The burden of proof that a student, parent or guardian has established a domicile in the state of Washington primarily for purposes other than educational lies with the student.

(5) The term 'dependent' shall mean a person who is not financially independent. Factors to be considered in determining whether a person is financially independent shall be set forth in rules and regulations adopted by the higher education coordinating board and shall include, but not be limited to, the state and federal income tax returns of the person and/or the

student's parents or legal guardian filed for the calendar year prior to the year in which application is made and such other evidence as the board may require.

Sec. 52. Section 1, chapter 304, Laws of 1983 as amended by section 27, chapter 370, Laws of 1985 and RCW 28B.80.280 are each amended to read as follows:

The board shall, in cooperation with the state institutions of higher education ~~((and))~~, the state board for community college education, and the vocational-technical institute board establish and maintain a state-wide transfer of credit policy and agreement. The policy and agreement shall, where feasible, include course and program descriptions consistent with state-wide interinstitutional guidelines. The institutions of higher education shall provide support and staff resources as necessary to assist in developing and maintaining this policy and agreement. The state-wide transfer of credit policy and agreement shall be effective beginning with the 1985-86 academic year. The board shall report on developments toward that objective at the 1987 regular session of the legislature.

Sec. 53. Section 3, chapter 370, Laws of 1985 and RCW 28B.80.320 are each amended to read as follows:

The purpose of the board is to provide planning, coordination, monitoring, and policy analysis for higher education in the state of Washington in cooperation and consultation with the institutions' autonomous governing boards and with all other segments of postsecondary education, including but not limited to the state board for community college education ~~((and))~~, the ~~((commission))~~ state board for vocational education, and the vocational-technical institute board. The legislature intends that the board represent the broad public interest above the interests of the individual colleges and universities.

NEW SECTION, Sec. 54. There is hereby created in the Revised Code of Washington a new title to be designated Title 28D RCW.

NEW SECTION, Sec. 55. Sections 12 through 34, 41, 47, and 48 of this act shall constitute a new chapter in Title 28D RCW, created in section 54 of this act.

NEW SECTION, Sec. 56. Sections 12 through 55 of this act shall take effect July 1, 1992.

NEW SECTION, Sec. 57. Sections 1 through 4 of this act shall expire June 30, 1992.

NEW SECTION, Sec. 58. Sections 1 through 4 and 11 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

NEW SECTION, Sec. 59. 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."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 28C.10.020, 28C.10.030, 28C.10.050, 28C.10.084, 28C.10.110, 28C.10.120, 28B.10.016, 28B.15.005, 28B.80.280, and 28B.80.320; reenacting and amending RCW 28B.15.012; adding a new title to the Revised Code of Washington to be codified as Title 28D RCW; creating new sections; prescribing penalties; providing an effective date; providing an expiration date; and declaring an emergency."

Signed by Representatives Jacobsen, Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Rector and Wood.

Absent: Representative Prince.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 5935 Prime Sponsor, Committee on Governmental Operations: Creating the capitol campus design advisory committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; R. Fisher, R. King, Morris and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Republican Member; Hankins and Silver.

Passed to Committee on Rules for second reading.

February 22, 1990

ESB 6189 Prime Sponsor, Senator McCaslin: Eliminating boundary review boards. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nutley, Phillips, Rayburn, Wolfe, Wood and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Nelson and Raiter.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6200 Prime Sponsor, Senator Smitherman: Extending the final report date and expiration date of the task force on ports and local associate development organizations. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative Raiter.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6224 Prime Sponsor, Senator Bailey: Allowing the SPI to withhold basic education moneys from school districts owing repayment of moneys to the federal government. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betzoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Fuhrman and Phillips.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6246 Prime Sponsor, Committee on Agriculture: Changing recordkeeping requirements for pesticide use. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 4, strike all of section 1 and insert the following:

"Sec. 1. Section 10, chapter 249, Laws of 1961 as last amended by section 39, chapter 380, Laws of 1989 and RCW 17.21.100 are each amended to read as follows:

(1) Except as provided in subsection (7) of this section, pesticide applicators licensed under the provisions of this chapter and all persons applying pesticides to more than one acre of agricultural land in a calendar year, including public entities engaged in roadside spraying of pesticides, shall keep all required records, and submit to the director any records requested by the director on a form prescribed by the director which shall include the following information:

(a) The location of the land where the pesticide was applied.

(b) The year, month, day and time the pesticide was applied.

(c) The product name used on the registered label and the United States environmental protection agency registration number, if applicable, of the pesticide which was applied.

(d) The crop or site to which the pesticide was applied and the pest or pests for which the pesticide was applied, or other relevant information as required by the department, for the purpose of enabling the department to evaluate the pest control needs of the agricultural community and the use and effectiveness of various control methods.

(e) The amount of pesticide applied per acre or other appropriate measure.

(f) The concentration of pesticide that was applied.

(g) The number of acres, or other appropriate measure, to which the pesticide was applied.

(h) The licensed applicator's name, address, and telephone number and the name of the individual or individuals making the application.

(i) The direction and estimated velocity of the wind at the time the pesticide was applied: PROVIDED, That this subsection (i) shall not apply to applications of baits in bait stations and pesticide applications within structures.

(j) A description of the alternative pest control methods to pesticide application that were considered and the reasons for rejecting the alternative pest control methods.

(k) A description of the known or potential risks to the public health and safety from pesticide exposure to the community or agricultural employees and the steps that were taken to mitigate the pesticide exposure risks.

(l) Any other reasonable information required by the director.

(2) Records shall be updated on the same day that a pesticide is applied.

(3) Such records shall be kept for a period of seven years from the date of the application of the pesticide to which such records refer, and the director shall, upon request in writing, be furnished with a copy of such records forthwith by the licensee; PROVIDED, That the director may require the submission of such records within thirty days of the application of any restricted use pesticide in prescribed areas controlling the use of such restricted use pesticide.

(4) The pesticide records shall be readily available to: The department; treating medical personnel initiating diagnostic testing or therapy for a patient with a suspected case of pesticide poisoning; the department of social and health services; the pesticide incident reporting and tracking panel: ~~((and, in the case of an industrial insurance claim filed under Title 51 RCW with the department of labor and industries;))~~ a member of the community who resides within one mile of the area for which records are required under this section; the employee or the employee's designated representative; and the department of labor and industries.

(5) If a request for information is made under subsection (4) of this section from an applicator referred to in subsection (1) of this section and the applicator refuses to provide a copy of the records, the department shall be notified of the request and the applicator's refusal. Within seven working days, the department shall request that the applicator provide the department with all pertinent copies, except that in a medical emergency the request shall be made within two working days. The applicator shall provide copies of the records to the department within twenty-four hours after the department's request.

(6) The department of agriculture and the department of labor and industries shall jointly adopt, by rule, ~~((one))~~ a form that satisfies the information requirements of this section and RCW 49.70.119. Records ~~((kept))~~ submitted on the prescribed form under RCW 49.70.119 may be used to comply with this section. Records required under this section shall be filed annually with the department.

(7) This section shall not apply to the owner or operator of a dairy farm with respect to his or her application of pesticides to the farm."

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Jones, R. King, Leonard and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Smith, Ranking Republican Member; Forner, Walker and Wolfe.

Absent: Representative O'Brien.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6327 Prime Sponsor, Senator McCaslin: Exempting certain state patrol from the civil service. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representatives Morris and Silver.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6328 Prime Sponsor, Senator McCaslin: Changing requirements for state agency use of credit reporting agencies. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representatives Morris and Silver.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6335 Prime Sponsor, Senator Metcalf: Making it unlawful to operate certain commercial vessels in a negligent manner. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass. Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Passed to Committee on Rules for second reading.

February 22, 1990

2SSB 6337 Prime Sponsor, Committee on Ways & Means: Changing provisions relating to technological and vocational education. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle and Walker.

MINORITY recommendation: Without recommendation. Signed by Representative K. Wilson.

Absent: Representatives Peery, Chair; Fuhrman, P. King and Phillips.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6377 Prime Sponsor, Committee on Environment & Natural Resources: Creating penalties for violations of fisheries laws. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. A new section is added to chapter 75.10 RCW to read as follows:

Persons who fish for food fish or shellfish for personal use and violate this title or the rules of the director shall be subject to the following penalties:

(1) The following violations are infractions and are punishable under chapter 7.84 RCW:

(a) The failure to immediately record a catch of salmon or sturgeon on a catch record card;

(b) The use of barbed hooks in a barbless hook-only fishery; and

(c) Other personal use violations specified by the director under RCW 75.10.110.

(2) The following violations are misdemeanors and are punishable under RCW 9.92.030:

(a) The retention of undersized food fish or shellfish;

(b) The retention of more food fish or shellfish than is legally allowed, but less than three times the legally allowed personal use limit;

(c) The intentional wasting of recreationally caught food fish or shellfish; and

(d) The setting or lifting of shrimp pots in Hood Canal from one hour after sunset until one hour before sunrise.

(3) The following violations are gross misdemeanors and are punishable under RCW 9.92.020:

(a) The snagging of food fish;

(b) Fishing in closed areas or during a closed season;

(c) Commingling a personal food fish catch with a commercial food fish catch;

(d) The retention of at least three times the legally allowed personal use limits of food fish or shellfish;

(e) The sale, barter, or trade of food fish or shellfish with a wholesale value of less than two hundred fifty dollars by a person who has caught the food fish or shellfish with fishing gear authorized under personal use rules or who has received the food fish or shellfish from someone who caught it with fishing gear authorized under personal use rules; and

(f) Other unclassified personal use violations of Title 75 RCW.

(4) The following violation is a class C felony and is punishable under RCW 9A.20.021(1)(c): The sale, barter, or trade of food fish or shellfish with a wholesale value of two hundred fifty dollars or more by a person who has caught the food fish or shellfish with fishing gear authorized under personal use rules or has received the food fish or shellfish from someone who caught it with fishing gear authorized under personal use rules.

NEW SECTION, Sec. 2. A new section is added to chapter 75.10 RCW to read as follows:

Persons who fish, buy, or sell food fish and shellfish commercially and violate this title or the rules of the director shall be subject to the following penalties:

(1) The following violations are misdemeanors and are punishable under RCW 9.92.030:

(a) The failure to complete a fish ticket with all the required information for a commercial fish or shellfish landing; and

(b) The failure to report a commercial fish catch as required by department rules.

(2) The following violations are gross misdemeanors and are punishable under RCW 9.92.020:

(a) The retention of illegal food fish or shellfish species;

(b) The wasting of commercially caught food fish or shellfish;

(c) Commingling commercial and personal use food fish or shellfish catches;

- (d) The failure to comply with department rules on commercial fishing licenses;
- (e) The failure to comply with department requirements on fishing gear specifications;
- (f) The failure to obtain a delivery license as required by department rules;
- (g) Violations of the fisheries statutes or rules by fish buyers or wholesale dealers other than violations for fish tickets under subsection (1)(a) of this section;

(h) Fishing during a closed season;

(i) Illegal geoduck harvesting off the legal harvesting tract; and

(j) Other unclassified commercial violations of Title 75 RCW.

(3) The following violations are class C felonies and are punishable under RCW 9A.20.021(1)(c):

(a) Intentionally fishing in a closed area using fishing gear not authorized under personal use regulations;

(b) Intentionally netting salmon in the Pacific Ocean;

(c) Harvesting more than one hundred pounds of geoducks outside of the boundaries of a harvest tract designated by a harvest agreement from the department of natural resources if:

(i) The harvester does not have a valid harvesting agreement from the department of natural resources; or

(ii) The harvesting is done more than one-half mile from the nearest boundary of any harvesting tract designated by a department of natural resources harvesting agreement;

(d) Unlawful participation by a non-Indian fisher with intent to profit in a treaty Indian fishery;

(e) Intentionally fishing within the closed waters of a fish hatchery;

(f) The sale, barter, or trade of food fish or shellfish with a wholesale value of two hundred fifty dollars or more by a person who does not have a valid commercial fishing license and has caught the food fish or shellfish using fishing gear not authorized under personal use rules, or has received the food fish or shellfish from someone who has caught it with fishing gear not authorized under personal use rules; and

(g) Being in possession of food fish or shellfish with a wholesale value of two hundred fifty dollars or more while using fishing gear not authorized under personal use regulations without a valid commercial fishing license.

NEW SECTION, Sec. 3. A new section is added to chapter 75.10 RCW to read as follows:

Persons who violate this title or the rules of the director shall be subject to the following penalties:

(1) The following violations are gross misdemeanors and are punishable under RCW 9A.02.020:

(a) Violating RCW 75.20.100; and

(b) Violating department statutes that require fish screens, fish ladders, and other protective devices for fish.

(2) The following violations are a class C felony and are punishable under RCW 9A.20.021(1)(c):

(a) Discharging explosives in waters that contain adult salmon or sturgeon: PROVIDED, That lawful discharge of devices for the purpose of frightening or killing marine mammals or for the lawful removal of snags or for actions approved under RCW 75.20.100 or 75.12.070(2) are exempt from this subsection; and

(b) To knowingly purchase food fish or shellfish with a wholesale value greater than two hundred fifty dollars that were taken by methods or during times not authorized by department of fisheries rules, or were taken by someone who does not have a valid commercial fishing license, a valid fish buyer's license, or a valid wholesale dealer's license, or were taken with fishing gear authorized for personal use.

NEW SECTION, Sec. 4. A new section is added to chapter 75.10 RCW to read as follows:

Persons who repeatedly demonstrate indifference and disrespect for the fisheries laws of the state shall be considered a threat to the fisheries resource. These habitual offenders shall be denied the privilege of harvesting food fish or shellfish.

The director may revoke or may prescribe conditions for issuing the personal use license or the commercial fishing license, or both, of persons who have four or more gross misdemeanors or class C felony convictions for fisheries violations within a twelve-year period. All food fish and shellfish fishing privileges shall be revoked for the same time period as a license is revoked. A revoked license shall not be reissued for a period of at least two years from the date of revocation, and shall be reissued only under the discretion of the director.

For purposes of this section, 'conviction' means a final conviction in a state or municipal court. An unvacated forfeiture of bail or collateral of two hundred fifty dollars or more deposited to secure a defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt for violating a provision of this title is equivalent to a conviction regardless of whether the imposition of sentence is deferred or the penalty is suspended.

Sec. 5. Section 75.36.010, chapter 12, Laws of 1955 as amended by section 34, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.10.030 are each amended to read as follows:

(1) Fisheries patrol officers and ex officio fisheries patrol officers may seize without warrant food fish or shellfish they have reason to believe have been taken, killed, transported, or possessed in violation of this title or rule of the director and may seize without warrant ((α)) boats, vehicles, gear, appliances, or other articles they have reason to believe is held with intent to violate or has been used in violation of this title or rule of the director. The articles seized shall be subject to forfeiture to the state, regardless of ownership. Articles seized may be recovered by their owner by depositing into court a cash bond equal to the value of the seized articles but not more than ((five)) twenty-five thousand dollars. The cash bond is subject to forfeiture to the state in lieu of the seized article.

(2)(a) In the event of a seizure of an article under subsection (1) of this section, proceedings for forfeiture shall be deemed commenced by the seizure. Within fifteen days following the seizure, the seizing authority shall serve notice on the owner of the property seized and on any person having any known right or interest in the property seized. Notice may be served by any method authorized by law or court rule, including service by certified mail with return receipt requested. Service by mail shall be deemed complete upon mailing within the fifteen-day period following the seizure.

(b) If no person notifies the department in writing of the person's claim of ownership or right to possession of the articles seized under subsection (1) of this section within forty-five days of the seizure, the articles shall be deemed forfeited.

(c) If any person notifies the department in writing within forty-five days of the seizure, the person shall be afforded an opportunity to be heard as to the claim or right. The hearing shall be before the director or the director's designee, or before an administrative law judge appointed under chapter 34.12 RCW, except that a person asserting a claim or right may remove the matter to a court of competent jurisdiction if the aggregate value of the articles seized is more than five thousand dollars. The department hearing and any subsequent appeal shall be as provided for in Title 34 RCW. The burden of producing evidence shall be upon the person claiming to be the lawful owner or person claiming lawful right of possession of the articles seized. The department shall promptly return the seized articles to the claimant upon a determination by the director or the director's designee, an administrative law judge, or a court that the claimant is the present lawful owner or is lawfully entitled to possession of the articles seized, and that the seized articles were improperly seized.

(d)(i) No conveyance, including vessels, vehicles, or aircraft, is subject to forfeiture under this section by reason of any act or omission established by the owner of the conveyance to have been committed or omitted without the owner's knowledge or consent.

(ii) A forfeiture of a conveyance encumbered by a perfected security interest is subject to the interest of the secured party if the secured party neither had knowledge nor consented to the act or omission.

(e) When seized property is forfeited under this section the department may retain it for official use unless the property is required to be destroyed, or upon application by any law enforcement agency of the state, release such property to the agency for the use of enforcing this title, or sell such property, and deposit the proceeds to the state general fund, as provided for in RCW 75.08.230.

Sec. 6. Section 75.08.260, chapter 12, Laws of 1955 as last amended by section 16, chapter 380, Laws of 1987 and RCW 75.10.110 are each amended to read as follows:

(1) Unless otherwise provided for in this title, a person who violates this title or rules of the director ((or who aids or abets in the violation)) is guilty of a gross misdemeanor, and upon a conviction thereof shall be ((punished by imprisonment in the county jail of the county in which the offense is committed for not less than thirty days or more than one year, or by a fine of not less than twenty-five dollars or more than one thousand dollars, or by both such fine and imprisonment)) subject to the penalties under RCW 9.92.020. Food fish or shellfish involved in the violation shall be forfeited to the state. The court may forfeit seized articles involved in the violation.

(2) The director may specify by rule, when not inconsistent with applicable statutes, that violation of a specific rule is an infraction under chapter 7.84 RCW. ((A person taking or possessing salmon in violation of this title or rules of the director shall be punished by a fine in an amount not more than five thousand dollars if the salmon involved in the violation have a market value greater than two hundred fifty dollars. This fine is in addition to the punishment resulting under subsection (1) of this section.))

Sec. 7. Section 75.28.380, chapter 12, Laws of 1955 as last amended by section 43, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.10.120 are each amended to read as follows:

(1) Upon conviction of a person for a violation of this title or rule of the director, in addition to the penalty imposed by law, the court may forfeit the person's license or licenses.

((2) The court shall forfeit the license: (a) Upon conviction for a violation of this title or rule of the director prescribing the length, depth, or construction of fishing gear, or (b) upon two or more convictions in a five-year period of any violation of this title or rule of the director.)) The license or licenses shall remain forfeited pending appeal.

(2) The director may prohibit, for one year, the issuance of ((α)) all commercial fishing licenses to a person convicted of two or more gross misdemeanor or class C felony violations of

this title or rule of the director in a five-year period or prescribe the conditions under which the license or licenses may be issued. For purposes of this section, the term 'conviction' means a final conviction in a state or municipal court. An unvacated forfeiture of bail or collateral of two hundred fifty dollars or more deposited to secure the defendant's appearance in court, the payment of a fine, a plea of guilty, or a finding of guilt on a violation of this title or rule of the director is equivalent to a conviction regardless of whether the imposition of sentence is deferred or the penalty is suspended.

Sec. 8. Section 75.12.090, chapter 12, Laws of 1955 as last amended by section 54, chapter 46, Laws of 1983 1st ex. sess. and RCW 75.12.090 are each amended to read as follows:

(1) It is unlawful to take food fish or shellfish from a building, vehicle, vessel, container, or fishing gear thereby depriving the rightful owner of the food fish or shellfish.

(2) It is unlawful to (~~steal or~~) molest gear used to take food fish or shellfish for either commercial purposes or personal use."

On page 1, line 1 of the title, after "RCW;" strike the remainder of the title and insert "amending RCW 75.10.030, 75.10.110, 75.10.120, and 75.12.090; adding new sections to chapter 75.10 RCW; and prescribing penalties."

Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Passed to Committee on Rules for second reading.

February 21, 1990

ESSB 6389 Prime Sponsor, Committee on Law & Justice: Revising the Washington business corporations act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Locke and Wineberry.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6391 Prime Sponsor, Senator Nelson: Correcting internal revenue code references in the estate and transfer tax statutes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6392 Prime Sponsor, Senator Nelson: Amending requisites of wills. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6393 Prime Sponsor, Committee on Law & Justice: Exempting certain retirement benefits from execution, attachment, garnishment, or seizure. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough,

Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6394 Prime Sponsor, Senator Nelson: Modifying provisions regarding escheat property and small estates. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6396 Prime Sponsor, Senator Nelson: Revising the deed of trust act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6421 Prime Sponsor, Senator Rinehart: Adding submarine veterans of World War II to the list of organizations represented on the veterans affairs advisory committee. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; Hankins, R. King, Morris and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representative R. Fisher.

Absent: Representatives Morris and Silver.

Passed to Committee on Rules for second reading.

February 22, 1990

ESSB 6452 Prime Sponsor, Committee on Ways & Means: Clarifying "annual leave" for purposes of the school district leave sharing program. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 3, chapter 93, Laws of 1989 and RCW 41.04.660 are each amended to read as follows:

The Washington state leave sharing program is hereby created. The purpose of the program is to permit state employees, at no significantly increased cost to the state of providing annual or sick leave, to come to the aid of a fellow state employee who is suffering from or has a relative or household member suffering from an extraordinary or severe illness, injury, impairment, or physical or mental condition which has caused or is likely to cause the employee to take leave without pay or terminate his or her employment.

Sec. 2. Section 4, chapter 93, Laws of 1989 and RCW 41.04.665 are each amended to read as follows:

(1) An agency head may permit an employee to receive leave under this section if:

(a) The employee suffers from, or has a relative or household member suffering from, an illness, injury, impairment, or physical or mental condition which is of an extraordinary or severe nature and which has caused, or is likely to cause, the employee to:

(i) Go on leave without pay status; or

(ii) Terminate state employment;

(b) The employee's absence and the use of shared leave are justified;

(c) The employee has depleted or will shortly deplete his or her annual leave and sick leave reserves;

(d) The employee has abided by agency rules regarding sick leave use; and

(e) The employee has diligently pursued and been found to be ineligible for benefits under chapter 51.32 RCW.

(2) The agency head shall determine the amount of leave, if any, which an employee may receive under this section. However, an employee shall not receive a total of more than two hundred sixty-one days of leave.

(3) An employee who has an accrued annual leave balance of more than ten days may request that the head of the agency for which the employee works transfer a specified amount of annual leave to another employee authorized to receive leave under subsection (1) of this section. In no event may the employee request a transfer of an amount of leave that would result in his or her annual leave account going below ten days.

(4) An employee of a community college, school district, or educational service district who does not accrue annual leave but does accrue sick leave and who has an accrued sick leave balance of more than sixty days may request that the head of the agency for which the employee works transfer a specified amount of sick leave to another employee authorized to receive leave under subsection (1) of this section. In no event may such an employee request a transfer of more than six days of sick leave during any twelve month period, or request a transfer that would result in his or her sick leave account going below sixty days. Transfers of sick leave under this subsection are limited to transfers from employees who do not accrue annual leave. Under this subsection, 'sick leave' also includes leave accrued pursuant to RCW 28A.58.099(2) or 28A.21.102(1) with compensation for illness, injury, and emergencies.

(5) Transfers of leave made by an agency head under subsections (3) and (4) of this section shall not exceed the requested amount.

~~((5))~~ (6) Leave transferred under this section may be transferred from employees of one agency to an employee of the same agency or, with the approval of the heads of both agencies, to an employee of another state agency. However, leave transferred to or from employees of school districts or educational service districts is limited to transfers to or from employees within the same employing district.

~~((6))~~ (7) While an employee is on leave transferred under this section, he or she shall continue to be classified as a state employee and shall receive the same treatment in respect to salary, wages, and employee benefits as the employee would normally receive if using accrued annual leave or sick leave.

(a) All salary and wage payments made to employees while on leave transferred under this section shall be made by the agency employing the person receiving the leave. The value of leave transferred shall be based upon the annual leave value of the person receiving the leave.

(b) In the case of leave transferred by an employee of one agency to an employee of another agency, the agencies involved shall arrange for the transfer of funds and credit for the appropriate value of leave.

(i) Pursuant to rules adopted by the office of financial management, funds shall not be transferred under this section if the transfer would violate any constitutional or statutory restrictions on the funds being transferred.

(ii) The office of financial management may adjust the appropriation authority of an agency receiving funds under this section only if and to the extent that the agency's existing appropriation authority would prevent it from expending the funds received.

(iii) Where any questions arise in the transfer of funds or the adjustment of appropriation authority, the director of financial management shall determine the appropriate transfer or adjustment.

~~((7))~~ (8) Leave transferred under this section shall not be used in any calculation to determine an agency's allocation of full time equivalent staff positions.

~~((8))~~ (9) The value of any leave transferred under this section which remains unused shall be returned at its original value to the employee or employees who transferred the leave when the agency head finds that the leave is no longer needed or will not be needed at a future time in connection with the illness or injury for which the leave was transferred. To the extent administratively feasible, the value of unused leave which was transferred by more than one employee shall be returned on a pro rata basis.

Sec. 3. Section 5, chapter 93, Laws of 1989 and RCW 41.04.670 are each amended to read as follows:

The state personnel board, the higher education personnel board, and other personnel authorities shall each adopt rules applicable to employees under their respective jurisdictions:

(1) Establishing appropriate parameters for the program which are consistent with the provisions of RCW 41.04.650 through 41.04.665; (2) providing for equivalent treatment of employees between their respective jurisdictions and allowing transfers of leave in accordance with RCW 41.04.665(5); (3) establishing procedures to ensure that the program does not significantly increase the cost of providing ~~((annual))~~ leave; and (4) providing for the administration of the

program and providing for maintenance and collection of sufficient information on the program to allow a thorough legislative review.

Sec. 4. Section 6, chapter 93, Laws of 1989 and RCW 28A.58.0991 are each amended to read as follows:

Every school district board of directors and educational service district superintendent may, in accordance with RCW 41.04.650 through 41.04.665, establish and administer ~~((an annual))~~ a leave sharing program for their certificated and noncertificated employees. For employees of school districts and educational service districts, the superintendent of public instruction shall adopt standards: (1) Establishing appropriate parameters for the program which are consistent with the provisions of RCW 41.04.650 through 41.04.665; and (2) establishing procedures to ensure that the program does not significantly increase the cost of providing ~~((annual))~~ leave.

NEW SECTION. Sec. 5. 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 shall take effect immediately.*

On page 1, line 2 of the title, after "program," strike the remainder of the title and insert "amending RCW 41.04.660, 41.04.665, 41.04.670, and 28A.58.0991; and declaring an emergency.*"

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representative Silver.

Referred to Committee on Appropriations.

February 21, 1990

SSB 6467 Prime Sponsor, Committee on Law & Justice: Adding second degree arson as basis for first degree murder in certain cases. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Belcher, Brough, Dellwo, Hargrove, Insee, P. King, R. Meyers, Scott, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6474 Prime Sponsor, Committee on Financial Institutions & Insurance: Changing provisions relating to purchase and sale of property and policy decisions by certain public corporations. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 2 after "42.30.080," strike all material down to and including "meeting," on line 6 and insert "Nothing in this section shall be construed to prevent the governing body of the public corporation, commission, or authority from holding an executive session during a regular or special meeting in accordance with RCW 42.30.110(1)(c). In addition, the public corporation, commission, or authority shall advertise notice of the meeting in a local newspaper of general circulation at least twice no less than seven days and no more than two weeks before the public meeting."

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wood and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Wolfe.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6531 Prime Sponsor, Committee on Transportation: Authorizing port districts to spend money on road improvements. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6549 Prime Sponsor, Senator Smith: Changing the term "salary" to "compensation" for public utility district employees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6567 Prime Sponsor, Senator Lee: Revising the definition of benefit year for unemployment compensation. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives Forner and Leonard.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6568 Prime Sponsor, Senator Lee: Revising provisions for unemployment compensation overpayments. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative Leonard.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6575 Prime Sponsor, Committee on Energy & Utilities: Revising liability requirements for nuclear operations. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 191, Laws of 1986 and RCW 43.200.200 are each amended to read as follows:

(1) The director of the department of ecology shall periodically review the potential for bodily injury and property damage in the packaging, shipping, transporting, treatment, storage, and disposal of commercial low-level radioactive materials under licenses or permits issued by the state.

~~(2) ((The director shall, upon the completion of each review, determine by rule the minimum amount of liability coverage that is adequate to protect the state and its citizens from all claims, suits, losses, damages, or expenses on account of injuries to persons and property damage arising or growing out of the packaging, shipping, transporting, treatment, storage, and disposal of commercial low-level radioactive materials.~~

~~(3)) Except as otherwise provided in subsection (7) of this section, the director shall require ((the maximum amount of)) each permit holder to maintain liability coverage ((available from private sources, including)) in an amount that is adequate to protect the state and its citizens from all claims, suits, losses, damages, or expenses on account of injuries to persons and property damage arising or growing out of the packaging, shipping, transporting, treatment, storage, and disposal of commercial low-level radioactive materials. The liability coverage may be in the form of insurance, cash, surety bonds, corporate guarantees, and other acceptable instruments((, unless the director determines that a lesser amount is adequate to protect the state and its citizens pursuant to this section)).~~

~~((4)) (3) In making the determination of the appropriate level of liability coverage, the director shall consider:~~

(a) The nature and purpose of the activity and its potential for injury and damages to or claims against the state and its citizens;

(b) The current and cumulative manifested volume and radioactivity of material being packaged, transported, buried, or otherwise handled;

(c) The location where the material is being packaged, transported, buried, or otherwise handled, including the proximity to the general public and geographic features such as geology and hydrology, if relevant; and

(d) The legal defense cost, if any, that will be paid from the required liability coverage amount.

~~((f))~~ (4) The director may establish different levels of required liability coverage for various classes of ~~(license or)~~ permit holders.

~~((f))~~ (5) The director shall establish by rule the instruments or mechanisms by which a person may demonstrate liability coverage as required by RCW 43.200.210 ~~(and 70.98.095)~~. Any instrument or mechanism approved as an alternative to liability insurance shall provide the state and its citizens with a level of financial protection at least as great as would be provided by liability insurance.

~~((f))~~ (6) The director shall complete the first review and determination, and report the results to the legislature, by December 1, 1987. At least every five years thereafter, the director shall conduct a new review and determination and report its results to the legislature.

(7)(a) The director by rule may exempt from the requirement to provide liability coverage a class of permit holders if the director determines that the exemption of that class will not pose a significant risk to persons or property and will not pose substantial financial risk to the state.

(b) The director may exempt from the requirement to provide liability coverage an individual permit holder if the director determines that the cost of obtaining that coverage for that permit holder would impose a substantial financial hardship on the person and that failure to maintain the coverage will not pose a significant risk to persons or property and will not pose a substantial financial risk to the state.

Sec. 2. Section 2, chapter 191, Laws of 1986 and RCW 43.200.210 are each amended to read as follows:

(1)(a) The department of ecology shall require that any person who holds or applies for a ~~(license or)~~ permit under this chapter ~~((or))~~ indemnify and hold harmless the state from claims, suits, damages, or expenses on account of injuries to or death of persons and property, arising or growing out of any operations and activities for which the person holds the license or permit, and any necessary or incidental operations ~~(and)~~;

(b) Except for a permit holder not required to maintain liability insurance coverage under RCW 43.200.200(7), the department shall require any person who holds or applies for a permit under this chapter to demonstrate that the person has and maintains liability coverage for the operations for which the state has been indemnified and held harmless pursuant to this section. The agency shall require coverage in an amount determined by the director of the department of ecology pursuant to RCW 43.200.200.

(2) The department of ecology shall suspend the license ~~(or permit)~~ of any person required by this section to hold and maintain liability coverage who fails to demonstrate compliance with this section. The ~~(license or)~~ permit shall not be reinstated until the person demonstrates compliance with this section.

(3) The department of ecology shall require (a) that any person required to maintain liability coverage maintain with the agency current copies of any insurance policies, certificates of insurance, or any other documents used to comply with this section, (b) that the agency be notified of any changes in the insurance coverage or financial condition of the person, and (c) that the state be named as an insured party on any insurance policy used to comply with this section.

NEW SECTION. Sec. 3. A new section is added to chapter 70.98 RCW to read as follows:

(1) Except as otherwise provided in subsection (5) of this section, the secretary shall require each permit or license holder to maintain liability coverage in an amount that is adequate to protect the state and its citizens from all claims, suits, losses, damages, or expenses on account of injuries to persons and property damage arising or growing out of the packaging, shipping, transporting, treatment, storage, and disposal of commercial low-level radioactive materials. The liability coverage may be in the form of insurance, cash, surety bonds, corporate guarantees, and other acceptable instruments.

(2) In making the determination of the appropriate level of liability coverage, the secretary shall consider:

(a) The nature and purpose of the activity and its potential for injury and damages to or claims against the state and its citizens;

(b) The current and cumulative manifested volume and radioactivity of material being packaged, transported, buried, or otherwise handled;

(c) The location where the material is being packaged, transported, buried, or otherwise handled, including the proximity to the general public and geographic features such as geology and hydrology, if relevant;

(d) The report prepared by the department of ecology pursuant to RCW 43.200.200; and

(e) The legal defense cost, if any, that will be paid from the required liability coverage amount.

(3) The secretary may establish different levels of required liability coverage for various classes of permit or license holders.

(4) The secretary shall establish by rule the instruments or mechanisms by which a person may demonstrate liability coverage as required by RCW 70.98.095. Any instrument or mechanism approved as an alternative to liability insurance shall provide the state and its citizens with a level of financial protection at least as great as would be provided by liability insurance.

(5)(a) The secretary by rule may exempt from the requirement to provide liability coverage a class of permit or license holders if the secretary determines that the exemption of that class will not pose a significant risk to persons or property and will not pose substantial financial risk to the state.

(b) The secretary may exempt from the requirement to provide liability coverage an individual permit or license holder if the secretary determines that the cost of obtaining that coverage for that license or permit or license holder would impose a substantial financial hardship on the person and that failure to maintain the coverage will not pose a significant risk to persons or property and will not pose a substantial financial risk to the state.

Sec. 4. Section 3, chapter 191, Laws of 1986 and RCW 70.98.095 are each amended to read as follows:

(1)(a) The radiation control agency shall require that any person who holds or applies for a license or permit under this chapter (~~((a))~~) indemnify and hold harmless the state from claims, suits, damages, or expenses on account of injuries to or death of persons and property, arising or growing out of any operations or activities for which the person holds the license or permit, and any necessary or incidental operations(~~(-and)~~).

(b) Except for a license or permit holder who the secretary has exempted from maintaining liability coverage pursuant to section 3(5) of this act, the radiation control agency shall require any person who holds or applies for a license or permit under this chapter to demonstrate that the person has and maintains liability coverage for the operations for which the state has been indemnified and held harmless pursuant to this section. The agency shall require coverage in an amount determined by the ~~((director of the department of ecology pursuant to RCW 43.200.200)) secretary pursuant to section 3 of this act.~~

(2) The radiation control agency shall suspend the license or permit of any person required by this section to hold and maintain liability coverage who fails to demonstrate compliance with this section. The license or permit shall not be reinstated until the person demonstrates compliance with this section.

(3) The radiation control agency shall require (a) that any person required to maintain liability coverage maintain with the agency current copies of any insurance policies, certificates of insurance, or any other documents used to comply with this section, (b) that the agency be notified of any changes in the insurance coverage or financial condition of the person, and (c) that the state be named as an insured party on any insurance policy used to comply with this section.

NEW SECTION. Sec. 5. The department of ecology and the department of health shall study and report to the legislature on methods by which persons who hold licenses or permits for the packaging, shipping, transporting, treatment, storage, and disposal of commercial low-level radioactive materials under licenses or permits issued by the state and who are unable to obtain liability coverage required by the state may be provided with that coverage. The study shall be completed and the report submitted to the energy and utilities committees of the senate and the house of representatives not later than December 1, 1990."

On page 1, after line 1 of the title, strike the remainder of the title and insert "amending RCW 43.200.200, 43.200.210, and 70.98.095; adding a new section to chapter 70.98 RCW; and creating a new section."

Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, Jesernig; May, R. Meyers and Miller.

Voting nay: Representative S. Wilson.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6642 Prime Sponsor, Committee on Economic Development & Labor: Revising the Washington Marketplace Program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Tate and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representative Schoon.

Passed to Committee on Rules for second reading.

February 22, 1990

ESB 6654 Prime Sponsor, Senator McDonald: Authorizing local governments to establish public corporations to finance nonprofit corporations. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wood and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Wolfe.

Absent: Representative Raiter.

Passed to Committee on Rules for second reading.

February 21, 1990

SB 6665 Prime Sponsor, Senator Nelson: Revising the corporations statutes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6673 Prime Sponsor, Senator McCaslin: Changing provisions relating to state employees operating state-owned vehicles. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representatives Morris and Silver.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6713 Prime Sponsor, Committee on Environment & Natural Resources: Prohibiting the use of styrofoam containers for fishing bait. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that the majority of the litter found in the state's streams, rivers, and marine waters, and their adjoining tide and shorelands, consist of polystyrene foam bait containers.

These persistent and nonbiodegradable containers provide a significant threat to the fisheries and wildlife resources of the state. These containers are a source of aesthetic degradation and affects the recreational use of our state waterways.

NEW SECTION, Sec. 2. A new section is added to chapter 70.95 RCW to read as follows:

(1) Effective January 1, 1991, the sale in the regular course of business of fishing bait in containers made of, or packaged in, polystyrene foam is prohibited. Containers for natural or preserved bait including but not limited to: Salmon eggs, sand shrimp, fresh or frozen herring, anchovies, smelt, worms, grubs, maggots, and other natural baits are included in this prohibition.

(2) A violation of this section is punishable by a civil penalty which shall be not less than two hundred dollars nor more than two thousand dollars for each offense."

On page 1, line 2 of the title, after "containers;" strike the remainder of the title and insert "adding a new section to chapter 70.95 RCW; creating a new section; and prescribing penalties."

Signed by Representatives R. King, Chair; Morris, Vice Chair; Basich, Bowman, Brooks, Cole and Vekich.

MINORITY recommendation: Do not pass. Signed by Representatives S. Wilson, Ranking Republican Member; Haugen, Smith and Spanel.

Passed to Committee on Rules for second reading.

February 22, 1990

ESSB 6726

Prime Sponsor, Committee on Environment & Natural Resources: Providing funds for firearm range facilities. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

On page 4, after line 9, insert the following:

*Sec. 6. Section 7, chapter 172, Laws of 1935 as last amended by section 1, chapter 36, Laws of 1988, section 1, chapter 219, Laws of 1988, section 1, chapter 223, Laws of 1988, and by section 10, chapter 263, Laws of 1988 and RCW 9.41.070 are each reenacted and amended to read as follows:

(1) The judge of a court of record, the chief of police of a municipality, or the sheriff of a county, shall within thirty days after the filing of an application of any person issue a license to such person to carry a pistol concealed on his or her person within this state for four years from date of issue, for the purposes of protection or while engaged in business, sport, or while traveling. However, if the applicant does not have a valid permanent Washington driver's license or Washington state identification card or has not been a resident of the state for the previous consecutive ninety days, the issuing authority shall have up to sixty days after the filing of the application to issue a license. Such applicant's constitutional right to bear arms shall not be denied to him, unless he or she:

- (a) Is ineligible to own a pistol under the provisions of RCW 9.41.040; or
- (b) Is under twenty-one years of age; or
- (c) Is subject to a court order or injunction regarding firearms pursuant to RCW 10.99.040, 10.99.045, or 26.09.060; or
- (d) Is free on bond or personal recognizance pending trial, appeal, or sentencing for a crime of violence; or
- (e) Has an outstanding warrant for his or her arrest from any court of competent jurisdiction for a felony or misdemeanor; or
- (f) Has been ordered to forfeit a firearm under RCW 9.41.098(1)(d) within one year before filing an application to carry a pistol concealed on his person.

The license shall be revoked immediately upon conviction of a crime which makes such a person ineligible to own a pistol or upon the third conviction for a violation of this chapter within five calendar years.

(2) Upon an order to forfeit a firearm under RCW 9.41.098(1)(d) the license shall:

- (a) On the first forfeiture, be revoked by the department of licensing for one year;
- (b) On the second forfeiture, be revoked by the department of licensing for two years;
- (c) On the third or subsequent forfeiture, be revoked by the department of licensing for five years.

Any person whose license is revoked as a result of a forfeiture of a firearm under RCW 9.41.098(1)(d) may not reapply for a new license until the end of the revocation period.

The license shall be in triplicate, in form to be prescribed by the department of licensing, and shall bear the name, address, and description, fingerprints, and signature of the licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license. The license application shall contain a warning substantially as follows:

CAUTION: Although state and local laws do not differ, federal law and state law on the possession of firearms differ. If you are prohibited by federal law from possessing a firearm, you may be prosecuted in federal court. A state license is not a defense to a federal prosecution.

The license application shall contain a description of the major differences between state and federal law and an explanation of the fact that local laws and ordinances on firearms are preempted by state law and must be consistent with state law. The application shall contain questions about the applicant's place of birth, whether the applicant is a United States citizen, and if not a citizen whether the applicant has declared the intent to become a citizen and whether he or she has been required to register with the state or federal government and any identification or registration number, if applicable. The applicant shall not be required to produce a birth certificate or other evidence of citizenship. An applicant who is not a citizen shall provide documentation showing resident alien status and the applicant's intent to become a citizen. A person who makes a false statement regarding citizenship on the application is guilty of a misdemeanor. A person who is not a citizen of the United States, or has not declared his or her intention to become a citizen shall meet the additional requirements of RCW 9.41.170.

The original thereof shall be delivered to the licensee, the duplicate shall within seven days be sent by registered mail to the director of licensing and the triplicate shall be preserved for six years, by the authority issuing said license.

(3) The fee for the original issuance of a four-year license shall be twenty-three dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be

borne by the applicant for the issuance of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

- (a) Four dollars shall be paid to the state general fund;
- (b) Four dollars shall be paid to the agency taking the fingerprints of the person licensed;
- (c) Twelve dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and

(d) Three dollars to the firearms range account in the ((wildlife)) general fund.

(4) The fee for the renewal of such license shall be fifteen dollars: PROVIDED, That no other additional charges by any branch or unit of government shall be borne by the applicant for the renewal of the license: PROVIDED FURTHER, That the fee shall be distributed as follows:

- (a) Four dollars shall be paid to the state general fund;
- (b) Eight dollars shall be paid to the issuing authority for the purpose of enforcing this chapter; and

(c) Three dollars to the firearms range account in the ((wildlife)) general fund.

(5) Payment shall be by cash, check, or money order at the option of the applicant. Additional methods of payment may be allowed at the option of the issuing authority.

(6) A licensee may renew a license if the licensee applies for renewal within ninety days before or after the expiration date of the license. A license so renewed shall take effect on the expiration date of the prior license. A licensee renewing after the expiration date of the license must pay a late renewal penalty of ten dollars in addition to the renewal fee specified in subsection (4) of this section. The fee shall be distributed as follows:

- (a) Three dollars shall be deposited in the state wildlife fund and used exclusively for the printing and distribution of a pamphlet on the legal limits of the use of firearms, firearms safety, and the preemptive nature of state law. The pamphlet shall be given to each applicant for a license; and
- (b) Seven dollars shall be paid to the issuing authority for the purpose of enforcing this chapter.

(7) Notwithstanding the requirements of subsections (1) through (6) of this section, the chief of police of the municipality or the sheriff of the county of the applicant's residence may issue a temporary emergency license for good cause pending review under subsection (1) of this section.

(8) A political subdivision of the state shall not modify the requirements of this section or chapter, nor may a political subdivision ask the applicant to voluntarily submit any information not required by this section. A civil suit may be brought to enjoin a wrongful refusal to issue a license or a wrongful modification of the requirements of this section or chapter. The civil suit may be brought in the county in which the application was made or in Thurston county at the discretion of the petitioner. Any person who prevails against a public agency in any action in the courts for a violation of this chapter shall be awarded costs, including reasonable attorneys' fees, incurred in connection with such legal action."

Renumber the following sections consecutively.

On page 1, line 1 of the title, after "facilities;" insert "reenacting and amending RCW 9.41.070;"

Signed by Representatives R. King, Chair; Morris, Vice Chair; S. Wilson, Ranking Republican Member; Basich, Bowman, Brooks, Cole, Haugen, Smith, Spanel and Vekich.

Referred to Committee on Appropriations.

February 22, 1990

2SSB 6731 Prime Sponsor, Committee on Ways & Means: Including absentee ballots in state-wide election abstracts. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representative Silver.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6734 Prime Sponsor, Committee on Ways & Means: Improving administration of historical activities and programs. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representatives Morris and Silver.

Referred to Committee on Appropriations.

February 21, 1990

SB 6754 Prime Sponsor, Senator Nelson: Perfecting certain security interests upon recording. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Insee, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6764 Prime Sponsor, Committee on Education: Creating the learn-in-libraries program. Reported by Committee on State Government

MAJORITY recommendation: Do pass. Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

Absent: Representative Silver.

Referred to Committee on Appropriations.

February 21, 1990

ESSB 6771 Prime Sponsor, Committee on Energy & Utilities: Studying the placement of electric transmission lines and magnetic fields. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause, and insert the following:

NEW SECTION. Sec. 1. The legislature finds that as studies are continued into the possible health effects from electric and magnetic fields, utilities are placed in a difficult position when considering the placement of additional electric transmission and distribution lines. The legislature further finds that as certain parts of the state experience high rates of growth, continued demand for power will likely result in an increasing need for electric transmission and distribution facilities, and that additional options may be needed for locating these lines.

NEW SECTION. Sec. 2. The electric transmission research needs task force is hereby created, consisting of the director, or a designee of the state energy office, the director, or a designee of the department of health and the chair, or a designee of the utilities and transportation commission. The department of health shall serve as the lead agency of the task force.

NEW SECTION. Sec. 3. The electric transmission research needs task force shall recommend, by January 1, 1992, research needs for limiting human exposure to electric and magnetic fields from electric transmission and distribution lines. The recommendations shall take into account the costs associated with needed research. The task force shall solicit recommendations from utility representatives and other experts, including the state's higher education system, on engineering techniques and ways to limit human exposure to electric and magnetic fields. The recommendations shall include options for legislative action and options for funding such research. The task force shall report to the energy and utilities committees of the house of representatives and the senate by January 15, 1992.

NEW SECTION. Sec. 4. The sum of forty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of health for the purposes of this act.

NEW SECTION. Sec. 5. The sum of forty thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the public service revolving fund to the department of health for the purposes of this act."

In line 1 of the title, after "fields," strike the remainder of the title and insert "creating new sections; and making appropriations."

Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Bennett, Cooper, Gallagher, Jacobsen, Jesernig, R. Meyers and Miller.

MINORITY recommendation: Do not pass. Signed by Representatives Hankins, Ranking Republican Member; Brooks, May and S. Wilson.

Referred to Committee on Appropriations.

February 22, 1990

SB 6786 Prime Sponsor, Senator Patrick: Authorizing city and town councilmembers to serve as reserve police officers. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 13 insert the following:

"Sec. 2. Section 2, chapter 60, laws of 1974 ex. sess. and RCW 35A.11.110 are each amended to read as follows:

Notwithstanding any other provision of law, the legislative body of any code city, by resolution adopted by unanimous vote, may authorize any of its members to serve as volunteer ~~((firemen))~~ fire fighters or reserve law enforcement officers and to receive the same compensation, insurance and other benefits as are applicable to other volunteer ~~((firemen))~~ fire fighters or reserve law enforcement officers employed by the code city."

On page 1, line 3 of the title after "35.21.770" insert "and 35A.11.110"

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative Horn.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6880 Prime Sponsor, Committee on Governmental Operations: Limiting the disclosure of business and residential locations. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 19 strike "and if" and insert "because"

On page 4, line 24 after "operation." insert "An agency that has not been furnished with a request for confidentiality of address information is not liable for damages resulting from its disclosure of the information."

Signed by Representatives Todd, Chair; Anderson, Vice Chair; R. Fisher, R. King, Morris and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representatives McLean, Ranking Republican Member; Hankins and Silver.

Referred to Committee on Appropriations.

February 21, 1990

SJM 8017 Prime Sponsor, Senator DeJarnatt: Resolving to commemorate the 200th anniversary of the discovery of the Columbia river. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 1, after line 5, strike the remainder of the memorial and insert the following:

"WHEREAS, On May 11, 1792, Captain Robert Gray guided the ship 'Columbia' into the mouth of the long rumored 'River of the West'; and

WHEREAS, On May 17, 1792, Captain Gray gave this river the name, 'Columbia River'; and

WHEREAS, Captain Robert Gray was the first American to circumnavigate the world; and

WHEREAS, The exploration of the Columbia River by Captain Gray was in part responsible for the United States' successful claims to the Oregon Country; and

WHEREAS, The 200th anniversary of the exploration of the Columbia River will be celebrated in 1992; and

WHEREAS, The Columbia River is a mighty and beautiful asset shared by the states of Washington and Oregon;

NOW, THEREFORE, BE IT RESOLVED, By the Senate of the state of Washington, the House of Representatives concurring, That the citizens of Washington and Oregon should be informed of the approaching 200th anniversary of the exploration of the Columbia River; and

BE IT FURTHER RESOLVED, That citizens of Washington and Oregon should cooperate in planning a celebration to commemorate the 200th anniversary of the exploration under the

aegis of the Washington State Historical Society and Oregon State Historical Society, respectively; and

BE IT FURTHER RESOLVED, That the Washington State Senate and House of Representatives shall offer encouragement to the International Committee for the Celebration of the Maritime Bicentennial appointed by Washington Governor Booth Gardner, Oregon Governor Neil Goldschmidt, and British Columbia Premier and President of the Executive Council William N. VanderZalm; and

BE IT FURTHER RESOLVED, That in recognition of the international significance of the Columbia River bicentennial, we commend and support the efforts of the Washington State Historical Society to create, as a permanent legacy of this observance, a Center for Columbia River History; and

BE IT FURTHER RESOLVED, That the citizens of Washington and Oregon are urged to share in the fun and festivities surrounding the 200th anniversary celebration; and

BE IT FURTHER RESOLVED, That copies of this memorial be immediately transmitted by the Secretary of the Senate to the Oregon State Senate and House of Representatives."

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heavey, the bills and memorial listed on today's committee reports under the fifth order of business were referred to the committees so designated.

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

RESOLUTIONS

HOUSE FLOOR RESOLUTION NO. 90-4753, by Representatives Brekke, Nelson, May, Horn, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, G. Fisher, R. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Inslee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, McLean, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

WHEREAS, Mr. Alfred Fleury was born one hundred years ago today in Switzerland; and

WHEREAS, Mr. Fleury bravely served in the Swiss Army during World War I and came to the United States in 1915 at the age of twenty five; and

WHEREAS, Mr. Fleury moved from Detroit, Michigan to Watertown, South Dakota, where he went into the hotel business; and

WHEREAS, Mr. Fleury's hotel business fell victim to the Great Depression and he moved to Washington State; and

WHEREAS, Mr. Fleury moved to Mercer Island where he served on the first City Council, launched the city's first Chamber of Commerce and served on the Board of Directors of the city library; and

WHEREAS, Mr. Fleury and fellow eastside residents, dissatisfied with having to use ferries to cross Lake Washington, successfully lobbied the State Legislature to create the Washington State Toll Bridge Authority and build the Evergreen Point Floating Bridge; and

WHEREAS, Mr. Fleury completed his career with the Richfield Oil Corporation, now known as ARCO; and

WHEREAS, Mr. Fleury has steadfastly maintained his principles and selflessly donated time and energy as a member of public office and as a responsible citizen; and

WHEREAS, Mr. Fleury's insight, leadership and love of this state spark the minds and hearts of lawmakers and citizens alike;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commemorate Mr. Fleury on his 100th birthday and that copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Mr. Alfred Fleury and members of his family.

Mr. Nelson moved adoption of the resolution. Representatives Nelson, May, Horn and Brekke spoke in favor of adoption of the resolution.

On motion of Mr. Horn, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

House Floor Resolution No. 90-4753 was adopted.

HOUSE FLOOR RESOLUTION NO. 90-4752, by Representatives Rust, Belcher, Nutley, Winsley, Prentice, Cole, Anderson, G. Fisher, O'Brien, Walker, Rayburn, Miller, May, S. Wilson, Crane, Doty, Phillips, Leonard, Valle, Brekke, H. Sommers, Sprenkle, Rasmussen, Fraser, Jacobsen, D. Sommers, Nelson, Pruitt, Kremen, Insee, Schoon, Van Luven and Wang

WHEREAS, Every person has the right to a clean and healthy environment; and
WHEREAS, Almost twenty years ago more than twenty million Americans joined together on Earth Day in a demonstration of concern for the environment; and

WHEREAS, Their collective action resulted in the passage of sweeping new laws to protect our air, water and land; and

WHEREAS, In the nineteen years since the first Earth Day, despite environmental improvements, the environmental health of the planet is increasingly endangered and threatened by global climate change, ozone depletion, growing world population, deforestation, ocean pollution, toxic waste and nuclear waste, requiring action by all sectors of society; and

WHEREAS, Earth Day 1990 is a national and international call to action for all citizens to join in a global effort to save the planet; and

WHEREAS, Earth Day 1990 activities and events will educate all citizens on the importance of acting in an environmentally sensitive fashion by recycling, conserving energy and water, using efficient transportation and adopting more ecologically sound lifestyles; and

WHEREAS, Earth Day 1990 activities and events will educate all citizens on the importance of buying and using those products least harmful to the environment; and

WHEREAS, Earth Day 1990 activities and events will educate all citizens on the importance of supporting the passage of legislation that will protect the environment; and

WHEREAS, Dennis Hayes, a founder of Earth Day, is a Washington native;

NOW, THEREFORE, BE IT RESOLVED, By the House of Representatives of the State of Washington, That April 22, 1990 be designated and proclaimed Earth Day 1990, and be set aside for public activities promoting preservation of the global environment and launching of the "Decade of the Environment."

Ms. Rust moved adoption of the resolution and spoke in favor of it.

House Floor Resolution No. 90-4752 was adopted.

The Speaker declared the House to be at ease.

The Speaker called the House to order.

REPORT OF CONFERENCE COMMITTEE

February 23, 1990

Mr. Speaker:

We of Your Conference Committee to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6259, changing provisions relating to criminal offenders, have had the same under consideration and we report that we are unable to agree, and we respectfully request the powers of Free Conference to amend the bill as follows:

Reject all previous amendments; and

Adopt the following amendments:

Strike everything after the enacting clause and insert the following:

INDEX

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III	Juvenile Justice Act Amendments	301-305
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PART I

COMMUNITY NOTIFICATION

NEW SECTION. Sec. 101. A new section is added to chapter 13.40 RCW to read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than ten days before discharge, parole, or any other authorized leave or release, or before transfer to a community residential facility, the secretary shall send written notice of the discharge, parole, authorized leave or release, or transfer of a juvenile found to have committed a violent offense or a sex offense, to the following:

(i) The chief of police of the city, if any, in which the juvenile will reside; and

(ii) The sheriff of the county in which the juvenile will reside.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific juvenile:

(i) The victim of the offense for which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the juvenile in any court proceedings involving the offense; and

(iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the juvenile. The notice to the chief of police or the sheriff shall include the identity of the juvenile, the residence where the juvenile will reside, the identity of the person, if any, responsible for supervising the juvenile, and the time period of any authorized leave.

(2)(a) If a juvenile found to have committed a violent offense or a sex offense escapes from a facility of the department, the secretary shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the juvenile resided immediately before the juvenile's arrest. If previously requested, the secretary shall also notify the witnesses and the victim of the offense which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide. If the juvenile is recaptured, the secretary shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(b) The secretary may authorize a leave, for a juvenile found to have committed a violent or sex offense, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a member of the juvenile's family. The secretary may authorize a leave, which shall not exceed the time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. Prior to the commencement of an emergency or medical leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will be during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave. If previously requested, the department shall also notify the witnesses and victim of the offense which the juvenile was found to have committed or the victim's next of kin if the offense was a homicide.

In case of an emergency or medical leave the secretary may waive all or any portion of the requirements for leaves pursuant to RCW 13.40.205 (2)(a), (3), (4), and (5).

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(4) The secretary shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

- (a) 'Violent offense' means a violent offense under RCW 9.94A.030;
- (b) 'Sex offense' means a sex offense under RCW 9.94A.030;
- (c) 'Next of kin' means a person's spouse, parents, siblings, and children.

NEW SECTION, Sec. 102. A new section is added to chapter 13.40 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to section 117 of this act, to release relevant information that is necessary to protect the public concerning juveniles adjudicated of sex offenses.

Sec. 103. Section 10, chapter 191, Laws of 1983 and RCW 13.40.205 are each amended to read as follows:

(1) A juvenile sentenced to a term of confinement to be served under the supervision of the department shall not be released from the physical custody of the department prior to the release date established under RCW 13.40.210 except as otherwise provided in this section.

(2) A juvenile serving a term of confinement under the supervision of the department may be released on authorized leave from the physical custody of the department only if consistent with public safety and if:

- (a) Sixty percent of the minimum term of confinement has been served; and
- (b) The purpose of the leave is to enable the juvenile:

(i) To visit the juvenile's family for the purpose of strengthening or preserving family relationships;

(ii) To make plans for parole or release which require the juvenile's personal appearance in the community and which will facilitate the juvenile's reintegration into the community; or

(iii) To make plans for a residential placement out of the juvenile's home which requires the juvenile's personal appearance in the community.

(3) No authorized leave may exceed seven consecutive days. The total of all pre-minimum term authorized leaves granted to a juvenile prior to final discharge from confinement shall not exceed thirty days.

(4) Prior to authorizing a leave, the secretary shall require a written leave plan, which shall detail the purpose of the leave and how it is to be achieved, the address at which the juvenile shall reside, the identity of the person responsible for supervising the juvenile during the leave, and a statement by such person acknowledging familiarity with the leave plan and agreeing to supervise the juvenile and to notify the secretary immediately if the juvenile violates any terms or conditions of the leave. The leave plan shall include such terms and conditions as the secretary deems appropriate and shall be signed by the juvenile.

(5) Upon authorizing a leave, the secretary shall issue to the juvenile an authorized leave order which shall contain the name of the juvenile, the fact that the juvenile is on leave from a designated facility, the time period of the leave, and the identity of an appropriate official of the department to contact when necessary. The authorized leave order shall be carried by the juvenile at all times while on leave.

(6) Prior to the commencement of any authorized leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will reside during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave.

(7) The secretary may authorize a leave, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a member of the juvenile's family. The secretary may authorize a leave, which shall not exceed the period of time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. In cases of emergency or medical leave the secretary may waive all or any portions of subsections (2)(a), (3), (4), (5), and (6) of this section.

(8) If requested by the juvenile's victim or the victim's immediate family (~~(prior to confinement)~~), the secretary shall give notice of any leave to the victim or the victim's immediate family.

(9) A juvenile who violates any condition of an authorized leave plan may be taken into custody and returned to the department in the same manner as an adult in identical circumstances.

(10) Notwithstanding the provisions of this section, a juvenile placed in minimum security status may participate in work, educational, community service, or treatment programs in the community up to twelve hours a day if approved by the secretary. Such a release shall not be deemed a leave of absence.

(11) Subsections (6), (7), and (8) of this section do not apply to juveniles covered by section 101 of this 1990 act.

NEW SECTION, Sec. 104. A new section is added to chapter 10.77 RCW to read as follows:

(1)(a) At the earliest possible date, and in no event later than ten days before conditional release, final discharge, authorized furlough pursuant to RCW 10.77.163, or transfer to a less-

restrictive facility than a state mental hospital, the superintendent shall send written notice of the conditional release, final discharge, authorized furlough, or transfer of a person who has been found not guilty of a sex or violent offense by reason of insanity and who is now in the custody of the department pursuant to this chapter, to the following:

- (i) The chief of police of the city, if any, in which the person will reside; and
- (ii) The sheriff of the county in which the person will reside.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under this chapter:

(i) The victim of the crime for which the person was committed or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the person in any court proceedings; and

(iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter.

(c) In addition to the notice requirements of (a) and (b) of this subsection, the superintendent shall comply with RCW 10.77.163.

(2) If a person who has been found not guilty of a sex or violent offense by reason of insanity and who is committed under this chapter escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person resided immediately before the person's arrest. If previously requested, the superintendent shall also notify the witnesses and the victim, if any, of the crime for which the person was committed or the victim's next of kin if the crime was a homicide. The superintendent shall also notify appropriate persons pursuant to RCW 10.77.165. If the person is recaptured, the secretary shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(4) The department shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

(a) 'Violent offense' means a violent offense under RCW 9.94A.030;

(b) 'Sex offense' means a sex offense under RCW 9.94A.030;

(c) 'Next of kin' means a person's spouse, parents, siblings, and children;

(d) 'Authorized furlough' means a furlough granted after compliance with RCW 10.77.163.

NEW SECTION. Sec. 105. A new section is added to chapter 10.77 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to section 117 of this act, to release relevant information necessary to protect the public concerning a person who was acquitted of a sex offense as defined in RCW 9.94A.030 due to insanity and was subsequently committed to the department pursuant to this chapter.

Sec. 106. Section 2, chapter 122, Laws of 1983 as amended by section 9, chapter 420, Laws of 1989 and RCW 10.77.163 are each amended to read as follows:

(1) Before a person committed under this chapter is permitted temporarily to leave a treatment facility for any period of time without constant accompaniment by facility staff, the superintendent, professional person in charge of a treatment facility, or his or her professional designee shall in writing notify the prosecuting attorney of any county to which the person is released and the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision conditionally to release the person. The notice shall be provided at least thirty days before the anticipated release and shall describe the conditions under which the release is to occur.

(2) In addition to the notice required by subsection (1) of this section, the superintendent of each state institution designated for the custody, care, and treatment of persons committed under this chapter shall notify appropriate law enforcement agencies through the state patrol communications network of the furloughs of persons committed under RCW 10.77.090 or 10.77.110. Notification shall be made at least forty-eight hours before the furlough, and shall include the name of the person, the place to which the person has permission to go, and the dates and times during which the person will be on furlough.

(3) Upon receiving notice that a person committed under this chapter is being temporarily released under subsection (1) of this section, the prosecuting attorney may seek a temporary restraining order to prevent the release of the person on the grounds that the person is dangerous to self or others.

(4) The notice provisions of this section are in addition to those provided in section 104 of this 1990 act.

Sec. 107. Section 3, chapter 122, Laws of 1983 as amended by section 10, chapter 420, Laws of 1989 and RCW 10.77.165 are each amended to read as follows:

In the event of an escape by a person committed under this chapter from a state institution or the disappearance of such a person on conditional release, the superintendent shall notify as appropriate, local law enforcement officers, other governmental agencies, the person's relatives, and any other appropriate persons about information necessary for the public safety or to assist in the apprehension of the person. The notice provisions of this section are in addition to those provided in section 104 of this 1990 act.

Sec. 108. Section 21, chapter 117, Laws of 1973 1st ex. sess. as last amended by section 12, chapter 420, Laws of 1989 and RCW 10.77.210 are each amended to read as follows:

Any person involuntarily detained, hospitalized, or committed pursuant to the provisions of this chapter shall have the right to adequate care and individualized treatment. The person who has custody of the patient or is in charge of treatment shall keep records detailing all medical, expert, and professional care and treatment received by a committed person, and shall keep copies of all reports of periodic examinations of the patient that have been filed with the secretary pursuant to this chapter. Except as provided in sections 104 and 117 of this 1990 act regarding the release of information concerning insane offenders who are acquitted of sex offenses and subsequently committed pursuant to this chapter, all records and reports made pursuant to this chapter, shall be made available only upon request, to the committed person, to his or her attorney, to his or her personal physician, to the prosecuting attorney, to the court, to the protection and advocacy agency, or other expert or professional persons who, upon proper showing, demonstrates a need for access to such records. All records and reports made pursuant to this chapter shall also be made available, upon request, to the department of corrections or the indeterminate sentence review board if the person was on parole or probation at the time of detention, hospitalization, or commitment or the person is subsequently convicted for the crime for which he or she was detained, hospitalized, or committed pursuant to this chapter.

NEW SECTION. Sec. 109. A new section is added to chapter 71.05 RCW to read as follows:

(1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than ten days before conditional release, final discharge, authorized leave under RCW 71.05.325(2), or transfer to a less-restrictive facility than a state mental hospital, the superintendent shall send written notice of conditional release, final discharge, authorized leave, or transfer of a person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex or violent offense pursuant to RCW 10.77.090(3) to the following:

- (i) The chief of police of the city, if any, in which the person will reside; and
- (ii) The sheriff of the county in which the person will reside.

(b) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex or violent offense pursuant to RCW 10.77.090(3):

(i) The victim of the sex or violent crime that was dismissed pursuant to RCW 10.77.090(3) preceding commitment under RCW 71.05.280(3) or 71.05.320(2)(c) or the victim's next of kin if the crime was a homicide;

(ii) Any witnesses who testified against the person in any court proceedings; and

(iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the person committed under this chapter.

(2) If a person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex or violent offense pursuant to RCW 10.77.090(3) escapes, the superintendent shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the person resided immediately before the person's arrest. If previously requested, the superintendent shall also notify the witnesses and the victim of the sex or violent crime that was dismissed pursuant to RCW 10.77.090(3) preceding commitment under RCW 71.05.280(3) or 71.05.320(2) or the victim's next of kin if the crime was a homicide. In addition, the secretary shall also notify appropriate parties pursuant to RCW 71.05.410. If the person is recaptured, the superintendent shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parent or legal guardian of the child.

(4) The superintendent shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) For purposes of this section the following terms have the following meanings:

(a) 'Violent offense' means a violent offense under RCW 9.94A.030;

(b) 'Sex offense' means a sex offense under RCW 9.94A.030;

(c) 'Next of kin' means a person's spouse, parents, siblings, and children.

NEW SECTION. Sec. 110. A new section is added to chapter 71.05 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to section 117 of this act, to release relevant information that is necessary to protect the public, concerning a specific person committed under RCW 71.05.280(3) or 71.05.320(2)(c) following dismissal of a sex offense as defined in RCW 9.94A.030.

Sec. 111. Section 2, chapter 67, Laws of 1986 as amended by section 1, chapter 401, Laws of 1989 and RCW 71.05.325 are each amended to read as follows:

(1) Before a person committed under grounds set forth in RCW 71.05.280(3) is released from involuntary treatment because a new petition for involuntary treatment has not been filed under RCW 71.05.320(2), the superintendent, professional person, or designated mental health professional responsible for the decision whether to file a new petition shall in writing notify the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision not to file a new petition for involuntary treatment. Notice shall be provided at least thirty days before the period of commitment expires.

(2) (a) Before a person committed under grounds set forth in RCW 71.05.280(3) is permitted temporarily to leave a treatment facility pursuant to RCW 71.05.270 for any period of time without constant accompaniment by facility staff, the superintendent, professional person in charge of a treatment facility, or his or her professional designee shall in writing notify the prosecuting attorney of any county to which the person is to be released and the prosecuting attorney of the county in which the criminal charges against the committed person were dismissed, of the decision conditionally to release the person. The notice shall be provided at least thirty days before the anticipated release and shall describe the conditions under which the release is to occur.

(b) The provisions of RCW 71.05.330(2) apply to proposed temporary releases, and either or both prosecuting attorneys receiving notice under this subsection may petition the court under RCW 71.05.330(2).

(3) Nothing in this section shall be construed to authorize detention of a person unless a valid order of commitment is in effect.

(4) The notice provisions of this section are in addition to those provided in section 109 of this 1990 act.

Sec. 112. Section 44, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 8, chapter 67, Laws of 1986 and RCW 71.05.390 are each amended to read as follows:

The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services at public or private agencies shall be confidential.

Information and records may be disclosed only:

(1) In communications between qualified professional persons to meet the requirements of this chapter, in the provision of services or appropriate referrals, or in the course of guardianship proceedings. The consent of the patient, or his guardian, must be obtained before information or records may be disclosed by a professional person employed by a facility to a professional person, not employed by the facility, who does not have the medical responsibility for the patient's care or who is not a designated county mental health professional or who is not involved in providing services under the community mental health services act, chapter 71.24 RCW.

(2) When the communications regard the special needs of a patient and the necessary circumstances giving rise to such needs and the disclosure is made by a facility providing out-patient services to the operator of a care facility in which the patient resides.

(3) When the person receiving services, or his guardian, designates persons to whom information or records may be released, or if the person is a minor, when his parents make such designation.

(4) To the extent necessary for a recipient to make a claim, or for a claim to be made on behalf of a recipient for aid, insurance, or medical assistance to which he may be entitled.

(5) For program evaluation and/or research: PROVIDED, That the secretary of social and health services adopts rules for the conduct of such evaluation and/or research. Such rules shall include, but need not be limited to, the requirement that all evaluators and researchers must sign an oath of confidentiality substantially as follows:

'As a condition of conducting evaluation or research concerning persons who have received services from (fill in the facility, agency, or person) I, _____, agree not to divulge, publish, or otherwise make known to unauthorized persons or the public any information obtained in the course of such evaluation or research regarding persons who have received services such that the person who received such services is identifiable.

I recognize that unauthorized release of confidential information may subject me to civil liability under the provisions of state law.

/s/ _____

(6) To the courts as necessary to the administration of this chapter.

(7) To law enforcement officers, public health officers, or personnel of the department of corrections or the indefinite sentence review board ((of prison terms and paroles)) for persons who are the subject of the records and who are committed to the custody of the department of corrections or indefinite sentence review board ((of prison terms and paroles)) which information or records are necessary to carry out the responsibilities of their office(~~PROVIDED, That~~), Except for dissemination of information released pursuant to sections 109 and 117 of this 1990 act, regarding persons committed under this chapter under RCW 71.05.280(3) and 71.05.320(2)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, the extent of information that may be released is limited as follows:

(a) Only the fact, place, and date of involuntary admission, the fact and date of discharge, and the last known address shall be disclosed upon request; and

(b) The law enforcement and public health officers or personnel of the department of corrections or indefinite sentence review board ((of prison terms and paroles)) shall be obligated to keep such information confidential in accordance with this chapter; and

(c) Additional information shall be disclosed only after giving notice to said person and his counsel and upon a showing of clear, cogent and convincing evidence that such information is necessary and that appropriate safeguards for strict confidentiality are and will be maintained. PROVIDED HOWEVER, That in the event the said person has escaped from custody, said notice prior to disclosure is not necessary and that the facility from which the person escaped shall include an evaluation as to whether the person is of danger to persons or property and has a propensity toward violence.

(8) To the attorney of the detained person.

(9) To the prosecuting attorney as necessary to carry out the responsibilities of the office under RCW 71.05.330(2) and 71.05.340(1)(b) and 71.05.335. The prosecutor shall be provided access to records regarding the committed person's treatment and prognosis, medication, behavior problems, and other records relevant to the issue of whether treatment less restrictive than inpatient treatment is in the best interest of the committed person or others. Information shall be disclosed only after giving notice to the committed person and the person's counsel.

(10) To appropriate law enforcement agencies and to a person, when the identity of the person is known to the public or private agency, whose health and safety has been threatened, or who is known to have been repeatedly harassed, by the patient. The person may designate a representative to receive the disclosure. The disclosure shall be made by the professional person in charge of the public or private agency or his or her designee and shall include the dates of admission, discharge, authorized or unauthorized absence from the agency's facility, and only such other information that is pertinent to the threat or harassment. The decision to disclose or not shall not result in civil liability for the agency or its employees so long as the decision was reached in good faith and without gross negligence.

(11) To the persons designated in section 109 of this 1990 act for the purposes described in that section.

(12) Civil liability and immunity for the release of information about a particular person who is committed to the department under RCW 71.05.280(3) and 71.05.320(2)(c) after dismissal of a sex offense as defined in RCW 9.94A.030, is governed by section 117 of this 1990 act.

The fact of admission, as well as all records, files, evidence, findings, or orders made, prepared, collected, or maintained pursuant to this chapter shall not be admissible as evidence in any legal proceeding outside this chapter without the written consent of the person who was the subject of the proceeding except in a subsequent criminal prosecution of a person committed pursuant to RCW 71.05.280(3) or 71.05.320(2)(c) on charges that were dismissed pursuant to chapter 10.77 RCW due to incompetency to stand trial or in a civil commitment proceeding pursuant to sections 1001 through 1012 of this 1990 act. The records and files maintained in any court proceeding pursuant to this chapter shall be confidential and available subsequent to such proceedings only to the person who was the subject of the proceeding or his attorney. In addition, the court may order the subsequent release or use of such records or files only upon good cause shown if the court finds that appropriate safeguards for strict confidentiality are and will be maintained.

Sec. 113. Section 47, chapter 142, Laws of 1973 1st ex. sess. and RCW 71.05.420 are each amended to read as follows:

Except as provided in section 109 of this 1990 act, when any disclosure of information or records is made as authorized by RCW 71.05.390 through 71.05.410, the physician in charge of the patient or the professional person in charge of the facility shall promptly cause to be entered into the patient's medical record the date and circumstances under which said disclosure was made, the names and relationships to the patient, if any, of the persons or agencies to whom such disclosure was made, and the information disclosed.

Sec. 114. Section 49, chapter 142, Laws of 1973 1st ex. sess. as amended by section 28, chapter 145, Laws of 1974 ex. sess. and RCW 71.05.440 are each amended to read as follows:

Except as provided in section 117 of this 1990 act, any person may bring an action against an individual who has willfully released confidential information or records concerning him or her in violation of the provisions of this chapter, for the greater of the following amounts:

- (1) One thousand dollars; or

(2) Three times the amount of actual damages sustained, if any. It shall not be a prerequisite to recovery under this section that the plaintiff shall have suffered or be threatened with special, as contrasted with general, damages.

Any person may bring an action to enjoin the release of confidential information or records concerning him or her or his or her ward, in violation of the provisions of this chapter, and may in the same action seek damages as provided in this section.

The court may award to the plaintiff, should he or she prevail in an action authorized by this section, reasonable attorney fees in addition to those otherwise provided by law.

Sec. 115. Section 17, chapter 205, Laws of 1989 and RCW 71.05.670 are each amended to read as follows:

Except as provided in section 117 of this 1990 act, any person, including the state or any political subdivision of the state, violating RCW 71.05.610 through 71.05.690 shall be subject to the provisions of RCW 71.05.440.

NEW SECTION. Sec. 116. The legislature finds that sex offenders pose a high risk of engaging in sex offenses even after being released from incarceration or commitment and that protection of the public from sex offenders is a paramount governmental interest. The legislature further finds that the penal and mental health components of our justice system are largely hidden from public view and that lack of information from either may result in failure of both systems to meet this paramount concern of public safety. Overly restrictive confidentiality and liability laws governing the release of information about sexual predators have reduced willingness to release information that could be appropriately released under the public disclosure laws, and have increased risks to public safety. Persons found to have committed a sex offense have a reduced expectation of privacy because of the public's interest in public safety and in the effective operation of government. Release of information about sexual predators to public agencies and under limited circumstances, the general public, will further the governmental interests of public safety and public scrutiny of the criminal and mental health systems so long as the information released is rationally related to the furtherance of those goals.

Therefore, this state's policy as expressed in section 117 of this act is to require the exchange of relevant information about sexual predators among public agencies and officials and to authorize the release of necessary and relevant information about sexual predators to members of the general public.

NEW SECTION. Sec. 117. A new section is added to chapter 4.24 RCW to read as follows:

(1) Public agencies are authorized to release relevant and necessary information regarding sex offenders to the public when the release of the information is necessary for public protection.

(2) An elected public official, public employee, or public agency as defined in RCW 4.24-.470 is immune from civil liability for damages for any discretionary decision to release relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. The authorization and immunity in this section applies to information regarding: (a) a person convicted of, or juvenile found to have committed, a sex offense as defined by RCW 9.94A.030; (b) a person found not guilty of a sex offense by reason of insanity under chapter 10.77 RCW; (c) a person found incompetent to stand trial for a sex offense and subsequently committed under chapter 71.05 or 71.34 RCW; (d) a person committed as a sexual psychopath under chapter 71.06 RCW; or (e) a person committed as a sexually violent predator under sections 1001 through 1012 of this act. The immunity provided under this section applies to the release of relevant information to other employees or officials or to the general public.

(3) Except as otherwise provided by statute, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information as provided in subsection (2) of this section.

(4) Nothing in this section implies that information regarding persons designated in subsection (2) of this section is confidential except as otherwise provided by statute.

NEW SECTION. Sec. 118. An offender's pending appeal, petition for personal restraint, or writ of habeas corpus shall not restrict the agency's, official's, or employee's authority to release relevant information concerning an offender's prior criminal history. However, the agency must release the latest dispositions of the charges as provided in chapter 10.97 RCW, the Washington state criminal records privacy act.

NEW SECTION. Sec. 119. The governor shall cause a study of federal and state statutes and regulations governing the confidentiality and disclosure of information about dangerous offenders in the criminal justice, juvenile justice, and mental health systems. The governor shall report to the legislature no later than November 1, 1990 with recommendations for a comprehensive policy approach to confidentiality and dissemination of information about offenders who pose a danger to the public and recommendations regarding the immunity and liability of public agencies, officials, and employees when releasing or failing to release that information.

NEW SECTION. Sec. 120. A new section is added to chapter 71.06 RCW to read as follows:

In addition to any other information required to be released under this chapter, the department is authorized, pursuant to section 117 of this act, to release relevant information that

is necessary to protect the public, concerning a specific sexual psychopath committed under this chapter.

Sec. 121. Section 1, chapter 346, Laws of 1985 as amended by section 1, chapter 30, Laws of 1989 and RCW 9.94A.155 are each amended to read as follows:

(1) At the earliest possible date, and in no event later than ten days before release except in the event of escape or emergency furloughs as defined in RCW 72.66.010, the department of corrections shall send written notice of parole, community placement, work release placement, furlough, or escape (~~if such notice has been requested in writing~~) about a specific inmate convicted of a violent offense or a sex offense as defined by RCW 9.94A.030, to all of the following:

(a) The chief of police of the city, if any, in which the inmate will reside (~~if known~~) or in which placement will be made in a work release program; and

(b) The sheriff of the county in which the inmate will reside (~~if known~~) or in which placement will be made in a work release program (~~if~~);

~~((c))~~ (2) The same notice as required by subsection (1) of this section shall be sent to the following if such notice has been requested in writing about a specific inmate convicted of a violent offense or a sex offense as defined by RCW 9.94A.030:

(a) The victim (~~if any~~) of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide;

~~((b))~~ (b) Any witnesses who testified against the inmate in any court proceedings involving the violent offense; and

~~((c))~~ (c) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the inmate.

~~((2))~~ (3) If an inmate convicted of a violent offense or a sex offense as defined by RCW 9.94A.030 escapes from a correctional facility, the department of corrections shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the inmate resided immediately before the inmate's arrest and conviction. If previously requested, the department shall also notify the witnesses and the victim (~~if any~~) of the crime for which the inmate was convicted or the victim's next of kin if the crime was a homicide. If the inmate is recaptured, the department shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

~~((3))~~ (4) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(5) The department of corrections shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

~~((4))~~ (6) For purposes of this section the following terms have the following meanings:

(a) 'Violent offense' means a violent offense under RCW 9.94A.030;

(b) 'Next of kin' means a person's spouse, parents, siblings and children.

~~((5))~~ (7) Nothing in this section shall impose any liability upon a chief of police of a city or sheriff of a county for failing to request in writing a notice as provided in subsection (1) of this section.

NEW SECTION. Sec. 122. A new section is added to chapter 9.94A RCW to read as follows:

Three months before the anticipated release from total confinement of a person convicted of a sex offense as defined in RCW 9.94A.030 that was committed between June 30, 1984, and July 1, 1988, the department shall notify in writing the prosecuting attorney of the county where the person was convicted. The department shall inform the prosecutor of the following:

(1) The person's name, identifying factors, anticipated future residence, and offense history;

(2) A brief narrative describing the person's conduct during confinement and any treatment received; and

(3) Whether the department recommends that a civil commitment petition be filed under section 1003 of this act.

The department, its employees, and officials shall be immune from liability for any good-faith conduct under this section.

NEW SECTION. Sec. 123. A new section is added to chapter 9.94A RCW to read as follows:

The department, its employees, and officials, shall be immune from liability for release of information regarding sex offenders that complies with section 117 of this act.

NEW SECTION. Sec. 124. A new section is added to chapter 9.94A RCW to read as follows:

In addition to any other information required to be released under other provisions of this chapter, the department may, pursuant to section 117 of this act, release information concerning convicted sex offenders confined to the department of corrections.

Sec. 125. Section 9, chapter 155, Laws of 1979 as last amended by section 8, chapter 450, Laws of 1987 and RCW 13.50.050 are each amended to read as follows:

(1) This section governs records relating to the commission of juvenile offenses, including records relating to diversions.

(2) The official juvenile court file of any alleged or proven juvenile offender shall be open to public inspection, unless sealed pursuant to subsection (11) of this section.

(3) All records other than the official juvenile court file are confidential and may be released only as provided in this section ~~((and))~~, RCW 13.50.010, and sections 101 and 117 of this 1990 act.

(4) Except as otherwise provided in this section and RCW 13.50.010, records retained or produced by any juvenile justice or care agency may be released to other participants in the juvenile justice or care system only when an investigation or case involving the juvenile in question is being pursued by the other participant or when that other participant is assigned the responsibility for supervising the juvenile.

(5) Except as provided in section 117 of this 1990 act, information not in an official juvenile court file concerning a juvenile or a juvenile's family may be released to the public only when that information could not reasonably be expected to identify the juvenile or the juvenile's family.

(6) Notwithstanding any other provision of this chapter, the release, to the juvenile or his or her attorney, of law enforcement and prosecuting attorneys' records pertaining to investigation, diversion, and prosecution of juvenile offenses shall be governed by the rules of discovery and other rules of law applicable in adult criminal investigations and prosecutions.

(7) The juvenile court and the prosecutor may set up and maintain a central record-keeping system which may receive information on all alleged juvenile offenders against whom a complaint has been filed pursuant to RCW 13.40.070 whether or not their cases are currently pending before the court. The central record-keeping system may be computerized. If a complaint has been referred to a diversion unit, the diversion unit shall promptly report to the juvenile court or the prosecuting attorney when the juvenile has agreed to diversion. An offense shall not be reported as criminal history in any central record-keeping system without notification by the diversion unit of the date on which the offender agreed to diversion.

(8) Upon request of the victim of a crime or the victim's immediate family, the identity of an alleged or proven juvenile offender alleged or found to have committed a crime against the victim and the identity of the alleged or proven juvenile offender's parent, guardian, or custodian and the circumstance of the alleged or proven crime shall be released to the victim of the crime or the victim's immediate family.

(9) Subject to the rules of discovery applicable in adult criminal prosecutions, the juvenile offense records of an adult criminal defendant or witness in an adult criminal proceeding shall be released upon request to prosecution and defense counsel after a charge has actually been filed. The juvenile offense records of any adult convicted of a crime and placed under the supervision of the adult corrections system shall be released upon request to the adult corrections system.

(10) In any case in which an information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any, and, subject to subsection (24) of this section, order the sealing of the official juvenile court file, the social file, and records of the court and of any other agency in the case.

(11) The court shall grant the motion to seal records made pursuant to subsection (10) of this section if it finds that:

(a) Two years have elapsed from the later of: (i) Final discharge of the person from the supervision of any agency charged with supervising juvenile offenders; or (ii) from the entry of a court order relating to the commission of a juvenile offense or a criminal offense;

(b) No proceeding is pending against the moving party seeking the conviction of a juvenile offense or a criminal offense; and

(c) No proceeding is pending seeking the formation of a diversion agreement with that person.

(12) The person making a motion pursuant to subsection (10) of this section shall give reasonable notice of the motion to the prosecution and to any person or agency whose files are sought to be sealed.

(13) If the court grants the motion to seal made pursuant to subsection (10) of this section, it shall, subject to subsection (24) of this section, order sealed the official juvenile court file, the social file, and other records relating to the case as are named in the order. Thereafter, the proceedings in the case shall be treated as if they never occurred, and the subject of the records may reply accordingly to any inquiry about the events, records of which are sealed. Any agency shall reply to any inquiry concerning confidential or sealed records that records are confidential, and no information can be given about the existence or nonexistence of records concerning an individual.

(14) Inspection of the files and records included in the order to seal may thereafter be permitted only by order of the court upon motion made by the person who is the subject of the information or complaint, except as otherwise provided in RCW 13.50.010(8) and subsection (24) of this section.

(15) Any adjudication of a juvenile offense or a crime subsequent to sealing has the effect of nullifying the sealing order. Any conviction for any adult felony subsequent to the sealing has the effect of nullifying the sealing order for the purposes of chapter 9.94A RCW for any juvenile adjudication of guilt for a class A offense or a sex offense as defined in RCW 9.94A.030.

(16) In any case in which an information has been filed pursuant to RCW 13.40.100 or a complaint has been filed with the prosecutor and referred for diversion pursuant to RCW 13.40.070, the person who is the subject of the information or complaint may file a motion with the court to have the court vacate its order and findings, if any, and, subject to subsection (24) of this section, order the destruction of the official juvenile court file, the social file, and records of the court and of any other agency in the case.

(17) The court may grant the motion to destroy records made pursuant to subsection (16) of this section if it finds:

- (a) The person making the motion is at least twenty-three years of age;
- (b) The person has not subsequently been convicted of a felony;
- (c) No proceeding is pending against that person seeking the conviction of a criminal offense; and
- (d) The person has never been found guilty of a serious offense.

(18) A person eighteen years of age or older whose criminal history consists of only one referral for diversion may request that the court order the records in that case destroyed. The request shall be granted, subject to subsection (24) of this section, if the court finds that two years have elapsed since completion of the diversion agreement.

(19) If the court grants the motion to destroy records made pursuant to subsection (16) or (18) of this section, it shall, subject to subsection (24) of this section, order the official juvenile court file, the social file, and any other records named in the order to be destroyed.

(20) The person making the motion pursuant to subsection (16) or (18) of this section shall give reasonable notice of the motion to the prosecuting attorney and to any agency whose records are sought to be destroyed.

(21) Any juvenile to whom the provisions of this section may apply shall be given written notice of his or her rights under this section at the time of his or her disposition hearing or during the diversion process.

(22) Nothing in this section may be construed to prevent a crime victim or a member of the victim's family from divulging the identity of the alleged or proven juvenile offender or his or her family when necessary in a civil proceeding.

(23) Any juvenile justice or care agency may, subject to the limitations in subsection (24) of this section and subparagraphs (a) and (b) of this subsection, develop procedures for the routine destruction of records relating to juvenile offenses and diversions.

(a) Records may be routinely destroyed only when the person the subject of the information or complaint has attained twenty-three years of age or older, or is eighteen years of age or older and his or her criminal history consists entirely of one diversion agreement and two years have passed since completion of the agreement.

(b) The court may not routinely destroy the official juvenile court file or recordings or transcripts of any proceedings.

(24) No identifying information held by the Washington state patrol in accordance with chapter 43.43 RCW is subject to destruction or sealing under this section. For the purposes of this subsection, identifying information includes photographs, fingerprints, palmprints, soleprints, toeprints and any other data that identifies a person by physical characteristics, name, birth-date or address, but does not include information regarding criminal activity, arrest, charging, diversion, conviction or other information about a person's treatment by the criminal justice system or about the person's behavior.

Sec. 126. Section 15, chapter 133, Laws of 1955 and RCW 9.95.140 are each amended to read as follows:

The board of prison terms and paroles shall cause a complete record to be kept of every prisoner released on parole. Such records shall be organized in accordance with the most modern methods of filing and indexing so that there will be always immediately available complete information about each such prisoner. The board may make rules as to the privacy of such records and their use by others than the board and its staff. In determining the rules regarding dissemination of information regarding convicted sex offenders under the board's jurisdiction, the board shall consider the provisions of sections 116 and 117 of this 1990 act and shall be immune from liability for the release of information concerning sex offenders as provided in section 117 of this 1990 act.

The superintendent of the penitentiary and the reformatory and all officers and employees thereof and all other public officials shall at all times cooperate with the board and furnish to the board, its officers, and employees such information as may be necessary to enable it to perform its functions, and such superintendents and other employees shall at all times give the members of the board, its officers, and employees free access to all prisoners confined in the penal institutions of the state.

NEW SECTION. Sec. 127. A new section is added to chapter 9.95 RCW to read as follows:

In addition to any other information required to be released under this chapter, the indeterminate sentence review board may, pursuant to section 117 of this act, release information concerning inmates under the jurisdiction of the indeterminate sentence review board who are convicted of sex offenses as defined in RCW 9.94A.030.

Sec. 128. Section 3, chapter 314, Laws of 1977 ex. sess. as last amended by section 1, chapter 36, Laws of 1979 ex. sess. and RCW 10.97.030 are each amended to read as follows:

For purposes of this chapter, the definitions of terms in this section shall apply.

(1) 'Criminal history record information' means information contained in records collected by criminal justice agencies, other than courts, on individuals, ~~((other than juveniles;))~~ consisting of identifiable descriptions and notations of arrests, detentions, indictments, informations, or other formal criminal charges, and any disposition arising therefrom, including sentences, correctional supervision, and release. The term includes information contained in records maintained by or obtained from criminal justice agencies, other than courts, which records provide individual identification of a person together with any portion of the individual's record of involvement in the criminal justice system as an alleged or convicted offender, except:

(a) Posters, announcements, or lists for identifying or apprehending fugitives or wanted persons;

(b) Original records of entry maintained by criminal justice agencies to the extent that such records are compiled and maintained chronologically and are accessible only on a chronological basis;

(c) Court indices and records of public judicial proceedings, court decisions, and opinions, and information disclosed during public judicial proceedings;

(d) Records of traffic violations which are not punishable by a maximum term of imprisonment of more than ninety days;

(e) Records of any traffic offenses as maintained by the department of licensing for the purpose of regulating the issuance, suspension, revocation, or renewal of drivers' or other operators' licenses and pursuant to RCW 46.52.130 as now existing or hereafter amended;

(f) Records of any aviation violations or offenses as maintained by the department of transportation for the purpose of regulating pilots or other aviation operators, and pursuant to RCW 47.68.330 as now existing or hereafter amended;

(g) Announcements of executive clemency.

(2) 'Nonconviction data' consists of all criminal history record information relating to an incident which has not led to a conviction or other disposition adverse to the subject, and for which proceedings are no longer actively pending. There shall be a rebuttable presumption that proceedings are no longer actively pending if more than one year has elapsed since arrest, citation, or service of warrant and no disposition has been entered.

(3) 'Conviction record' means criminal history record information relating to an incident which has led to a conviction or other disposition adverse to the subject.

(4) 'Conviction or other disposition adverse to the subject' means any disposition of charges, except a decision not to prosecute, a dismissal, or acquittal except when the acquittal is due to a finding of not guilty by reason of insanity pursuant to chapter 10.77 RCW and the person was committed pursuant to chapter 10.77 RCW: PROVIDED, HOWEVER, That a dismissal entered after a period of probation, suspension, or deferral of sentence shall be considered a disposition adverse to the subject.

(5) 'Criminal justice agency' means: (a) A court; or (b) a government agency which performs the administration of criminal justice pursuant to a statute or executive order and which allocates a substantial part of its annual budget to the administration of criminal justice.

(6) 'The administration of criminal justice' means performance of any of the following activities: Detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders. The term also includes criminal identification activities and the collection, storage, dissemination of criminal history record information, and the compensation of victims of crime.

(7) 'Disposition' means the formal conclusion of a criminal proceeding at whatever stage it occurs in the criminal justice system.

(8) 'Dissemination' means disclosing criminal history record information or disclosing the absence of criminal history record information to any person or agency outside the agency possessing the information, subject to the following exceptions:

(a) When criminal justice agencies jointly participate in the maintenance of a single record keeping department as an alternative to maintaining separate records, the furnishing of information by that department to personnel of any participating agency is not a dissemination;

(b) The furnishing of information by any criminal justice agency to another for the purpose of processing a matter through the criminal justice system, such as a police department providing information to a prosecutor for use in preparing a charge, is not a dissemination;

(c) The reporting of an event to a record keeping agency for the purpose of maintaining the record is not a dissemination.

Sec. 129. Section 5, chapter 314, Laws of 1977 ex. sess. and RCW 10.97.050 are each amended to read as follows:

(1) Conviction records may be disseminated without restriction.

(2) Any criminal history record information which pertains to an incident for which a person is currently being processed by the criminal justice system, including the entire period of correctional supervision extending through final discharge from parole, when applicable, may be disseminated without restriction.

(3) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to another criminal justice agency for any purpose associated with the administration of criminal justice, or in connection with the employment of the subject of the record by a criminal justice or juvenile justice agency. A criminal justice agency may respond to any inquiry from another criminal justice agency without any obligation to ascertain the purpose for which the information is to be used by the agency making the inquiry.

(4) Criminal history record information which includes nonconviction data may be disseminated by a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data and authorizes or directs that it be available or accessible for a specific purpose.

(5) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice. Such contract must specifically authorize access to criminal history record information, but need not specifically state that access to nonconviction data is included. The agreement must limit the use of the criminal history record information to stated purposes and insure the confidentiality and security of the information consistent with state law and any applicable federal statutes and regulations.

(6) Criminal history record information which includes nonconviction data may be disseminated to individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency. Such agreement must authorize the access to nonconviction data, limit the use of that information which identifies specific individuals to research, evaluative, or statistical purposes, and contain provisions giving notice to the person or organization to which the records are disseminated that the use of information obtained therefrom and further dissemination of such information are subject to the provisions of this chapter and applicable federal statutes and regulations, which shall be cited with express reference to the penalties provided for a violation thereof.

(7) Every criminal justice agency that maintains and disseminates criminal history record information must maintain information pertaining to every dissemination of criminal history record information except a dissemination to the effect that the agency has no record concerning an individual. Information pertaining to disseminations shall include:

(a) An indication of to whom (agency or person) criminal history record information was disseminated;

(b) The date on which the information was disseminated;

(c) The individual to whom the information relates; and

(d) A brief description of the information disseminated.

The information pertaining to dissemination required to be maintained shall be retained for a period of not less than one year.

(8) In addition to the other provisions in this section allowing dissemination of criminal history record information, section 117 of this 1990 act governs dissemination of information concerning offenders who commit sex offenses as defined by RCW 9.94A.030. Criminal justice agencies, their employees, and officials shall be immune from civil liability for dissemination on criminal history record information concerning sex offenders as provided in section 117 of this 1990 act.

Sec. 130. Section 10, chapter 316, Laws of 1977 ex. sess. and RCW 70.48.100 are each amended to read as follows:

(1) A department of corrections or chief law enforcement officer responsible for the operation of a jail shall maintain a jail register, open to the public, into which shall be entered in a timely basis:

(a) The name of each person confined in the jail with the hour, date and cause of the confinement; and

(b) The hour, date and manner of each person's discharge.

(2) Except as provided in subsection (3) of this section the records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies as defined in RCW 43.43.705; or

(a) For use in inspections made pursuant to RCW 70.48.070;

(b) In jail certification proceedings;

(c) For use in court proceedings upon the written order of the court in which the proceedings are conducted; or

(d) Upon the written permission of the person.

(3) (a) Law enforcement may use booking photographs of a person arrested or confined in a local or state penal institution to assist them in conducting investigations of crimes.

(b) Photographs and information concerning a person convicted of a sex offense as defined in RCW 9.94A.030 may be disseminated as provided in sections 401 through 409 and 117 of this 1990 act.

Sec. 131. Section 14, chapter 152, Laws of 1972 ex. sess. as amended by section 108, chapter 3, Laws of 1983 and RCW 43.43.765 are each amended to read as follows:

The principal officers of the jails, correctional institutions, state mental institutions and all places of detention to which a person is committed under chapter 10.77 RCW ~~((or))~~, chapter 71.06 RCW, or sections 1001 through 1012 of this 1990 act for treatment or under a sentence of imprisonment for any crime as provided for in RCW 43.43.735 shall within seventy-two hours, report to the section, any interinstitutional transfer, release or change of release status of any person held in custody pursuant to the rules promulgated by the chief.

The principal officers of all state mental institutions to which a person has been committed under chapter 10.77 RCW ~~((or))~~, chapter 71.06 RCW, or sections 1001 through 1012 of this 1990 act shall keep a record of the photographs, description, fingerprints, and other identification data as may be obtainable from the appropriate criminal justice agency.

PART II

EARNED EARLY RELEASE

Sec. 201. Section 1, chapter 248, Laws of 1989 and RCW 9.92.151 are each amended to read as follows:

The sentence of a prisoner confined in a county jail facility for a felony, gross misdemeanor, or misdemeanor conviction may be reduced by earned release credits in accordance with procedures that shall be developed and promulgated by the ~~((facility))~~ correctional agency having jurisdiction. The earned early release time shall be for good behavior and good performance as determined by the ~~((facility))~~ correctional agency having jurisdiction. Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. The correctional agency shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case may the aggregate earned early release time exceed one-third of the total sentence.

Sec. 202. Section 2, chapter 248, Laws of 1989 and RCW 9.94A.150 are each amended to read as follows:

No person serving a sentence imposed pursuant to this chapter and committed to the custody of the department shall leave the confines of the correctional facility or be released prior to the expiration of the sentence except as follows:

(1) ~~Except ((for persons convicted of a sex offense or an offense categorized as a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW)) as otherwise provided for in subsection (2) of this section, the term((s)) of the sentence of an offender committed to a ((county jail facility, or a)) correctional facility operated by the department, may be reduced by earned early release time in accordance with procedures that shall be developed and promulgated by the correctional ((facility)) agency having jurisdiction in which the offender is confined. The earned early release time shall be for good behavior and good performance, as determined by the correctional ((facility)) agency having jurisdiction. The correctional agency shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. Any program established pursuant to this section shall allow an offender to earn early release credits for presentence incarceration. If an offender is transferred from a county jail to the department of corrections, the county jail facility shall certify to the department the amount of time spent in custody at the facility and the amount of earned early release time. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case shall the aggregate earned early release time exceed one-third of the total sentence((Persons convicted of a sex offense or an offense categorized as a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW may become eligible for community custody in lieu of earned early release time in accordance with the program developed by the department)):~~

(2) ~~((When))~~ A person convicted of a sex offense or an offense categorized as a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW ~~((s))~~ may become eligible, in accordance with a program developed by the

~~department, for transfer to community custody status in lieu of earned early release time pursuant to subsection (1) of this section((as computed by the department of corrections, the offender shall be transferred to community custody));~~

(3) An offender may leave a correctional facility pursuant to an authorized furlough or leave of absence. In addition, offenders may leave a correctional facility when in the custody of a corrections officer or officers:

(4) The governor, upon recommendation from the clemency and pardons board, may grant an extraordinary release for reasons of serious health problems, senility, advanced age, extraordinary meritorious acts, or other extraordinary circumstances:

(5) No more than the final six months of the sentence may be served in partial confinement designed to aid the offender in finding work and reestablishing him or herself in the community:

(6) The governor may pardon any offender;

(7) The department of corrections may release an offender from confinement any time within ten days before a release date calculated under this section; and

(8) An offender may leave a correctional facility prior to completion of his sentence if the sentence has been reduced as provided in RCW 9.94A.160.

Sec. 203. Section 17, chapter 232, Laws of 1979 ex. sess. as last amended by section 3, chapter 248, Laws of 1989 and RCW 70.48.210 are each amended to read as follows:

(1) All cities and counties are authorized to establish and maintain farms, camps, and work release programs and facilities, as well as special detention facilities. The facilities shall meet the requirements of chapter 70.48 RCW and any rules adopted thereunder.

(2) Farms and camps may be established either inside or outside the territorial limits of a city or county. A sentence of confinement in a city or county jail may include placement in a farm or camp. Unless directed otherwise by court order, the chief law enforcement officer or department of corrections, may transfer the prisoner to a farm or camp. The sentencing court, chief law enforcement officer, or department of corrections may not transfer to a farm or camp a greater number of prisoners than can be furnished with constructive employment and can be reasonably accommodated.

(3) The city or county may establish a city or county work release program and housing facilities for the prisoners in the program. In such regard, factors such as employment conditions and the condition of jail facilities should be considered. When a work release program is established the following provisions apply:

(a) A person convicted of a felony and placed in a city or county jail is eligible for the work release program. A person sentenced to a city or county jail is eligible for the work release program. The program may be used as a condition of probation for a criminal offense. Good conduct is a condition of participation in the program.

(b) The court may permit a person who is currently, regularly employed to continue his or her employment. The chief law enforcement officer or department of corrections shall make all necessary arrangements if possible. The court may authorize the person to seek suitable employment and may authorize the chief law enforcement officer or department of corrections to make reasonable efforts to find suitable employment for the person. A person participating in the work release program may not work in an establishment where there is a labor dispute.

(c) The work release prisoner shall be confined in a work release facility or jail unless authorized to be absent from the facility for program-related purposes, unless the court directs otherwise.

(d) Each work release prisoner's earnings may be collected by the chief law enforcement officer or a designee. The chief law enforcement officer or a designee may deduct from the earnings moneys for the payments for the prisoner's board, personal expenses inside and outside the jail, a share of the administrative expenses of this section, court-ordered victim compensation, and court-ordered restitution. Support payments for the prisoner's dependents, if any, shall be made as directed by the court. With the prisoner's consent, the remaining funds may be used to pay the prisoner's preexisting debts. Any remaining balance shall be returned to the prisoner.

(e) The prisoner's sentence may be reduced by earned early release time in accordance with procedures that shall be developed and promulgated by the work release facility. The earned early release time shall be for good behavior and good performance as determined by the facility. The facility shall not credit the offender with earned early release credits in advance of the offender actually earning the credits. In the case of an offender convicted of a serious violent offense or a sex offense that is a class A felony committed on or after July 1, 1990, the aggregate earned early release time may not exceed fifteen percent of the sentence. In no other case may the aggregate earned early release time exceed one-third of the total sentence.

(f) If the work release prisoner violates the conditions of custody or employment, the prisoner shall be returned to the sentencing court. The sentencing court may require the prisoner to spend the remainder of the sentence in actual confinement and may cancel any earned reduction of the sentence.

(4) A special detention facility may be operated by a noncorrectional agency or by noncorrectional personnel by contract with the governing unit. The employees shall meet the standards of training and education established by the criminal justice training commission as authorized by RCW 43.101.080. The special detention facility may use combinations of features including, but not limited to, low-security or honor prisoner status, work farm, work release, community review, prisoner facility maintenance and food preparation, training programs, or alcohol or drug rehabilitation programs. Special detention facilities may establish a reasonable fee schedule to cover the cost of facility housing and programs. The schedule shall be on a sliding basis that reflects the person's ability to pay.

PART III JUVENILE JUSTICE ACT AMENDMENTS

Sec. 301. Section 56, chapter 291, Laws of 1977 ex. sess. as last amended by section 1, chapter 407, Laws of 1989 and RCW 13.40.020 are each amended to read as follows:

For the purposes of this chapter:

(1) 'Serious offender' means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

(a) A class A felony, or an attempt to commit a class A felony;

(b) Manslaughter in the first degree (~~or rape in the second degree~~); or

(c) Assault in the second degree, extortion in the first degree, child molestation in the (~~first or~~) second degree, (~~rape of a child in the second degree~~); kidnapping in the second degree, robbery in the second degree, residential burglary, or burglary in the second degree, where such offenses include the infliction of bodily harm upon another or where during the commission of or immediate withdrawal from such an offense the perpetrator is armed with a deadly weapon or firearm as defined in RCW 9A.04.110;

(2) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense;

(3) 'Community supervision' means an order of disposition by the court of an adjudicated youth. A community supervision order for a single offense may be for a period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses and include one or more of the following:

(a) A fine, not to exceed one hundred dollars;

(b) Community service not to exceed one hundred fifty hours of service;

(c) Attendance of information classes;

(d) Counseling; or

(e) Such other services to the extent funds are available for such services, conditions, or limitations as the court may require which may not include confinement;

(4) 'Confinement' means physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a facility operated by or pursuant to a contract with any county. Confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

(5) 'Court', when used without further qualification, means the juvenile court judge(s) or commissioner(s);

(6) 'Criminal history' includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history;

(7) 'Department' means the department of social and health services;

(8) 'Diversion unit' means any probation counselor who enters into a diversion agreement with an alleged youthful offender or any other person or entity with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW 13.04.040, as now or hereafter amended, or any person or entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter;

(9) 'Institution' means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(10) 'Juvenile,' 'youth,' and 'child' mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court;

(11) 'Juvenile offender' means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

(12) 'Manifest injustice' means a disposition that would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

(13) 'Middle offender' means a person who has committed an offense and who is neither a minor or first offender nor a serious offender;

(14) 'Minor or first offender' means a person sixteen years of age or younger whose current offense(s) and criminal history fall entirely within one of the following categories:

- (a) Four misdemeanors;
- (b) Two misdemeanors and one gross misdemeanor;
- (c) One misdemeanor and two gross misdemeanors;
- (d) Three gross misdemeanors;
- (e) One class C felony except manslaughter in the second degree and one misdemeanor or gross misdemeanor;

(f) One class B felony except: Any felony which constitutes an attempt to commit a class A felony; manslaughter in the first degree; ~~((rape in the second degree;))~~ assault in the second degree; extortion in the first degree; indecent liberties; kidnapping in the second degree; robbery in the second degree; burglary in the second degree; ~~((rape of a child in the second degree;))~~ residential burglary; vehicular homicide; ~~((child molestation in the first degree;))~~ or arson in the second degree.

For purposes of this definition, current violations shall be counted as misdemeanors;

(15) 'Offense' means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(16) 'Respondent' means a juvenile who is alleged or proven to have committed an offense;

(17) 'Restitution' means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, ~~((and))~~ lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense if the offense is a sex offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(18) 'Secretary' means the secretary of the department of social and health services;

(19) 'Services' mean services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

(20) 'Sex offense' means an offense defined as a sex offense in RCW 9.94A.030;

(21) 'Sexual motivation' means the respondent committed the offense for the purpose of his or her sexual gratification;

(22) 'Foster care' means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

~~((#1))~~ (23) 'Violation' means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration.

Sec. 302. Section 70, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 407, Laws of 1989 and RCW 13.40.160 are each amended to read as follows:

(1) When the respondent is found to be a serious offender, the court shall commit the offender to the department for the standard range of disposition for the offense, as indicated in option A of schedule D-3, RCW 13.40.0357 except as provided in subsection (5) of this section.

If the court concludes, and enters reasons for its conclusion, that disposition within the standard range would effectuate a manifest injustice the court shall impose a disposition outside the standard range, as indicated in option B of schedule D-3, RCW 13.40.0357. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

A disposition outside the standard range shall be determinate and shall be comprised of confinement or community supervision, or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030~~((5))~~(2), as now or hereafter amended, shall be used to determine the range. A disposition outside the standard range is appealable under RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition within the standard range is not appealable under RCW 13.40.230 as now or hereafter amended.

(2) Where the respondent is found to be a minor or first offender, the court shall order that the respondent serve a term of community supervision as indicated in option A or option B of schedule D-1, RCW 13.40.0357 except as provided in subsection (5) of this section. If the court determines that a disposition of community supervision would effectuate a manifest injustice the court may impose another disposition under option C of schedule D-1, RCW 13.40.0357. Except as provided in subsection (5) of this section, a disposition other than a community supervision may be imposed only after the court enters reasons upon which it bases its conclusions that imposition of community supervision would effectuate a manifest injustice. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court

shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030((5))(2), as now or hereafter amended, shall be used to determine the range. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

((Any)) Except for disposition ((other than)) of community supervision or a disposition imposed pursuant to subsection (5) of this section, a disposition may be appealed as provided in RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition of community supervision or a disposition imposed pursuant to subsection (5) of this section may not be appealed under RCW 13.40.230 as now or hereafter amended.

(3) Where a respondent is found to have committed an offense for which the respondent declined to enter into a diversion agreement, the court shall impose a term of community supervision limited to the conditions allowed in a diversion agreement as provided in RCW 13.40.080(2) as now or hereafter amended.

(4) If a respondent is found to be a middle offender:

(a) The court shall impose a determinate disposition within the standard range(s) for such offense, as indicated in option A of schedule D-2, RCW 13.40.0357 except as provided in subsection (5) of this section: PROVIDED, That if the standard range includes a term of confinement exceeding thirty days, commitment shall be to the department for the standard range of confinement; or

(b) The court shall impose a determinate disposition of community supervision and/or up to thirty days confinement, as indicated in option B of schedule D-2, RCW 13.40.0357 in which case, if confinement has been imposed, the court shall state either aggravating or mitigating factors as set forth in RCW 13.40.150 as now or hereafter amended.

(c) Only if the court concludes, and enters reasons for its conclusions, that disposition as provided in subsection (4) (a) or (b) of this section would effectuate a manifest injustice, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030((5))(2), as now or hereafter amended, shall be used to determine the range. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

(d) A disposition pursuant to subsection (4)(c) of this section is appealable under RCW 13.40.230, as now or hereafter amended, by the state or the respondent. A disposition pursuant to subsection (4) (a) or (b) of this section is not appealable under RCW 13.40.230 as now or hereafter amended.

(5) When a serious, middle, or minor first offender is found to have committed a sex offense, other than a sex offense that is also a serious violent offense as defined by RCW 9.94A.030, and has no history of a prior sex offense, the court, on its own motion or the motion of the state or the respondent, may order an examination to determine whether the respondent is amenable to treatment.

The report of the examination shall include at a minimum the following: The respondent's version of the facts and the official version of the facts, the respondent's offense history, an assessment of problems in addition to alleged deviant behaviors, the respondent's social, educational, and employment situation, and other evaluation measures used. The report shall set forth the sources of the evaluator's information.

The examiner shall assess and report regarding the respondent's amenability to treatment and relative risk to the community. A proposed treatment plan shall be provided and shall include, at a minimum:

(a) (i) Frequency and type of contact between the offender and therapist;

(ii) Specific issues to be addressed in the treatment and description of planned treatment modalities;

(iii) Monitoring plans, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members, legal guardians, or others;

(iv) Anticipated length of treatment; and

(v) Recommended crime-related prohibitions.

The court on its own motion may order, or on a motion by the state shall order, a second examination regarding the offender's amenability to treatment. The evaluator shall be selected by the party making the motion. The defendant shall pay the cost of any second examination ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost.

After receipt of reports of the examination, the court shall then consider whether the offender and the community will benefit from use of this special sex offender disposition alternative and consider the victim's opinion whether the offender should receive a treatment disposition under this section. If the court determines that this special sex offender disposition alternative is appropriate, then the court shall impose a determinate disposition within the standard range for the offense, and the court may suspend the execution of the disposition and place the offender on community supervision for up to two years. As a condition of the suspended disposition, the court may impose the conditions of community supervision and other conditions, including up to thirty days of confinement and requirements that the offender do any one or more of the following:

(b) (i) Devote time to a specific education, employment, or occupation;

(ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment. The respondent shall not change sex offender treatment providers or treatment conditions without first notifying the prosecutor, the probation counselor, and the court, and shall not change providers without court approval after a hearing if the prosecutor or probation counselor object to the change;

(iii) Remain within prescribed geographical boundaries and notify the court or the probation counselor prior to any change in the offender's address, educational program, or employment;

(iv) Report to the prosecutor and the probation counselor prior to any change in a sex offender treatment provider. This change shall have prior approval by the court;

(v) Report as directed to the court and a probation counselor;

(vi) Pay all court-ordered legal financial obligations, perform community service, or any combination thereof; or

(vii) Make restitution to the victim for the cost of any counseling reasonably related to the offense.

The sex offender treatment provider shall submit quarterly reports on the respondent's progress in treatment to the court and the parties. The reports shall reference the treatment plan and include at a minimum the following: Dates of attendance, respondent's compliance with requirements, treatment activities, the respondent's relative progress in treatment, and any other material specified by the court at the time of the disposition.

At the time of the disposition, the court may set treatment review hearings as the court considers appropriate.

After July 1, 1991, examinations and treatment ordered pursuant to this subsection shall only be conducted by sex offender treatment providers certified by the department of health pursuant to sections 801 through 809 of this 1990 act.

If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the sentence. The court shall give credit for any confinement time previously served if that confinement was for the offense for which the suspension is being revoked.

For purposes of this section, 'victim' means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged. 'Victim' may also include a known parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

(d) Whenever a juvenile offender is entitled to credit for time spent in detention prior to a dispositional order, the dispositional order shall specifically state the number of days of credit for time served.

~~((6) In its dispositional order))~~ (7) Except as provided for in subsection (5) of this section, the court shall not suspend or defer the imposition or the execution of the disposition.

~~((7))~~ (8) In no case shall the term of confinement imposed by the court at disposition exceed that to which an adult could be subjected for the same offense.

Sec. 303. Section 65, chapter 291, Laws of 1977 ex. sess. as last amended by section 18, chapter 145, Laws of 1988 and RCW 13.40.110 are each amended to read as follows:

(1) The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a hearing on the question of declining jurisdiction. Unless waived by the court, the parties, and their counsel, a decline hearing shall be held where:

(a) The respondent is fifteen, sixteen, or seventeen years of age and the information alleges a class A felony or an attempt, solicitation, or conspiracy to commit a class A felony; or

(b) The respondent is seventeen years of age and the information alleges assault in the second degree, extortion in the first degree, indecent liberties, ~~((rape of a child in the second degree;))~~ child molestation in the ~~((first or))~~ second degree, kidnapping in the second degree, ~~((rape in the second degree;))~~ or robbery in the second degree.

(2) The court after a decline hearing may order the case transferred for adult criminal prosecution upon a finding that the declination would be in the best interest of the juvenile or the public. The court shall consider the relevant reports, facts, opinions, and arguments presented by the parties and their counsel.

(3) When the respondent is transferred for criminal prosecution or retained for prosecution in juvenile court, the court shall set forth in writing its finding which shall be supported by relevant facts and opinions produced at the hearing.

Sec. 304. Section 75, chapter 291, Laws of 1977 ex. sess. as last amended by section 4, chapter 505, Laws of 1987 and RCW 13.40.210 are each amended to read as follows:

(1) The secretary shall, except in the case of a juvenile committed by a court to a term of confinement in a state institution outside the appropriate standard range for the offense(s) for which the juvenile was found to be guilty established pursuant to RCW 13.40.030, as now or

hereafter amended, set a release or discharge date for each juvenile committed to its custody which shall be within the prescribed range to which a juvenile has been committed. Such dates shall be determined prior to the expiration of sixty percent of a juvenile's minimum term of confinement included within the prescribed range to which the juvenile has been committed. The secretary shall release any juvenile committed to the custody of the department within four calendar days prior to the juvenile's release date or on the release date set under this chapter: PROVIDED, That days spent in the custody of the department shall be tolled by any period of time during which a juvenile has absented himself or herself from the department's supervision without the prior approval of the secretary or the secretary's designee.

(2) The secretary shall monitor the average daily population of the state's juvenile residential facilities. When the secretary concludes that in-residence population of residential facilities exceeds one hundred five percent of the rated bed capacity specified in statute, or in absence of such specification, as specified by the department in rule, the secretary may recommend reductions to the governor. On certification by the governor that the recommended reductions are necessary, the secretary has authority to administratively release a sufficient number of offenders to reduce in-residence population to one hundred percent of rated bed capacity. The secretary shall release those offenders who have served the greatest proportion of their sentence. However, the secretary may deny release in a particular case at the request of an offender, or if the secretary finds that there is no responsible custodian, as determined by the department, to whom to release the offender, or if the release of the offender would pose a clear danger to society. The department shall notify the committing court of the release at the end of each calendar year if any such early releases have occurred during that year as a result of excessive in-residence population. In no event shall a serious offender, as defined in RCW 13.40.020(1) be granted release under the provisions of this subsection.

(3) Following the juvenile's release pursuant to subsection (1) of this section, the secretary may require the juvenile to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eighteen months, except that in the case of a juvenile sentenced for rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, or indecent liberties with forcible compulsion, the period of parole shall be twenty-four months. ~~((Such))~~ A parole program ~~((shall be))~~ is mandatory for offenders released under subsection (2) of this section. The secretary shall, for the period of parole, facilitate the juvenile's reintegration into his or her community and to further this goal may require the juvenile to: (a) Undergo available medical or psychiatric treatment; (b) report as directed to a parole officer; (c) pursue a course of study or vocational training; (d) remain within prescribed geographical boundaries and notify the department of any change in his or her address; and (e) refrain from committing new offenses. After termination of the parole period, the juvenile shall be discharged from the department's supervision.

(4) The department may also modify parole for violation thereof. If, after affording a juvenile all of the due process rights to which he or she would be entitled if the juvenile were an adult, the secretary finds that a juvenile has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (a) Continued supervision under the same conditions previously imposed; (b) intensified supervision with increased reporting requirements; (c) additional conditions of supervision authorized by this chapter; ~~((and))~~ (d) except as provided in (e) of this subsection, imposition of a period of confinement not to exceed thirty days in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days or weeks spent under supervision; and (e) the secretary may order any of the conditions or may return the offender to confinement in an institution for the remainder of the sentence range if the offense for which the offender was sentenced is rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, indecent liberties with forcible compulsion, or a sex offense that is also a serious violent offense as defined by RCW 9.94A.030.

(5) A parole officer of the department of social and health services shall have the power to arrest a juvenile under his or her supervision on the same grounds as a law enforcement officer would be authorized to arrest such person.

(6) If so requested and approved under chapter 13.06 RCW, the secretary shall permit a county or group of counties to perform functions under subsections (3) through (5) of this section.

NEW SECTION. Sec. 305. A new section is added to chapter 74.13 RCW to read as follows:

(1) For the purposes of funds appropriated for the treatment of at-risk juvenile sex offenders, 'at-risk juvenile sex offenders' means those juveniles in the care and custody of the state who:

- (a) Have been abused; and
- (b) Have committed a sexually aggressive or other violent act that is sexual in nature; or
- (c) Cannot be detained under the juvenile justice system due to being under age twelve and incompetent to stand trial for acts that could be prosecuted as sex offenses as defined by

RCW 9.94A.030 If the juvenile was over twelve years of age, or competent to stand trial if under twelve years of age.

(2) In expending these funds, the department of social and health services shall establish in each region a case review committee to review all cases for which the funds are used. In determining whether to use these funds in a particular case, the committee shall consider:

- (a) The age of the juvenile;
- (b) The extent and type of abuse to which the juvenile has been subjected;
- (c) The juvenile's past conduct;
- (d) The benefits that can be expected from the treatment; and
- (e) The cost of the treatment.

PART IV
REGISTRATION OF SEX OFFENDERS

NEW SECTION. Sec. 401. The legislature finds that sex offenders often pose a high risk of reoffense, and that law enforcement's efforts to protect their communities, conduct investigations, and quickly apprehend offenders who commit sex offenses, are impaired by the lack of information available to law enforcement agencies about convicted sex offenders who live within the law enforcement agency's jurisdiction. Therefore, this state's policy is to assist local law enforcement agencies' efforts to protect their communities by regulating sex offenders by requiring sex offenders to register with local law enforcement agencies as provided in section 402 of this act.

NEW SECTION. Sec. 402. A new section is added to chapter 9A.44 RCW to read as follows:

(1) Any adult or juvenile residing in this state who has been found to have committed or has been convicted of any sex offense shall register with the county sheriff for the county of the person's residence.

(2) The person shall, within forty-five days of establishing residence in Washington, or if a current resident within thirty days of release from confinement, if any, provide the county sheriff with the following information: (a) Name; (b) address; (c) place of employment; (d) crime for which convicted; (e) date and place of conviction; (f) aliases used; and (g) social security number.

(3) If any person required to register pursuant to this section changes his or her residence address within the same county, the person must send written notice of the change of address to the county sheriff within ten days of establishing the new residence. If any person required to register pursuant to this section moves to a new county, the person must register with the county sheriff in the new county within ten days of establishing the new residence. The person must also send written notice within ten days of the change of address in the new county to the county sheriff with whom the person last registered.

(4) The county sheriff shall obtain a photograph of the individual and shall obtain a copy of the individual's fingerprints.

(5) 'Sex offense' for the purpose of sections 402 through 406 of this act means any offense defined as a sex offense by RCW 9.94A.030:

(a) Committed on or after the effective date of this section; or

(b) Committed prior to the effective date of this section if the person, as a result of the offense, is under the custody or active supervision of the department of corrections or the department of social and health services on or after the effective date of this section.

(6) A person who knowingly fails to register as required by this section is guilty of a class C felony if the crime for which the individual was convicted was a class A felony or a federal or out-of-state conviction for an offense that under the laws of this state would be a class A felony. If the crime was other than a class A felony or a federal or out-of-state conviction for an offense that under the laws of this state would be a class A felony, violation of this section is a gross misdemeanor.

NEW SECTION. Sec. 403. A new section is added to chapter 43.43 RCW to read as follows:

The county sheriff shall forward the information and fingerprints obtained pursuant to section 402 of this act to the Washington state patrol within five working days. The state patrol shall maintain a central registry of sex offenders required to register under section 402 of this act and shall adopt rules consistent with chapters 10.97, 10.98, and 43.43 RCW as are necessary to carry out the purposes of sections 402 through 408 of this act. The Washington state patrol shall reimburse the counties for the costs of processing the sex offender registration, including taking the fingerprints and the photographs.

NEW SECTION. Sec. 404. A new section is added to chapter 10.01 RCW to read as follows:

The court shall provide written notification to any defendant charged with a sex offense of the registration requirements of section 402 of this act. Such notice shall be included on any guilty plea forms and judgment and sentence forms provided to the defendant.

NEW SECTION. Sec. 405. A new section is added to chapter 72.09 RCW to read as follows:

(1) The department shall provide written notification to an inmate convicted of a sex offense of the registration requirements of section 402 of this act at the time of the inmate's release from confinement and shall receive and retain a signed acknowledgement of receipt.

(2) The department shall provide written notification to an individual convicted of a sex offense from another state of the registration requirements of section 402 of this act at the time

the department accepts supervision and has legal authority of the individual under the terms and conditions of the interstate compact agreement under RCW 9.95.270.

NEW SECTION. Sec. 406. A new section is added to chapter 70.48 RCW to read as follows:

A person having charge of a jail shall notify in writing any confined person who is in the custody of the jail for a conviction of a sexual offense as defined in RCW 9.94A.030 of the registration requirements of section 402 of this act at the time of the inmate's release from confinement, and shall obtain written acknowledgment of such notification.

NEW SECTION. Sec. 407. A new section is added to chapter 46.20 RCW to read as follows:

The department, at the time a person renews his or her driver's license or identicard, or surrenders a driver's license from another jurisdiction pursuant to RCW 46.20.021 and makes an application for a driver's license or an identicard, shall provide the applicant with written information on the registration requirements of section 402 of this act.

NEW SECTION. Sec. 408. A new section is added to chapter 9A.44 RCW to read as follows:

(1) The duty to register under section 402 of this act shall end:

(a) For a person convicted of a class A felony: Such person may only be relieved of the duty to register under subsection (2) of this section.

(b) For a person convicted of a class B felony: Fifteen years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent fifteen consecutive years in the community without being convicted of any new offenses.

(c) For a person convicted of a class C felony: Ten years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent ten consecutive years in the community without being convicted of any new offenses.

(2) Any person having a duty to register under section 402 of this act may petition the superior court to be relieved of that duty. The petition shall be made to the court in which the petitioner was convicted of the offense that subjects him or her to the duty to register, or, in the case of convictions in other states, to the court in Thurston county. The prosecuting attorney of the county shall be named and served as the respondent in any such petition. The court shall consider the nature of the registrable offense committed, and the criminal and relevant noncriminal behavior of the petitioner both before and after conviction, and may consider other factors. The court may relieve the petitioner of the duty to register only if the petitioner shows, with clear and convincing evidence, that future registration of the petitioner will not serve the purposes of sections 402 through 408 of this act.

(3) Unless relieved of the duty to register pursuant to this section, a violation of section 402 of this act is an ongoing offense for purposes of the statute of limitations under RCW 9A.04.080.

(4) Nothing in RCW 9.94A.220 relating to discharge of an offender shall be construed as operating to relieve the offender of his or her duty to register pursuant to section 402 of this act.

Sec. 409. Section 10, chapter 152, Laws of 1972 ex. sess. as last amended by section 6, chapter 346, Laws of 1985 and RCW 43.43.745 are each amended to read as follows:

(1) It shall be the duty of the sheriff or director of public safety of every county, of the chief of police of each city or town, or of every chief officer of other law enforcement agencies operating within this state, to record the fingerprints of all persons held in or remanded to their custody when convicted of any crime as provided for in RCW 43.43.735 for which the penalty of imprisonment might be imposed and to disseminate and file such fingerprints in the same manner as those recorded upon arrest pursuant to RCW 43.43.735 and 43.43.740.

(2) Every time the secretary authorizes a furlough as provided for in RCW 72.66.012 the department of corrections shall notify, forty-eight hours prior to the beginning of such furlough, the section that the named prisoner has been granted a furlough, the place to which furloughed, and the dates and times during which the prisoner will be on furlough status. In the case of an emergency furlough the forty-eight hour time period shall not be required but notification shall be made as promptly as possible and before the prisoner is released on furlough. Upon receipt of furlough information pursuant to the provisions of this subsection the section shall notify the sheriff or director of public safety of the county to which the prisoner is being furloughed, the nearest attachment of the Washington state patrol in the county wherein the furloughed prisoner shall be residing and such other criminal justice agencies as the section may determine should be so notified.

(3) Disposition of the charge for which the arrest was made shall be reported to the section at whatever stage in the proceedings a final disposition occurs by the arresting law enforcement agency, county prosecutor, city attorney, or court having jurisdiction over the offense: PROVIDED, That the chief shall promulgate rules pursuant to chapter 34.05 RCW to carry out the provisions of this subsection.

(4) Whenever a person serving a sentence for a term of confinement in a state correctional facility for convicted felons, pursuant to court commitment, is released on an order of the state indeterminate sentence review board (~~(of prison terms and paroles)~~), or is discharged from custody on expiration of sentence, the department of corrections shall promptly notify the section that the named person has been released or discharged, the place to which such person has been released or discharged, and the conditions of his release or discharge, and shall

additionally notify the section of change in residence or conditions of release or discharge of persons on active parole supervision, and shall notify the section when persons are discharged from active parole supervision.

~~((No city, town, county, or local law enforcement authority or other agency thereof may require that a convicted felon entering, sojourning, visiting, in transit, or residing in such city, town, county, or local area report or make himself known as a convicted felon or make application for and/or carry on his person a felon identification card or other registration document.))~~ Local law enforcement agencies may require persons convicted of sex offenses to register pursuant to section 402 of this 1990 act. In addition, nothing ((herein)) in this section shall((-however,)) be construed to prevent any local law enforcement authority from recording the residency and other information concerning any convicted felon or other person convicted of a criminal offense when such information is obtained from a source other than from ((such requirement)) registration pursuant to section 402 of this 1990 act which source may include any officer or other agency or subdivision of the state.

PART V

CRIME VICTIMS' COMPENSATION

Sec. 501. Section 6, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 1, chapter 98, Laws of 1986 and RCW 7.68.060 are each amended to read as follows:

(1) For the purposes of applying for benefits under this chapter, the rights, privileges, responsibilities, duties, limitations and procedures contained in RCW 51.28.020, 51.28.030, 51.28.040 and 51.28.060 as now or hereafter amended shall apply: PROVIDED, That no compensation of any kind shall be available under this chapter if:

(a) An application for benefits is not received by the department within one year after the date the criminal act was reported to a local police department or sheriff's office or the date the rights of dependents or beneficiaries accrued; or

(b) The criminal act is not reported by the victim or someone on his or her behalf to a local police department or sheriff's office within ~~((seventy-two hours))~~ twelve months of its occurrence or, if it could not reasonably have been reported within that period, within ~~((seventy-two hours))~~ twelve months of the time when a report could reasonably have been made. In making determinations as to reasonable time limits, the department shall give greatest weight to the needs of the victims.

(2) This section shall apply only to criminal acts reported after December 31, 1985.

(3) Because victims of childhood criminal acts may repress conscious memory of such criminal acts far beyond the age of eighteen, the rights of adult victims of childhood criminal acts shall accrue at the time the victim discovers or reasonably should have discovered the elements of the crime. In making determinations as to reasonable time limits, the department shall give greatest weight to the needs of the victim.

Sec. 502. Section 7, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 5, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.070 are each amended to read as follows:

The right to benefits under this chapter and the amount thereof will be governed insofar as is applicable by the provisions contained in chapter 51.32 RCW as now or hereafter amended except as provided in this section:

(1) The provisions contained in RCW 51.32.015, 51.32.030, 51.32.072, 51.32.073, 51.32.180, 51.32.190, and 51.32.200 as now or hereafter amended are not applicable to this chapter.

(2) Each victim injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, or the victim's family or dependents in case of death of the victim, are entitled to benefits in accordance with this chapter, subject to the limitations under RCW 7.68.015. The rights, duties, responsibilities, limitations, and procedures applicable to a worker as contained in RCW 51.32.010 as now or hereafter amended are applicable to this chapter.

(3) The limitations contained in RCW 51.32.020 as now or hereafter amended are applicable to claims under this chapter. In addition thereto, no person or spouse, child, or dependent of such person is entitled to benefits under this chapter when the injury for which benefits are sought, was:

(a) The result of consent, provocation, or incitement by the victim;

(b) Sustained while the crime victim was engaged in the attempt to commit, or the commission of, a felony; or

(c) Sustained while the victim was confined in any county or city jail, federal jail or prison or in any other federal institution, or any state correctional institution maintained and operated by the department of social and health services or the department of corrections, prior to release from lawful custody; or confined or living in any other institution maintained and operated by the department of social and health services or the department of corrections.

(4) The benefits established upon the death of a worker and contained in RCW 51.32.050 as now or hereafter amended shall be the benefits obtainable under this chapter and provisions relating to payment contained in that section shall equally apply under this chapter: PROVIDED, That benefits for burial expenses shall not exceed the maximum cost used by the department of social and health services for the funeral and burial of a deceased indigent person under chapter 74.08 RCW in any claim: PROVIDED FURTHER, That if the criminal act

results in the death of a victim who was not gainfully employed at the time of the criminal act, and who was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act:

(a) Benefits payable to an eligible surviving spouse, where there are no children of the victim at the time of the criminal act who have survived the victim or where such spouse has legal custody of all of his or her children, shall be limited to burial expenses and a lump sum payment of seven thousand five hundred dollars without reference to number of children, if any;

(b) Where any such spouse has legal custody of one or more but not all of such children, then such burial expenses shall be paid, and such spouse shall receive a lump sum payment of three thousand seven hundred fifty dollars and any such child or children not in the legal custody of such spouse shall receive a lump sum of three thousand seven hundred fifty dollars to be divided equally among such child or children;

(c) If any such spouse does not have legal custody of any of the children, the burial expenses shall be paid and the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars and any such child or children not in the legal custody of the spouse shall receive a lump sum payment of up to three thousand seven hundred fifty dollars to be divided equally among the child or children;

(d) If no such spouse survives, then such burial expenses shall be paid, and each surviving child of the victim at the time of the criminal act shall receive a lump sum payment of three thousand seven hundred fifty dollars up to a total of two such children and where there are more than two such children the sum of seven thousand five hundred dollars shall be divided equally among such children.

No other benefits may be paid or payable under these circumstances.

(5) The benefits established in RCW 51.32.060 as now or hereafter amended for permanent total disability proximately caused by the criminal act shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That if a victim becomes permanently and totally disabled as a proximate result of the criminal act and was not gainfully employed at the time of the criminal act, the victim shall receive monthly during the period of the disability the following percentages, where applicable, of the average monthly wage determined as of the date of the criminal act pursuant to RCW 51.08.018 as now or hereafter amended:

(a) If married at the time of the criminal act, twenty-nine percent of the average monthly wage.

(b) If married with one child at the time of the criminal act, thirty-four percent of the average monthly wage.

(c) If married with two children at the time of the criminal act, thirty-eight percent of the average monthly wage.

(d) If married with three children at the time of the criminal act, forty-one percent of the average monthly wage.

(e) If married with four children at the time of the criminal act, forty-four percent of the average monthly wage.

(f) If married with five or more children at the time of the criminal act, forty-seven percent of the average monthly wage.

(g) If unmarried at the time of the criminal act, twenty-five percent of the average monthly wage.

(h) If unmarried with one child at the time of the criminal act, thirty percent of the average monthly wage.

(i) If unmarried with two children at the time of the criminal act, thirty-four percent of the average monthly wage.

(j) If unmarried with three children at the time of the criminal act, thirty-seven percent of the average monthly wage.

(k) If unmarried with four children at the time of the criminal act, forty percent of the average monthly wage.

(l) If unmarried with five or more children at the time of the criminal act, forty-three percent of the average monthly wage.

(6) The benefits established in RCW 51.32.080 as now or hereafter amended for permanent partial disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section equally apply under this chapter.

(7) The benefits established in RCW 51.32.090 as now or hereafter amended for temporary total disability shall be the benefits obtainable under this chapter, and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That no person is eligible for temporary total disability benefits under this chapter if such person was not gainfully employed at the time of the criminal act, and was not so employed for at least three consecutive months of the twelve months immediately preceding the criminal act.

(8) The benefits established in RCW 51.32.095 as now or hereafter amended for continuation of benefits during vocational rehabilitation shall be benefits obtainable under this chapter,

and provisions relating to payment contained in that section apply under this chapter: PROVIDED, That benefits shall not exceed five thousand dollars for any single injury.

(9) The provisions for lump sum payment of benefits upon death or permanent total disability as contained in RCW 51.32.130 as now or hereafter amended apply under this chapter.

(10) The provisions relating to payment of benefits to, for or on behalf of workers contained in RCW 51.32.040, 51.32.055, 51.32.100, 51.32.110, 51.32.120, 51.32.135, 51.32.140, 51.32.150, 51.32.160, and 51.32.210 as now or hereafter amended are applicable to payment of benefits to, for or on behalf of victims under this chapter.

(11) No person or spouse, child, or dependent of such person is entitled to benefits under this chapter where the person making a claim for such benefits has refused to give reasonable cooperation to state or local law enforcement agencies in their efforts to apprehend and convict the perpetrator(s) of the criminal act which gave rise to the claim.

(12) In addition to other benefits provided under this chapter, victims of sexual assault are entitled to receive appropriate counseling. Fees for such counseling shall be determined by the department in accordance with RCW 51.04.030, subject to the limitations of RCW 7.68.080. Counseling services may include, if determined appropriate by the department, counseling of members of the victim's immediate family, other than the perpetrator of the assault.

(13) Except for medical benefits authorized under RCW 7.68.080, no more than ~~((fifteen))~~ thirty thousand dollars shall be granted as a result of a single injury or death, except that benefits granted as the result of total permanent disability or death shall not exceed ~~((twenty))~~ forty thousand dollars.

(14) Notwithstanding other provisions of this chapter and Title 51 RCW, benefits payable for total temporary disability under subsection (7) of this section, shall be limited to ~~((ten))~~ fifteen thousand dollars.

(15) Any person who is responsible for the victim's injuries, or who would otherwise be unjustly enriched as a result of the victim's injuries, shall not be a beneficiary under this chapter.

(16) Crime victims' compensation is not available to pay for services covered under chapter 74.09 RCW or Title XIX of the federal social security act, except to the extent that the costs for such services exceed service limits established by the department of social and health services.

Sec. 503. Section 8, chapter 122, Laws of 1973 1st ex. sess. as last amended by section 6, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.080 are each amended to read as follows:

The provisions of chapter 51.36 RCW as now or hereafter amended govern the provision of medical aid under this chapter to victims injured as a result of a criminal act, including criminal acts committed between July 1, 1981, and January 1, 1983, except that:

(1) The provisions contained in RCW 51.36.030, 51.36.040, and 51.36.080 as now or hereafter amended do not apply to this chapter;

(2) The specific provisions of RCW 51.36.020 as now or hereafter amended relating to supplying emergency transportation do not apply; PROVIDED, That:

(a) When the injury to any victim is so serious as to require the victim's being taken from the place of injury to a place of treatment, reasonable transportation costs to the nearest place of proper treatment shall be reimbursed from the fund established pursuant to RCW 7.68.090; and

(b) In the case of alleged rape or molestation of a child the reasonable costs of a colposcope examination shall be reimbursed from the fund pursuant to RCW 7.68.090. Hospital, clinic, and medical charges along with all related fees under this chapter shall conform to regulations promulgated by the director. The director shall set these service levels and fees at a level no lower than those established by the department of social and health services under Title 74 RCW. In establishing fees for medical and other health care services, the director shall consider the director's duty to purchase health care in a prudent, cost-effective manner. The director shall establish rules adopted in accordance with chapter 34.05 RCW. Nothing in this chapter may be construed to require the payment of interest on any billing, fee, or charge.

Sec. 504. Section 3, chapter 5, Laws of 1989 1st ex. sess. and RCW 7.68.085 are each amended to read as follows:

The director of labor and industries shall institute a cap on medical benefits of one hundred fifty thousand dollars per ~~((victim))~~ injury or death. Payment for medical services in excess of the cap shall be made available to any innocent victim under the same conditions as other medical services and if the medical services are:

- (1) Necessary for a previously accepted condition;
- (2) Necessary to protect the victim's life or prevent deterioration of the victim's previously accepted condition; and
- (3) Not available from an alternative source.

The director of financial management and the director of labor and industries shall monitor expenditures from the public safety and education account. Once each fiscal quarter, the director of financial management shall determine if expenditures from the public safety and education account during the prior fiscal quarter exceeded allotments by more than ten percent. Within thirty days of a determination that expenditures exceeded allotments by more

than ten percent, the director of financial management shall develop and implement a plan to reduce expenditures from the account to a level that does not exceed the allotments. Such a plan may include across-the-board reductions in allotments from the account to all nonjudicial agencies except for the crime victims compensation program. In implementing the plan, the director of financial management shall seek the cooperation of judicial agencies in reducing their expenditures from the account. The director of financial management shall notify the legislative fiscal committees prior to implementation of the plan.

Development and implementation of the plan is not required if the director of financial management notifies the legislative fiscal committees that increases in the official revenue forecast for the public safety and education account for that fiscal quarter will eliminate the need to reduce expenditures from the account. The official revenue forecast for the public safety and education account shall be prepared by the economic and revenue forecast council pursuant to RCW 82.01.120 and 82.01.130.

For the purposes of this section, an individual will not be required to use his or her assets other than funds recovered as a result of a civil action or criminal restitution, for medical expenses or pain and suffering, in order to qualify for an alternative source of payment.

The director shall, in cooperation with the department of social and health services, establish by October 1, 1989, a process to aid crime victims in identifying and applying for appropriate alternative benefit programs, if any, administered by the department of social and health services.

PART VI

SEXUAL MOTIVATION IN CRIMINAL OFFENSES

NEW SECTION. Sec. 601. A new section is added to chapter 9.94A RCW to read as follows:

(1) The prosecuting attorney shall file a special allegation of sexual motivation in every criminal case other than sex offenses as defined in RCW 9.94A.030(29) (a) or (c) when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify a finding of sexual motivation by a reasonable and objective fact finder.

(2) In a criminal case wherein there has been a special allegation the state shall prove beyond a reasonable doubt that the accused committed the crime with a sexual motivation. The court shall make a finding of fact of whether or not a sexual motivation was present at the time of the commission of the crime, or if a jury trial is had, the jury shall, if it finds the defendant guilty, also find a special verdict as to whether or not the defendant committed the crime with a sexual motivation. This finding shall not be applied to sex offenses as defined in RCW 9.94A.030(29) (a) or (c).

(3) The prosecuting attorney shall not withdraw the special allegation of sexual motivation without approval of the court through an order of dismissal of the special allegation. The court shall not dismiss this special allegation unless it finds that such an order is necessary to correct an error in the initial charging decision or unless there are evidentiary problems which make proving the special allegation doubtful.

Sec. 602. Section 2, chapter 252, Laws of 1989 and section 1, chapter 394, Laws of 1989 and RCW 9.94A.030 are each reenacted and amended to read as follows:

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

(1) 'Collect,' or any derivative thereof, 'collect and remit,' or 'collect and deliver,' when used with reference to the department of corrections, means that the department is responsible for monitoring and enforcing the offender's sentence with regard to the legal financial obligation, receiving payment thereof from the offender, and, consistent with current law, delivering daily the entire payment to the superior court clerk without depositing it in a departmental account.

(2) 'Commission' means the sentencing guidelines commission.

(3) 'Community corrections officer' means an employee of the department who is responsible for carrying out specific duties in supervision of sentenced offenders and monitoring of sentence conditions.

(4) 'Community custody' means that portion of an inmate's sentence of confinement in lieu of earned early release time served in the community subject to controls placed on the inmate's movement and activities by the department of corrections.

(5) 'Community placement' means ~~((a one year))~~ that period during which the offender is subject to the conditions of community custody and/or postrelease supervision, which begins either upon completion of the term of confinement (postrelease supervision) or at such time as the offender is transferred to community custody in lieu of earned early release. Community placement may consist of entirely community custody, entirely postrelease supervision, or a combination of the two.

(6) 'Community service' means compulsory service, without compensation, performed for the benefit of the community by the offender.

(7) 'Community supervision' means a period of time during which a convicted offender is subject to crime-related prohibitions and other sentence conditions imposed pursuant to this

chapter by a court. For first-time offenders, the supervision may include crime-related prohibitions and other conditions imposed pursuant to RCW 9.94A.120(5). For purposes of the interstate compact for out-of-state supervision of parolees and probationers, RCW 9.95.270, community supervision is the functional equivalent of probation and should be considered the same as probation by other states.

(8) 'Confinement' means total or partial confinement as defined in this section.

(9) 'Conviction' means an adjudication of guilt pursuant to Titles 10 or 13 RCW and includes a verdict of guilty, a finding of guilty, and acceptance of a plea of guilty.

(10) 'Court-ordered legal financial obligation' means a sum of money that is ordered by a superior court of the state of Washington for legal financial obligations which may include restitution to the victim, statutorily imposed crime victims' compensation fees as assessed pursuant to RCW 7.68.035, court costs, county or interlocal drug funds, court-appointed attorneys' fees, and costs of defense, fines, and any other financial obligation that is assessed to the offender as a result of a felony conviction.

(11) 'Crime-related prohibition' means an order of a court prohibiting conduct that directly relates to the circumstances of the crime for which the offender has been convicted, and shall not be construed to mean orders directing an offender affirmatively to participate in rehabilitative programs or to otherwise perform affirmative conduct.

(12) (a) 'Criminal history' means the list of a defendant's prior convictions, whether in this state, in federal court, or elsewhere. The history shall include, where known, for each conviction (i) whether the defendant has been placed on probation and the length and terms thereof; and (ii) whether the defendant has been incarcerated and the length of incarceration.

(b) 'Criminal history' shall always include juvenile convictions for sex offenses and shall also include (9) a defendant's other prior convictions in juvenile court if: (i) The conviction was for an offense which is a felony or a serious traffic offense and is criminal history as defined in RCW 13.40.020(6)(a); (ii) the defendant was fifteen years of age or older at the time the offense was committed; and (iii) with respect to prior juvenile class B and C felonies or serious traffic offenses, the defendant was less than twenty-three years of age at the time the offense for which he or she is being sentenced was committed.

(13) 'Department' means the department of corrections.

(14) 'Determinate sentence' means a sentence that states with exactitude the number of actual years, months, or days of total confinement, of partial confinement, of community supervision, the number of actual hours or days of community service work, or dollars or terms of a legal financial obligation. The fact that an offender through 'earned early release' can reduce the actual period of confinement shall not affect the classification of the sentence as a determinate sentence.

(15) 'Disposable earnings' means that part of the earnings of an individual remaining after the deduction from those earnings of any amount required by law to be withheld. For the purposes of this definition, 'earnings' means compensation paid or payable for personal services, whether denominated as wages, salary, commission, bonuses, or otherwise, and, notwithstanding any other provision of law making the payments exempt from garnishment, attachment, or other process to satisfy a court-ordered legal financial obligation, specifically includes periodic payments pursuant to pension or retirement programs, or insurance policies of any type, but does not include payments made under Title 50 RCW, except as provided in RCW 50.40.020 and 50.40.050, or Title 74 RCW.

(16) 'Drug offense' means:

(a) Any felony violation of chapter 69.50 RCW except possession of a controlled substance (RCW 69.50.401(d)) or forged prescription for a controlled substance (RCW 69.50.403);

(b) Any offense defined as a felony under federal law that relates to the possession, manufacture, distribution, or transportation of a controlled substance; or

(c) Any out-of-state conviction for an offense that under the laws of this state would be a felony classified as a drug offense under (a) of this subsection.

(17) 'Escape' means:

(a) Escape in the first degree (RCW 9A.76.110), escape in the second degree (RCW 9A.76.120), willful failure to return from furlough (RCW 72.66.060), willful failure to return from work release (RCW 72.65.070), or willful failure to comply with any limitations on the inmate's movements while in community custody (RCW 72.09.310); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as an escape under (a) of this subsection.

(18) 'Felony traffic offense' means:

(a) Vehicular homicide (RCW 46.61.520), vehicular assault (RCW 46.61.522), eluding a police officer (RCW 46.61.024), or felony hit-and-run injury-accident (RCW 46.52.020(4)); or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a felony traffic offense under (a) of this subsection.

(19) 'Fines' means the requirement that the offender pay a specific sum of money over a specific period of time to the court.

(20) (a) 'First-time offender' means any person who is convicted of a felony (i) not classified as a violent offense or a sex offense under this chapter, or (ii) that is not the manufacture,

delivery, or possession with intent to manufacture or deliver a controlled substance classified in schedule I or II that is a narcotic drug, and except as provided in (b) of this subsection, who previously has never been convicted of a felony in this state, federal court, or another state, and who has never participated in a program of deferred prosecution for a felony offense.

(b) For purposes of (a) of this subsection, a juvenile adjudication for an offense committed before the age of fifteen years is not a previous felony conviction except for adjudications of sex offenses.

(21) 'Nonviolent offense' means an offense which is not a violent offense.

(22) 'Offender' means a person who has committed a felony established by state law and is eighteen years of age or older or is less than eighteen years of age but whose case has been transferred by the appropriate juvenile court to a criminal court pursuant to RCW 13.40.110. Throughout this chapter, the terms 'offender' and 'defendant' are used interchangeably.

(23) 'Partial confinement' means confinement for no more than one year in a facility or institution operated or utilized under contract by the state or any other unit of government, or, if home detention has been ordered by the court, in the residence of either the defendant or a member of the defendant's immediate family, for a substantial portion of each day with the balance of the day spent in the community. Partial confinement includes work release and home detention as defined in this section.

(24) 'Postrelease supervision' is that portion of an offender's community placement that is not community custody.

(25) 'Restitution' means the requirement that the offender pay a specific sum of money over a specific period of time to the court as payment of damages. The sum may include both public and private costs. The imposition of a restitution order does not preclude civil redress.

(26) 'Serious traffic offense' means:

(a) Driving while intoxicated (RCW 46.61.502), actual physical control while intoxicated (RCW 46.61.504), reckless driving (RCW 46.61.500), or hit-and-run an attended vehicle (RCW 46.52.020(5)); or

(b) Any federal, out-of-state, county, or municipal conviction for an offense that under the laws of this state would be classified as a serious traffic offense under (a) of this subsection.

(27) 'Serious violent offense' is a subcategory of violent offense and means:

(a) Murder in the first degree, homicide by abuse, murder in the second degree, assault in the first degree, kidnapping in the first degree, or rape in the first degree, or an attempt, criminal solicitation, or criminal conspiracy to commit one of these felonies; or

(b) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a serious violent offense under (a) of this subsection.

(28) 'Sentence range' means the sentencing court's discretionary range in imposing a non-appealable sentence.

(29) 'Sex offense' means:

(a) A felony that is a violation of chapter 9A.44 RCW or RCW 9A.64.020 or 9.68A.090 or that is, under chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or criminal conspiracy to commit such crimes; ~~(or)~~

(b) A felony with a finding of sexual motivation under section 601 of this 1990 act; or

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a sex offense under (a) of this subsection.

(30) 'Sexual motivation' means that one of the purposes for which the defendant committed the crime was for the purpose of his or her sexual gratification.

(31) 'Total confinement' means confinement inside the physical boundaries of a facility or institution operated or utilized under contract by the state or any other unit of government for twenty-four hours a day, or pursuant to RCW 72.64.050 and 72.64.060.

~~((31))~~ (32) 'Victim' means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged.

~~((32))~~ (33) 'Violent offense' means:

(a) Any of the following felonies, as now existing or hereafter amended: Any felony defined under any law as a class A felony or an attempt to commit a class A felony, criminal solicitation of or criminal conspiracy to commit a class A felony, manslaughter in the first degree, manslaughter in the second degree, indecent liberties if committed by forcible compulsion, ~~((child molestation in the first degree, rape in the second degree;))~~ kidnapping in the second degree, arson in the second degree, assault in the second degree, extortion in the first degree, robbery in the second degree, vehicular assault, and vehicular homicide, when proximately caused by the driving of any vehicle by any person while under the influence of intoxicating liquor or any drug as defined by RCW 46.61.502, or by the operation of any vehicle in a reckless manner;

(b) Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent offense in (a) of this subsection; and

(c) Any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a violent offense under (a) or (b) of this subsection.

((33)) (34) 'Work release' means a program of partial confinement available to offenders who are employed or engaged as a student in a regular course of study at school. Participation in work release shall be conditioned upon the offender attending work or school at regularly defined hours and abiding by the rules of the work release facility.

((34)) (35) 'Home detention' means a program of partial confinement available to offenders wherein the offender is confined in a private residence subject to electronic surveillance. Home detention may not be imposed for offenders convicted of a violent offense, any sex offense, any drug offense, reckless burning in the first or second degree as defined in RCW 9A.48.040 or 9A.48.050, assault in the third degree as defined in RCW 9A.36.031, unlawful imprisonment as defined in RCW 9A.40.040, or harassment as defined in RCW 9A.46.020. Home detention may be imposed for offenders convicted of possession of a controlled substance (RCW 69.50.401(d)) or forged prescription for a controlled substance (RCW 69.50.403) if the offender fulfills the participation conditions set forth in this subsection and is monitored for drug use by treatment alternatives to street crime (TASC) or a comparable court or agency-referred program. Home detention may be imposed for offenders convicted of burglary in the second degree as defined in RCW 9A.52.030 or residential burglary conditioned upon the offender: (a) Successfully completing twenty-one days in a work release program, (b) having no convictions for burglary in the second degree or residential burglary during the preceding two years and not more than two prior convictions for burglary or residential burglary, (c) having no convictions for a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense, (d) having no prior charges of escape, and (e) fulfilling the other conditions of the home detention program. Participation in a home detention program shall be conditioned upon: (a) The offender obtaining or maintaining current employment or attending a regular course of school study at regularly defined hours, or the offender performing parental duties to offspring or minors normally in the custody of the offender, (b) abiding by the rules of the home detention program, and (c) compliance with court-ordered legal financial obligations. The home detention program may also be made available to offenders whose charges and convictions do not otherwise disqualify them if medical or health-related conditions, concerns or treatment would be better addressed under the home detention program, or where the health and welfare of the offender, other inmates, or staff would be jeopardized by the offender's incarceration. Participation in the home detention program for medical or health-related reasons is conditioned on the offender abiding by the rules of the home detention program and complying with court-ordered restitution.

Sec. 603, Section 10, chapter 115, Laws of 1983 as last amended by section 1, chapter 408, Laws of 1989 and RCW 9.94A.390 are each amended to read as follows:

If the sentencing court finds that an exceptional sentence outside the standard range should be imposed in accordance with RCW 9.94A.120(2), the sentence is subject to review only as provided for in RCW 9.94A.210(4).

The following are illustrative factors which the court may consider in the exercise of its discretion to impose an exceptional sentence. The following are illustrative only and are not intended to be exclusive reasons for exceptional sentences.

(1) Mitigating Circumstances

(a) To a significant degree, the victim was an initiator, willing participant, aggressor, or provoker of the incident.

(b) Before detection, the defendant compensated, or made a good faith effort to compensate, the victim of the criminal conduct for any damage or injury sustained.

(c) The defendant committed the crime under duress, coercion, threat, or compulsion insufficient to constitute a complete defense but which significantly affected his or her conduct.

(d) The defendant, with no apparent predisposition to do so, was induced by others to participate in the crime.

(e) The defendant's capacity to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of the law, was significantly impaired (voluntary use of drugs or alcohol is excluded).

(f) The offense was principally accomplished by another person and the defendant manifested extreme caution or sincere concern for the safety or well-being of the victim.

(g) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly excessive in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

(h) The defendant or the defendant's children suffered a continuing pattern of physical or sexual abuse by the victim of the offense and the offense is a response to that abuse.

(2) Aggravating Circumstances

(a) The defendant's conduct during the commission of the current offense manifested deliberate cruelty to the victim.

(b) The defendant knew or should have known that the victim of the current offense was particularly vulnerable or incapable of resistance due to extreme youth, advanced age, disability, or ill health.

(c) The current offense was a major economic offense or series of offenses, so identified by a consideration of any of the following factors:

- (i) The current offense involved multiple victims or multiple incidents per victim;
 - (ii) The current offense involved attempted or actual monetary loss substantially greater than typical for the offense;
 - (iii) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time;
 - (iv) The defendant used his or her position of trust, confidence, or fiduciary responsibility to facilitate the commission of the current offense.
- (d) The current offense was a major violation of the Uniform Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to trafficking in controlled substances, which was more onerous than the typical offense of its statutory definition: The presence of ANY of the following may identify a current offense as a major VUCSA:
- (i) The current offense involved at least three separate transactions in which controlled substances were sold, transferred, or possessed with intent to do so; or
 - (ii) The current offense involved an attempted or actual sale or transfer of controlled substances in quantities substantially larger than for personal use; or
 - (iii) The current offense involved the manufacture of controlled substances for use by other parties; or
 - (iv) The circumstances of the current offense reveal the offender to have occupied a high position in the drug distribution hierarchy; or
 - (v) The current offense involved a high degree of sophistication or planning or occurred over a lengthy period of time or involved a broad geographic area of disbursement; or
 - (vi) The offender used his or her position or status to facilitate the commission of the current offense, including positions of trust, confidence or fiduciary responsibility (e.g., pharmacist, physician, or other medical professional); or
- (e) The current offense included a finding of sexual motivation pursuant to section 601 of this 1990 act:
- (f) The offense was part of an ongoing pattern of sexual abuse of the same victim under the age of eighteen years manifested by multiple incidents over a prolonged period of time; or
 - ((f)) (g) The operation of the multiple offense policy of RCW 9.94A.400 results in a presumptive sentence that is clearly too lenient in light of the purpose of this chapter, as expressed in RCW 9.94A.010.

NEW SECTION. Sec. 604. A new section is added to chapter 13.40 RCW to read as follows:

- (1) The prosecuting attorney shall file a special allegation of sexual motivation in every juvenile offense other than sex offenses as defined in RCW 9.94A.030(29) (a) or (c) when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably consistent defense that could be raised under the evidence, would justify a finding of sexual motivation by a reasonable and objective fact finder.
- (2) In a juvenile case wherein there has been a special allegation the state shall prove beyond a reasonable doubt that the juvenile committed the offense with a sexual motivation. The court shall make a finding of fact of whether or not the sexual motivation was present at the time of the commission of the offense. This finding shall not be applied to sex offenses as defined in RCW 9.94A.030(29) (a) or (c).
- (3) The prosecuting attorney shall not withdraw the special allegation of 'sexual motivation' without approval of the court through an order of dismissal. The court shall not dismiss the special allegation unless it finds that such an order is necessary to correct an error in the initial charging decision or unless there are evidentiary problems which make proving the special allegation doubtful.

Sec. 605. Section 69, chapter 291, Laws of 1977 ex. sess. as last amended by section 12, chapter 299, Laws of 1981 and RCW 13.40.150 are each amended to read as follows:

- (1) In disposition hearings all relevant and material evidence, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though such evidence may not be admissible in a hearing on the information. The youth or the youth's counsel and the prosecuting attorney shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when such individuals are reasonably available, but sources of confidential information need not be disclosed. The prosecutor and counsel for the juvenile may submit recommendations for disposition.
- (2) For purposes of disposition:
 - (a) Violations which are current offenses count as misdemeanors;
 - (b) Violations may not count as part of the offender's criminal history;
 - (c) In no event may a disposition for a violation include confinement.
- (3) Before entering a dispositional order as to a respondent found to have committed an offense, the court shall hold a disposition hearing, at which the court shall:
 - (a) Consider the facts supporting the allegations of criminal conduct by the respondent;
 - (b) Consider information and arguments offered by parties and their counsel;
 - (c) Consider any predisposition reports;
 - (d) Afford the respondent and the respondent's parent, guardian, or custodian an opportunity to speak in the respondent's behalf;

- (e) Allow the victim or a representative of the victim and an investigative law enforcement officer to speak;
- (f) Determine the amount of restitution owing to the victim, if any;
- (g) Determine whether the respondent is a serious offender, a middle offender, or a minor or first offender;
- (h) Consider whether or not any of the following mitigating factors exist:
 - (i) The respondent's conduct neither caused nor threatened serious bodily injury or the respondent did not contemplate that his or her conduct would cause or threaten serious bodily injury;
 - (ii) The respondent acted under strong and immediate provocation;
 - (iii) The respondent was suffering from a mental or physical condition that significantly reduced his or her culpability for the offense though failing to establish a defense;
 - (iv) Prior to his or her detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and
 - (v) There has been at least one year between the respondent's current offense and any prior criminal offense;
- (i) Consider whether or not any of the following aggravating factors exist:
 - (i) In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;
 - (ii) The offense was committed in an especially heinous, cruel, or depraved manner;
 - (iii) The victim or victims were particularly vulnerable;
 - (iv) The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement;
 - (v) The current offense included a finding of sexual motivation pursuant to section 601 of this 1990 act.

(vi) The respondent was the leader of a criminal enterprise involving several persons; and
 ((**)) (vii) There are other complaints which have resulted in diversion or a finding or plea of guilty but which are not included as criminal history.

(4) The following factors may not be considered in determining the punishment to be imposed:

- (a) The sex of the respondent;
- (b) The race or color of the respondent or the respondent's family;
- (c) The creed or religion of the respondent or the respondent's family;
- (d) The economic or social class of the respondent or the respondent's family; and
- (e) Factors indicating that the respondent may be or is a dependent child within the meaning of this chapter.

(5) A court may not commit a juvenile to a state institution solely because of the lack of facilities, including treatment facilities, existing in the community.

NEW SECTION. Sec. 606. (1) Sections 601 through 605 of this act, for purposes of sentencing adult or juvenile offenders, shall take effect July 1, 1990, and shall apply to crimes or offenses committed on or after July 1, 1990.

(2) For purposes of defining a 'sexually violent offense' pursuant to section 1002(4) of this act, sections 601 through 605 of this act shall take effect July 1, 1990, and shall apply to crimes committed on, before, or after July 1, 1990.

PART VII
 CRIMINAL SENTENCING

Sec. 701. Section 2, chapter 115, Laws of 1983 as last amended by section 1, chapter 124, Laws of 1989 and by section 101, chapter 271, Laws of 1989 and RCW 9.94A.310 are each reenacted and amended to read as follows:

(1)

TABLE 1
 Sentencing Grid

SERIOUSNESS SCORE	OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
(**) <u>XV</u>	Life Sentence without Parole/Death Penalty									
(**) <u>XIV</u>	23y4m 240- 320	24y4m 250- 333	25y4m 261- 347	26y4m 271- 361	27y4m 281- 374	28y4m 291- 388	30y4m 312- 416	32y10m 338- 450	36y 370- 493	40y 411- 548

	SERIOUSNESS SCORE									
	0	1	2	3	4	5	6	7	8	9 or more
(XIII)										
XIII	12y	13y	14y	15y	16y	17y	19y	21y	25y	29y
	123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
	164	178	192	205	219	233	260	288	342	397
(XI)										
	6y	6y9m	7y6m	8y3m	9y	9y9m	12y6m	13y6m	15y6m	17y6m
	62	69	77	85	93	100	129	139	159	180
	82	92	102	113	123	133	171	185	212	240))
XII	9y	9y11m	10y9m	11y8m	12y6m	13y5m	15y9m	17y3m	20y3m	23y3m
	93-	102-	111-	120-	129-	138-	162-	178-	209-	240-
	123	136	147	160	171	184	216	236	277	318
XI	7y6m	8y4m	9y2m	9y11m	10y9m	11y7m	14y2m	15y5m	17y11m	20y5m
	78-	86-	95-	102-	111-	120-	146-	159-	185-	210-
	102	114	125	136	147	158	194	211	245	280
X	5y	5y6m	6y	6y6m	7y	7y6m	9y6m	10y6m	12y6m	14y6m
	51-	57-	62-	67-	72-	77-	98-	108-	129-	149-
	68	75	82	89	96	102	130	144	171	198
IX	3y	3y6m	4y	4y6m	5y	5y6m	7y6m	8y6m	10y6m	12y6m
	31-	36-	41-	46-	51-	57-	77-	87-	108-	129-
	41	48	54	61	68	75	102	116	144	171
VIII	2y	2y6m	3y	3y6m	4y	4y6m	6y6m	7y6m	8y6m	10y6m
	21-	26-	31-	36-	41-	46-	67-	77-	87-	108-
	27	34	41	48	54	61	89	102	116	144
VII	18m	2y	2y6m	3y	3y6m	4y	5y6m	6y6m	7y6m	8y6m
	15-	21-	26-	31-	36-	41-	57-	67-	77-	87-
	20	27	34	41	48	54	75	89	102	116
VI	13m	18m	2y	2y6m	3y	3y6m	4y6m	5y6m	6y6m	7y6m
	12+-	15-	21-	26-	31-	36-	46-	57-	67-	77-
	14	20	27	34	41	48	61	75	89	102
V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	6y	7y
	6-	12+-	13-	15-	22-	33-	41-	51-	62-	72-
	12	14	17	20	29	43	54	68	82	96
IV	6m	9m	13m	15m	18m	2y2m	3y2m	4y2m	5y2m	6y2m
	3-	6-	12+-	13-	15-	22-	33-	43-	53-	63-
	9	12	14	17	20	29	43	57	70	84
III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
	1-	3-	4-	9-	12+-	17-	22-	33-	43-	51-
	3	8	12	12	16	22	29	43	57	68
II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
	0-90	2-	3-	4-	12+-	14-	17-	22-	33-	43-
	Days	6	9	12	14	18	22	29	43	57
I			3m	4m	5m	8m	13m	16m	20m	2y2m
	0-60	0-90	2-	2-	3-	4-	12+-	14-	17-	22-
	Days	Days	5	6	8	12	14	18	22	29

NOTE: Numbers in the first horizontal row of each seriousness category represent sentencing midpoints in years(y) and months(m). Numbers in the second and third rows represent presumptive sentencing ranges in months, or in days if so designated. 12+ equals one year and one day.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the presumptive sentence is determined by locating the

sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by 75 percent.

(3) The following additional times shall be added to the presumptive sentence if the offender or an accomplice was armed with a deadly weapon as defined in this chapter and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice was armed with a deadly weapon and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following times shall be added to the presumptive range determined under subsection (2) of this section:

(a) 24 months for Rape 1 (RCW 9A.44.040), Robbery 1 (RCW 9A.56.200), or Kidnapping 1 (RCW 9A.40.020)

(b) 18 months for Burglary 1 (RCW 9A.52.020)

(c) 12 months for Assault 2 (RCW 9A.36.020 or 9A.36.021), Escape 1 (RCW 9A.76.110), Kidnapping 2 (RCW 9A.40.030), Burglary 2 of a building other than a dwelling (RCW 9A.52.030), Theft of Livestock 1 or 2 (RCW 9A.56.080), or any drug offense.

(4) The following additional times shall be added to the presumptive sentence if the offender or an accomplice committed the offense while in a county jail or state correctional facility as that term is defined in this chapter and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice committed one of the crimes listed in this subsection while in a county jail or state correctional facility as that term is defined in this chapter, and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following times shall be added to the presumptive sentence range determined under subsection (2) of this section:

(a) Eighteen months for offenses committed under RCW 69.50.401(a)(1)(i);

(b) Fifteen months for offenses committed under RCW 69.50.401(a)(1)(ii), (iii), and (iv);

(c) Twelve months for offenses committed under RCW 69.50.401(d).

For the purposes of this subsection, all of the real property of a state correctional facility or county jail shall be deemed to be part of that facility or county jail.

(5) An additional twenty-four months shall be added to the presumptive sentence for any ranked offense involving a violation of chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435.

Sec. 702. Section 1, chapter 99, Laws of 1989, section 102, chapter 271, Laws of 1989, section 1, chapter 405, Laws of 1989, section 3, chapter 412, Laws of 1989, section 3, chapter 1, Laws of 1989 2nd ex. sess. and RCW 9.94A.320 are each reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

(XIV) <u>XV</u>	Aggravated Murder 1 (RCW 10.95.020)
(XIII) <u>XIV</u>	Murder 1 (RCW 9A.32.030) Homicide by abuse (RCW 9A.32.055)
(XII) <u>XIII</u>	Murder 2 (RCW 9A.32.050)
(XI) <u>XII</u>	Assault 1 (RCW 9A.36.011)
<u>XI</u>	Rape 1 (RCW 9A.44.040)
X	Rape of a Child 1 (RCW 9A.44.073) Kidnapping 1 (RCW 9A.40.020) ((Rape 1 (RCW 9A.44.040) Rape of a Child 1 (RCW 9A.44.073))) Rape 2 (RCW 9A.44.050) Rape of a Child 2 (RCW 9A.44.076) Child Molestation 1 (RCW 9A.44.083) Damaging building, etc., by explosion with threat to human being (RCW 70.74.280(1)) Over 18 and deliver heroin or narcotic from Schedule I or II to someone under 18 (RCW 69.50.406)
IX	Leading Organized Crime (RCW 9A.82.060(1)(a)) Robbery 1 (RCW 9A.56.200) Manslaughter 1 (RCW 9A.32.060) Explosive devices prohibited (RCW 70.74.180) Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a)) Endangering life and property by explosives with threat to human being (RCW 70.74.270) Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic from Schedule I-V to someone under 18 and 3 years junior (RCW 69.50.406) Controlled Substance Homicide (RCW 69.50.415) Sexual Exploitation(Under 16) (RCW 9.68A.040(((2)(a)))))

- VIII Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
 Arson 1 (RCW 9A.48.020)
~~((Rape 2 (RCW 9A.44.050))~~
~~Rape of a Child 2 (RCW 9A.44.076)~~
~~Child Molestation 1 (RCW 9A.44.083))~~
 Promoting Prostitution 1 (RCW 9A.88.070)
 Selling heroin for profit (RCW 69.50.410)
 Manufacture, deliver, or possess with intent to deliver heroin or cocaine (RCW 69.50.401(a)(1)(i))
 Manufacture, deliver, or possess with intent to deliver methamphetamine (RCW 69.50.401(a)(1)(ii))
 Vehicular Homicide, by being under the influence of intoxicating liquor or any drug or by the operation of any vehicle in a reckless manner (RCW 46.61.520)
- VII Burglary 1 (RCW 9A.52.020)
 Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
 Introducing Contraband 1 (RCW 9A.76.140)
 Indecent Liberties ~~((with))~~ without forcible compulsion) (RCW 9A.44.100(1)~~((a))~~ (b) and (c))
~~((Sexual Exploitation, Under 18 (RCW 9.68A.040(2)(b)))~~
~~Child Molestation 2 (RCW 9A.44.086)~~
 Dealing in depictions of minor engaged in sexually explicit conduct (RCW 9.68A.050)
 Sending, bringing into state depictions of minor engaged in sexually explicit conduct (RCW 9.68A.060)
 Involving a minor in drug dealing (RCW 69.50.401(f))
- VI Bribery (RCW 9A.68.010)
 Manslaughter 2 (RCW 9A.32.070)
~~((Child Molestation 2 (RCW 9A.44.086))~~
~~Rape of a Child 3 (RCW 9A.44.079)~~
 Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
 Damaging building, etc., by explosion with no threat to human being (RCW 70.74.280(2))
 Endangering life and property by explosives with no threat to human being (RCW 70.74.270)
~~((Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c)))~~
 Incest 1 (RCW 9A.64.020(1))
 Selling for profit (controlled or counterfeit) any controlled substance (except heroin) (RCW 69.50.410)
 Manufacture, deliver, or possess with intent to deliver narcotics from Schedule I or II (except heroin or cocaine) (RCW 69.50.401(a)(1)(i))
 Intimidating a Judge (RCW 9A.72.160)
 Bail Jumping with Murder 1 (RCW 9A.76.170(2)(a))
- V Criminal Mistreatment 1 (RCW 9A.42.020)
 Rape 3 (RCW 9A.44.060)
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Child Molestation 3 (RCW 9A.44.089)
 Kidnapping 2 (RCW 9A.40.030)
 Extortion 1 (RCW 9A.56.120)
 Incest 2 (RCW 9A.64.020(2))
 Perjury 1 (RCW 9A.72.020)
 Extortionate Extension of Credit (RCW 9A.82.020)
 Advancing money or property for extortionate extension of credit (RCW 9A.82.030)
 Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
 Rendering Criminal Assistance 1 (RCW 9A.76.070)
 Bail Jumping with class A Felony (RCW 9A.76.170(2)(b))
 Delivery of imitation controlled substance by person eighteen or over to person under eighteen (RCW 69.52.030(2))
- IV Residential Burglary (RCW 9A.52.025)
 Theft of Livestock 1 (RCW 9A.56.080)
 Robbery 2 (RCW 9A.56.210)
 Assault 2 (RCW 9A.36.021)
 Escape 1 (RCW 9A.76.110)
 Arson 2 (RCW 9A.48.030)
~~((Rape of a Child 3 (RCW 9A.44.079))~~
 Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
 Malicious Harassment (RCW 9A.36.080)
 Threats to Bomb (RCW 9.61.160)
 Willful Failure to Return from Furlough (RCW 72.66.060)

- Hit and Run -- Injury Accident (RCW 46.52.020(4))
- Vehicular Assault (RCW 46.61.522)
- Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except marijuana or methamphetamines) (RCW 69.50.401(a)(1)(ii) through (iv))
- Influencing Outcome of Sporting Event (RCW 9A.82.070)
- Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))
- Knowingly Trafficking in Stolen Property (RCW 9A.82.050(2))
- III Criminal mistreatment 2 (RCW 9A.42.030)
- ~~((Sexual Misconduct with a Minor 1 (RCW 9A.44.093)~~
- ~~Child Molestation 3 (RCW 9A.44.089)))~~
- Extortion 2 (RCW 9A.56.130)
- Unlawful Imprisonment (RCW 9A.40.040)
- Assault 3 (RCW 9A.36.031)
- Custodial Assault (RCW 9A.36.100)
- Unlawful possession of firearm or pistol by felon (RCW 9.41.040)
- Harassment (RCW 9A.46.020)
- Promoting Prostitution 2 (RCW 9A.88.080)
- Willful Failure to Return from Work Release (RCW 72.65.070)
- Burglary 2 (RCW 9A.52.030)
- Introducing Contraband 2 (RCW 9A.76.150)
- Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
- Patronizing a Juvenile Prostitute (RCW 9.68A.100)
- Escape 2 (RCW 9A.76.120)
- Perjury 2 (RCW 9A.72.030)
- Bail Jumping with class B or C Felony (RCW 9A.76.170(2)(c))
- Intimidating a Public Servant (RCW 9A.76.180)
- Tampering with a Witness (RCW 9A.72.120)
- Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(a)(1)(ii))
- Delivery of a material in lieu of a controlled substance (RCW 69.50.401(c))
- Manufacture, distribute, or possess with intent to distribute an imitation controlled substance (RCW 69.52.030(1))
- Recklessly Trafficking in Stolen Property (RCW 9A.82.050(1))
- Theft of livestock 2 (RCW 9A.56.080)
- Securities Act violation (RCW 21.20.400)
- II Malicious Mischief 1 (RCW 9A.48.070)
- Possession of Stolen Property 1 (RCW 9A.56.150)
- Theft 1 (RCW 9A.56.030)
- Possession of controlled substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.401(d))
- Possession of phencyclidine (PCP) (RCW 69.50.401(d))
- Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.401(b))
- Computer Trespass 1 (RCW 9A.52.110)
- Reckless Endangerment 1 (RCW 9A.36.045)
- I Theft 2 (RCW 9A.56.040)
- Possession of Stolen Property 2 (RCW 9A.56.160)
- Forgery (RCW 9A.60.020)
- Taking Motor Vehicle Without Permission (RCW 9A.56.070)
- Vehicle Prowl 1 (RCW 9A.52.095)
- Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
- Malicious Mischief 2 (RCW 9A.48.080)
- Reckless Burning 1 (RCW 9A.48.040)
- Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
- Unlawful Use of Food Stamps (RCW 9.91.140 (2) and (3))
- False Verification for Welfare (RCW 74.08.055)
- Forged Prescription (RCW 69.41.020)
- Forged Prescription for a Controlled Substance (RCW 69.50.403)
- Possess Controlled Substance that is a Narcotic from Schedule III, IV, or V or Non-narcotic from Schedule I-V (except phencyclidine) (RCW 69.50.401(d))

Sec. 703. Section 6, chapter 115, Laws of 1983 and RCW 9.94A.350 are each amended to read as follows:

The offense seriousness level is determined by the offense of conviction. ~~((Felony offenses are divided into fourteen levels of seriousness, ranging from low (seriousness level 1) to high (seriousness level XIV—see RCW 9.94A.320 (Table 2)):~~

Sec. 704. Section 11, chapter 115, Laws of 1983 as last amended by section 24, chapter 143, Laws of 1988 and by section 5, chapter 157, Laws of 1988 and RCW 9.94A.400 are each reenacted and amended to read as follows:

(1) (a) Except as provided in (b) of this subsection, whenever a person is to be sentenced for two or more current offenses, the sentence range for each current offense shall be determined by using all other current and prior convictions as if they were prior convictions for the purpose of the offender score. PROVIDED, That if the court enters a finding that some or all of the current offenses encompass the same criminal conduct then those current offenses shall be counted as one crime. Sentences imposed under this subsection shall be served concurrently. Consecutive sentences may only be imposed under the exceptional sentence provisions of RCW 9.94A.120 and 9.94A.390(2)((e))(f) or any other provision of RCW 9.94A.390. 'Same criminal conduct,' as used in this subsection, means two or more crimes that require the same criminal intent, are committed at the same time and place, and involve the same victim. This definition does not apply in cases involving vehicular assault or vehicular homicide if the victims occupied the same vehicle. However, the sentencing judge may consider multiple victims in such instances as an aggravating circumstance under RCW 9.94A.390.

(b) Whenever a person is convicted of ~~((three))~~ two or more serious violent offenses, as defined in RCW 9.94A.030, arising from separate and distinct criminal conduct, the sentence range for the offense with the highest seriousness level under RCW 9.94A.320 shall be determined using the offender's prior convictions and other current convictions that are not serious violent offenses in the offender score and the sentence range for other serious violent offenses shall be determined by using an offender score of zero. The sentence range for any offenses that are not serious violent offenses shall be determined according to (a) of this subsection. All sentences imposed under (b) of this subsection shall be served consecutively to each other and concurrently with sentences imposed under (a) of this subsection.

(2) Whenever a person while under sentence of felony commits another felony and is sentenced to another term of confinement, the latter term shall not begin until expiration of all prior terms.

(3) Subject to subsections (1) and (2) of this section, whenever a person is sentenced for a felony that was committed while the person was not under sentence of a felony, the sentence shall run concurrently with any felony sentence which has been imposed by any court in this or another state or by a federal court subsequent to the commission of the crime being sentenced unless the court pronouncing the current sentence expressly orders that they be served consecutively.

(4) Whenever any person granted probation under RCW 9.95.210 or 9.92.060, or both, has the probationary sentence revoked and a prison sentence imposed, that sentence shall run consecutively to any sentence imposed pursuant to this chapter, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently.

(5) However, in the case of consecutive sentences, all periods of total confinement shall be served before any partial confinement, community service, community supervision, or any other requirement or conditions of any of the sentences. Except for exceptional sentences as authorized under RCW 9.94A.120(2), if two or more sentences that run consecutively include periods of community supervision, the aggregate of the community supervision period shall not exceed twenty-four months.

Sec. 705. Section 4, chapter 252, Laws of 1989 and RCW 9.94A.120 are each amended to read as follows:

When a person is convicted of a felony, the court shall impose punishment as provided in this section.

(1) Except as authorized in subsections (2), (5), and (7) of this section, the court shall impose a sentence within the sentence range for the offense.

(2) The court may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(3) Whenever a sentence outside the standard range is imposed, the court shall set forth the reasons for its decision in written findings of fact and conclusions of law. A sentence outside the standard range shall be a determinate sentence.

(4) An offender convicted of the crime of murder in the first degree shall be sentenced to a term of total confinement not less than twenty years. An offender convicted of the crime of assault in the first degree where the offender used force or means likely to result in death or intended to kill the victim shall be sentenced to a term of total confinement not less than five years. An offender convicted of the crime of rape in the first degree shall be sentenced to a term of total confinement not less than ~~((three))~~ five years, and shall not be eligible for furlough, work release or other authorized leave of absence from the correctional facility during such minimum ~~((three-year))~~ five-year term except for the purpose of commitment to an inpatient treatment facility. The foregoing minimum terms of total confinement are mandatory and shall not be varied or modified as provided in subsection (2) of this section.

(5) In sentencing a first-time offender the court may waive the imposition of a sentence within the sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses. The sentence may also include up to

two years of community supervision, which, in addition to crime-related prohibitions, may include requirements that the offender perform any one or more of the following:

- (a) Devote time to a specific employment or occupation;
- (b) Undergo available outpatient treatment for up to two years, or inpatient treatment not to exceed the standard range of confinement for that offense;
- (c) Pursue a prescribed, secular course of study or vocational training;
- (d) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;
- (e) Report as directed to the court and a community corrections officer; or
- (f) Pay all court-ordered legal financial obligations as provided in RCW 9.94A.030 and/or perform community service work.

(6) If a sentence range has not been established for the defendant's crime, the court shall impose a determinate sentence which may include not more than one year of confinement, community service work, a term of community supervision not to exceed one year, and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement if the court finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.

(7)(a) (i) When an offender is convicted of a sex offense other than a violation of (~~RCW 9A.44.040 or~~) RCW 9A.44.050 or a sex offense that is also a serious violent offense and has no prior convictions for a sex offense or any other felony (~~sexual~~) sex offenses in this or any other state, the sentencing court, on its own motion or the motion of the state or the defendant, may order an examination to determine whether the defendant is amenable to treatment.

The report of the examination shall include at a minimum the following: The defendant's version of the facts and the official version of the facts, the defendant's offense history, an assessment of problems in addition to alleged deviant behaviors, the offender's social and employment situation, and other evaluation measures used. The report shall set forth the sources of the evaluator's information.

The examiner shall assess and report regarding the defendant's amenability to treatment and relative risk to the community. A proposed treatment plan shall be provided and shall include, at a minimum:

- (A) Frequency and type of contact between offender and therapist;
- (B) Specific issues to be addressed in the treatment and description of planned treatment modalities;
- (C) Monitoring plans, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members and others;
- (D) Anticipated length of treatment; and
- (E) Recommended crime-related prohibitions.

The court on its own motion may order, or on a motion by the state shall order, a second examination regarding the offender's amenability to treatment. The evaluator shall be selected by the party making the motion. The defendant shall pay the cost of any second examination ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost.

(ii) After receipt of the reports, the court shall (~~then determine~~) consider whether the offender and the community will benefit from use of this special sexual offender sentencing alternative and consider the victim's opinion whether the offender should receive a treatment disposition under this subsection. If the court determines that (~~both the offender and the community will benefit from use of this provision~~) this special sex offender sentencing alternative is appropriate, the court shall then impose a sentence within the sentence range (~~and~~)). If this sentence is less than (~~str~~) eight years of confinement, the court may suspend the execution of the sentence and impose the following conditions of suspension:

(A) The court shall place the (~~offender~~) defendant on community supervision for (~~up to two~~) the length of the suspended sentence or three years, whichever is greater; and

(B) The court shall order treatment for any period up to three years in duration. The court in its discretion shall order outpatient sex offender treatment or inpatient sex offender treatment, if available. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment. The offender shall not change sex offender treatment providers or treatment conditions without first notifying the prosecutor, the community corrections officer, and the court, and shall not change providers without court approval after a hearing if the prosecutor or community corrections officer object to the change. In addition, as (~~a~~) conditions of the suspended sentence, the court may impose other sentence conditions including up to six months of confinement, not to exceed the sentence range of confinement for that offense, crime-related prohibitions, and requirements that the offender perform any one or more of the following:

- (~~th~~) (i) Devote time to a specific employment or occupation;
- (~~th~~) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment;

~~((#))~~ (II) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;

~~((#))~~ (III) Report as directed to the court and a community corrections officer;

~~((#))~~ (IV) Pay all court-ordered legal financial obligations as provided in RCW 9.94A.030, perform community service work, or any combination thereof; or

~~((#))~~ (V) Make recoupment to the victim for the cost of any counseling required as a result of the offender's crime.

(iii) The sex offender therapist shall submit quarterly reports on the defendant's progress in treatment to the court and the parties. The report shall reference the treatment plan and include at a minimum the following: Dates of attendance, defendant's compliance with requirements, treatment activities, the defendant's relative progress in treatment, and any other material as specified by the court at sentencing.

(iv) At the time of sentencing, the court shall set a treatment termination hearing for three months prior to the anticipated date for completion of treatment. Prior to the treatment termination hearing, the treatment professional and community corrections officer shall submit written reports to the court and parties regarding the defendant's compliance with treatment and monitoring requirements, and recommendations regarding termination from treatment, including proposed community supervision conditions. Either party may request and the court may order another evaluation regarding the advisability of termination from treatment. The defendant shall pay the cost of any additional evaluation ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost. At the treatment termination hearing the court may: (A) Modify conditions of community supervision, and either (B) terminate treatment, or (C) extend treatment for up to the remaining period of community supervision.

(v) The court may revoke the suspended sentence at any time during the period of community supervision and order execution of the sentence if: (A) The ~~((offender))~~ defendant violates ~~((these sentence))~~ the conditions ~~((the court may revoke the suspension and order execution of the sentence))~~ of the suspended sentence, or (B) the court finds that the defendant is failing to make satisfactory progress in treatment. All confinement time served during the period of community supervision shall be credited to the offender if the suspended sentence is revoked.

(vi) After July 1, 1991, examinations and treatment ordered pursuant to this subsection shall only be conducted by sex offender treatment providers certified by the department of health pursuant to sections 801 through 809 of this 1990 act.

For purposes of this subsection, 'victim' means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a result of the crime charged. 'Victim' also means a parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

(b) When an offender is convicted of any felony ~~((sexual))~~ sex offense committed before July 1, 1987, and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, order the offender committed for up to thirty days to the custody of the secretary of social and health services for evaluation and report to the court on the offender's amenability to treatment at these facilities. If the secretary of social and health services cannot begin the evaluation within thirty days of the court's order of commitment, the offender shall be transferred to the state for confinement pending an opportunity to be evaluated at the appropriate facility. The court shall review the reports and may order that the term of confinement imposed be served in the sexual offender treatment program at the location determined by the secretary of social and health services or the secretary's designee, only if the report indicates that the offender is amenable to the treatment program provided at these facilities. The offender shall be transferred to the state pending placement in the treatment program. Any offender who has escaped from the treatment program shall be referred back to the sentencing court.

If the offender does not comply with the conditions of the treatment program, the secretary of social and health services may refer the matter to the sentencing court. The sentencing court shall commit the offender to the department of corrections to serve the balance of the term of confinement.

If the offender successfully completes the treatment program before the expiration of the term of confinement, the court may convert the balance of confinement to community supervision and may place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

(i) Devote time to a specific employment or occupation;

(ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;

(iii) Report as directed to the court and a community corrections officer;

(iv) Undergo available outpatient treatment.

If the offender violates any of the terms of community supervision, the court may order the offender to serve out the balance of the community supervision term in confinement in the custody of the department of corrections.

After June 30, 1993, this subsection (b) shall cease to have effect.

(c) When an offender commits any felony (~~(sexual)~~ sex offense on or after July 1, 1987, and is sentenced to a term of confinement of more than one year but less than six years, the sentencing court may, on its own motion or on the motion of the offender or the state, request the department of corrections to evaluate whether the offender is amenable to treatment and the department may place the offender in a treatment program within a correctional facility operated by the department.

Except for an offender who has been convicted of a violation of RCW 9A.44.040 or 9A.44.050, if the offender completes the treatment program before the expiration of his term of confinement, the department of corrections may request the court to convert the balance of confinement to community supervision and to place conditions on the offender including crime-related prohibitions and requirements that the offender perform any one or more of the following:

- (i) Devote time to a specific employment or occupation;
- (ii) Remain within prescribed geographical boundaries and notify the court or the community corrections officer prior to any change in the offender's address or employment;
- (iii) Report as directed to the court and a community corrections officer;
- (iv) Undergo available outpatient treatment.

If the offender violates any of the terms of his community supervision, the court may order the offender to serve out the balance of his community supervision term in confinement in the custody of the department of corrections.

Nothing in (c) of this subsection shall confer eligibility for such programs for offenders convicted and sentenced for a (~~(sexual)~~ sex offense committed prior to July 1, 1987. This subsection (c) does not apply to any crime committed after the effective date of this section.

(d) Offenders convicted and sentenced for a sex offense committed prior to July 1, 1987, may, subject to available funds, request an evaluation by the department of corrections to determine whether they are amenable to treatment. If the offender is determined to be amenable to treatment, the offender may request placement in a treatment program within a correctional facility operated by the department. Placement in such treatment program is subject to available funds.

(8) (a) When a court sentences a person to a term of total confinement to the custody of the department of corrections for an offense categorized as a sex offense~~(;)~~ or a serious violent offense committed after July 1, 1988, but before July 1, 1990, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW, committed on or after July 1, 1988, the court shall in addition to the other terms of the sentence, sentence the offender to a one-year term of community placement beginning either upon completion of the term of confinement or at such time as the offender is transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.150 (1) and (2). When the court sentences an offender under this (~~(section)~~ subsection) to the statutory maximum period of confinement then the community placement portion of the sentence shall consist entirely of such community custody to which the offender may become eligible, in accordance with RCW 9.94A.150 (1) and (2). Any period of community custody actually served shall be credited against the community placement portion of the sentence.

(b) ~~(When a court sentences a person to a term of total confinement to the custody of the department of corrections for an offense categorized as a sex offense, a serious violent offense, assault in the second degree, any crime against a person where it is determined in accordance with RCW 9.94A.125 that the defendant or an accomplice was armed with a deadly weapon at the time of commission, or any felony offense under chapter 69.50 or 69.52 RCW, committed on or after July 1, 1988;))~~ When a court sentences a person to a term of total confinement to the custody of the department of corrections for an offense categorized as a sex offense or serious violent offense committed on or after July 1, 1990, the court shall in addition to other terms of the sentence, sentence the offender to community placement for two years or up to the period of earned early release awarded pursuant to RCW 9.94A.150 (1) and (2), whichever is longer. The community placement shall begin either upon completion of the term of confinement or at such time as the offender is transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.150 (1) and (2). When the court sentences an offender under this subsection to the statutory maximum period of confinement then the community placement portion of the sentence shall consist entirely of the community custody to which the offender may become eligible, in accordance with RCW 9.94A.150 (1) and (2). Any period of community custody actually served shall be credited against the community placement portion of the sentence. Unless a condition is waived by the court, (~~the sentence shall include, in addition to the other terms of the sentence, a one-year~~) the terms of community placement (~~(on)~~) for offenders sentenced pursuant to this section shall include the following conditions:

- (i) The offender shall report to and be available for contact with the assigned community corrections officer as directed;

(ii) The offender shall work at department of corrections-approved education, employment, and/or community service;

(iii) The offender shall not consume controlled substances except pursuant to lawfully issued prescriptions;

(iv) An offender in community custody shall not unlawfully possess controlled substances; and

(v) The offender shall pay supervision fees as determined by the department of corrections.

(c) The court may also order any of the following special conditions:

(i) The offender shall remain within, or outside of, a specified geographical boundary;

(ii) The offender shall not have direct or indirect contact with the victim of the crime or a specified class of individuals;

(iii) The offender shall participate in crime-related treatment or counseling services;

(iv) The offender shall not consume alcohol;

(v) The residence location and living arrangements of a sex offender shall be subject to the prior approval of the department of corrections; or

(vi) The offender shall comply with any crime-related prohibitions.

(d) Prior to transfer to, or during, community placement, any conditions of community placement may be removed or modified so as not to be more restrictive by the sentencing court, upon recommendation of the department of corrections.

(9) If the court imposes a sentence requiring confinement of thirty days or less, the court may, in its discretion, specify that the sentence be served on consecutive or intermittent days. A sentence requiring more than thirty days of confinement shall be served on consecutive days. Local jail administrators may schedule court-ordered intermittent sentences as space permits.

(10) If a sentence imposed includes payment of a legal financial obligation, the sentence shall specify the total amount of the legal financial obligation owed, and shall require the offender to pay a specified monthly sum toward that legal financial obligation. Restitution to victims shall be paid prior to any other payments of monetary obligations. Any legal financial obligation that is imposed by the court may be collected by the department, which shall deliver the amount paid to the county clerk for credit. The offender's compliance with payment of legal financial obligations shall be supervised by the department. All monetary payments ordered shall be paid no later than ten years after the last date of release from confinement pursuant to a felony conviction or the date the sentence was entered. Independent of the department, the party or entity to whom the legal financial obligation is owed shall have the authority to utilize any other remedies available to the party or entity to collect the legal financial obligation. Nothing in this section makes the department, the state, or any of its employees, agents, or other persons acting on their behalf liable under any circumstances for the payment of these legal financial obligations. If an order includes restitution as one of the monetary assessments, the county clerk shall make disbursements to victims named in the order.

(11) Except as provided under RCW 9.94A.140(1) and 9.94A.142(1), a court may not impose a sentence providing for a term of confinement or community supervision or community placement which exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW.

(12) All offenders sentenced to terms involving community supervision, community service, community placement, or legal financial obligation shall be under the supervision of the secretary of the department of corrections or such person as the secretary may designate and shall follow explicitly the instructions of the secretary including reporting as directed to a community corrections officer, remaining within prescribed geographical boundaries, and notifying the community corrections officer of any change in the offender's address or employment.

(13) The sentencing court shall give the offender credit for all confinement time served before the sentencing if that confinement was solely in regard to the offense for which the offender is being sentenced.

(14) A departure from the standards in RCW 9.94A.400(1) and (2) governing whether sentences are to be served consecutively or concurrently is an exceptional sentence subject to the limitations in subsections (2) and (3) of this section, and may be appealed by the defendant or the state as set forth in RCW 9.94A.210(2) through (6).

(15) The court shall order restitution whenever the offender is convicted of a felony that results in injury to any person or damage to or loss of property, whether the offender is sentenced to confinement or placed under community supervision, unless extraordinary circumstances exist that make restitution inappropriate in the court's judgment. The court shall set forth the extraordinary circumstances in the record if it does not order restitution.

(16) As a part of any sentence, the court may impose and enforce an order that relates directly to the circumstances of the crime for which the offender has been convicted, prohibiting the offender from having any contact with other specified individuals or a specific class of individuals for a period not to exceed the maximum allowable sentence for the crime, regardless of the expiration of the offender's term of community supervision or community placement.

(17) In any sentence of partial confinement, the court may require the defendant to serve the partial confinement in work release or in a program of home detention.

(18) All court-ordered legal financial obligations collected by the department and remitted to the county clerk shall be credited and paid where restitution is ordered. Restitution shall be paid prior to any other payments of monetary obligations.

Sec. 706. Section 103, chapter 271, Laws of 1989 and RCW 9.94A.360 are each amended to read as follows:

The offender score is measured on the horizontal axis of the sentencing grid. The offender score rules are as follows:

The offender score is the sum of points accrued under this section rounded down to the nearest whole number.

(1) A prior conviction is a conviction which exists before the date of sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed shall be deemed 'other current offenses' within the meaning of RCW 9.94A.400.

(2) Except as provided in subsection (4) of this section, class A and sex prior felony convictions shall always be included in the offender score. Class B prior felony convictions other than sex offenses shall not be included in the offender score, if since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent ten consecutive years in the community without being convicted of any felonies. Class C prior felony convictions other than sex offenses shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender had spent five consecutive years in the community without being convicted of any felonies. Serious traffic convictions shall not be included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or entry of judgment and sentence, the offender spent five years in the community without being convicted of any serious traffic or felony traffic offenses. This subsection applies to both adult and juvenile prior convictions.

(3) Out-of-state convictions for offenses shall be classified according to the comparable offense definitions and sentences provided by Washington law.

(4) Always include juvenile convictions for sex offenses. Include other class A juvenile felonies only if the offender was 15 or older at the time the juvenile offense was committed. Include other class B and C juvenile felony convictions only if the offender was 15 or older at the time the juvenile offense was committed and the offender was less than 23 at the time the offense for which he or she is being sentenced was committed.

(5) Score prior convictions for felony anticipatory offenses (attempts, criminal solicitations, and criminal conspiracies) the same as if they were convictions for completed offenses.

(6) In the case of multiple prior convictions, for the purpose of computing the offender score, count all convictions separately, except:

(a) Prior adult offenses which were found, under RCW 9.94A.400(1)(a), to encompass the same criminal conduct, shall be counted as one offense, the offense that yields the highest offender score. The current sentencing court shall determine with respect to other prior adult offenses for which sentences were served concurrently whether those offenses shall be counted as one offense or as separate offenses, and if the court finds that they shall be counted as one offense, then the offense that yields the highest offender score shall be used;

(b) Juvenile prior convictions entered or sentenced on the same date shall count as one offense, the offense that yields the highest offender score, except for juvenile prior convictions for violent offenses with separate victims, which shall count as separate offenses; and

(c) In the case of multiple prior convictions for offenses committed before July 1, 1986, for the purpose of computing the offender score, count all adult convictions served concurrently as one offense, and count all juvenile convictions entered on the same date as one offense. Use the conviction for the offense that yields the highest offender score.

(7) If the present conviction is one of the anticipatory offenses of criminal attempt, solicitation, or conspiracy, count each prior conviction as if the present conviction were for a completed offense.

(8) If the present conviction is for a nonviolent offense and not covered by subsection (12) or (13) of this section, count one point for each adult prior felony conviction and one point for each juvenile prior violent felony conviction and 1/2 point for each juvenile prior nonviolent felony conviction.

(9) If the present conviction is for a violent offense and not covered in subsection (10), (11), (12), or (13) of this section, count two points for each prior adult and juvenile violent felony conviction, one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(10) If the present conviction is for Murder 1 or 2, Assault 1, Kidnaping 1, Homicide by Abuse, or Rape 1, count three points for prior adult and juvenile convictions for crimes in these categories, two points for each prior adult and juvenile violent conviction (not already

counted), one point for each prior adult nonviolent felony conviction, and 1/2 point for each prior juvenile nonviolent felony conviction.

(11) If the present conviction is for Burglary 1, count prior convictions as in subsection (9) of this section; however count two points for each prior adult Burglary 2 or residential burglary conviction, and one point for each prior juvenile Burglary 2 or residential burglary conviction.

(12) If the present conviction is for a felony traffic offense count two points for each adult or juvenile prior conviction for Vehicular Homicide or Vehicular Assault; for each felony offense or serious traffic offense, count one point for each adult and 1/2 point for each juvenile prior conviction.

(13) If the present conviction is for a drug offense count three points for each adult prior felony drug offense conviction and two points for each juvenile drug offense. All other adult and juvenile felonies are scored as in subsection (9) of this section if the current drug offense is violent, or as in subsection (8) of this section if the current drug offense is nonviolent.

(14) If the present conviction is for Willful Failure to Return from Furlough, RCW 72.66.060, or Willful Failure to Return from Work Release, RCW 72.65.070, count only prior escape convictions in the offender score. Count adult prior escape convictions as one point and juvenile prior escape convictions as 1/2 point.

(15) If the present conviction is for Escape 1, RCW 9A.76.110, or Escape 2, RCW 9A.76.120, count adult prior convictions as one point and juvenile prior convictions as 1/2 point.

(16) If the present conviction is for Burglary 2 or residential burglary, count priors as in subsection (8) of this section; however, count two points for each adult and juvenile prior Burglary 1 conviction, two points for each adult prior Burglary 2 or residential burglary conviction, and one point for each juvenile prior Burglary 2 or residential burglary conviction.

(17) If the present conviction is for a sex offense, count priors as in subsections (8) through (16) of this section; however count three points for each adult and juvenile prior sex offense conviction.

(18) If the present conviction is for an offense committed while the offender was under community placement, add one point.

Sec. 707, Section 24, chapter 137, Laws of 1981 as last amended by section 1, chapter 259, Laws of 1989 and RCW 9.95.009 are each amended to read as follows:

(1) On July 1, 1986, the board of prison terms and paroles shall be redesignated as the indeterminate ~~((sentencing))~~ sentence review board. The board's membership shall be reduced as follows: On July 1, 1986, and on July 1st of each year until 1998, the number of board members shall be reduced in a manner commensurate with the board's remaining workload as determined by the office of financial management based upon its population forecast for the indeterminate sentencing system and in conjunction with the budget process. To meet the statutory obligations of the indeterminate sentence review board, the number of board members shall not be reduced to fewer than three members, although the office of financial management may designate some or all members as part-time members and specify the extent to which they shall be less than full-time members. Any reduction shall take place by the expiration, on that date, of the term or terms having the least time left to serve.

(2) After July 1, 1984, the board shall continue its functions with respect to persons convicted of crimes committed prior to July 1, 1984, and committed to the department of corrections. When making decisions on duration of confinement, including those relating to persons committed under a mandatory life sentence, and parole release under RCW 9.95.100 and 9.95.110, the board shall consider the purposes, standards, and sentencing ranges adopted pursuant to RCW 9.94A.040 and the minimum term recommendations of the sentencing judge and prosecuting attorney, and shall attempt to make decisions reasonably consistent with those ranges, standards, purposes, and recommendations: PROVIDED, That the board and its successors shall give adequate written reasons whenever a minimum term or parole release decision is made which is outside the sentencing ranges adopted pursuant to RCW 9.94A.040. In making such decisions, the board and its successors shall consider the different charging and disposition practices under the indeterminate sentencing system.

(3) Notwithstanding the provisions of subsection (2) of this section, the indeterminate sentence review board shall give public safety considerations the highest priority when making all discretionary decisions on the remaining indeterminate population regarding the ability for parole, parole release, and conditions of parole.

NEW SECTION. Sec. 708. A new section is added to chapter 72.09 RCW to read as follows:

In making all discretionary decisions regarding supervision of sexually violent offenders, the department of corrections shall set priorities and make decisions based on an assessment of public safety risks rather than the legal category of the sentences.

PART VIII

CERTIFICATION OF SEX OFFENDER TREATMENT PROVIDERS

NEW SECTION. Sec. 801. The legislature finds that sex offender therapists who examine and

treat sex offenders pursuant to the special sexual offender sentencing alternative under RCW 9.94A.120(7)(c) and who may treat juvenile sex offenders pursuant to section 302 of this act,

play a vital role in protecting the public from sex offenders who remain in the community following conviction. The legislature finds that the qualifications, practices, techniques, and effectiveness of sex offender treatment providers vary widely and that the court's ability to effectively determine the appropriateness of granting the sentencing alternative and monitoring the offender to ensure continued protection of the community is undermined by a lack of regulated practices. The legislature recognizes the right of sex offender therapists to practice, consistent with the paramount requirements of public safety. Public safety is best served by regulating sex offender therapists whose clients are being evaluated and being treated pursuant to RCW 9.94A.120(7)(a) and section 302 of this act. This chapter shall be construed to require only those sex offender therapists who examine and treat sex offenders pursuant to RCW 9.94A.120(7)(a) and section 302 of this act to obtain a sexual offender treatment certification as provided in this chapter.

NEW SECTION, Sec. 802. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Certified sex offender treatment provider' means a licensed, certified, or registered health professional who is certified to examine and treat sex offenders pursuant to RCW 9.94A.120(7)(a) and section 302 of this act.

(2) 'Department' means the department of health.

(3) 'Secretary' means the secretary of health.

(4) 'Sex offender treatment provider' means a person who counsels or treats sex offenders accused of or convicted of a sex offense as defined by RCW 9.94A.030.

NEW SECTION, Sec. 803. (1) No person shall represent himself or herself as a certified sex offender treatment provider without first applying for and receiving a certificate pursuant to this chapter.

(2) Only a certified sex offender treatment provider may perform or provide the following services:

(a) Evaluations conducted for the purposes of and pursuant to RCW 9.94A.120(7)(a) and section 302 of this act;

(b) Treatment of convicted sex offenders who are sentenced and ordered into treatment pursuant to RCW 9.94A.120(7)(a) and adjudicated juvenile sex offenders who are ordered into treatment pursuant to section 302 of this act.

NEW SECTION, Sec. 804. In addition to any other authority provided by law, the secretary shall have the following authority:

(1) To set all fees required in this chapter in accordance with RCW 43.70.250;

(2) To establish forms necessary to administer this chapter;

(3) To issue a certificate to any applicant who has met the education, training, and examination requirements for certification and deny a certificate to applicants who do not meet the minimum qualifications for certification. Proceedings concerning the denial of certificates based on unprofessional conduct or impaired practice shall be governed by the uniform disciplinary act, chapter 18.130 RCW;

(4) To hire clerical, administrative, and investigative staff as needed to implement and administer this chapter and to hire individuals including those certified under this chapter to serve as examiners or consultants as necessary to implement and administer this chapter;

(5) To maintain the official department record of all applicants and certifications;

(6) To conduct a hearing on an appeal of a denial of a certificate on the applicant's failure to meet the minimum qualifications for certification. The hearing shall be conducted pursuant to chapter 34.05 RCW;

(7) To issue subpoenas, statements of charges, statements of intent to deny certificates, and orders and to delegate in writing to a designee the authority to issue subpoenas, statements of charges, and statements of intent to deny certificates;

(8) To determine the minimum education, work experience, and training requirements for certification, including but not limited to approval of educational programs;

(9) To prepare and administer or approve the preparation and administration of examinations for certification;

(10) To establish by rule the procedure for appeal of an examination failure;

(11) To adopt rules implementing a continuing competency program;

(12) To adopt rules in accordance with chapter 34.05 RCW as necessary to implement this chapter.

NEW SECTION, Sec. 805. (1) The sexual offender treatment providers advisory committee is established to advise the secretary concerning the administration of this chapter.

(2) The secretary shall appoint the members of the advisory committee who shall consist of the following persons:

(a) One superior court judge;

(b) Three sexual offender treatment providers;

(c) One mental health practitioner who specializes in treating victims of sexual assault;

(d) One defense attorney with experience in representing persons charged with sexual offenses;

(e) One representative from the Washington association of prosecuting attorneys;

(f) The secretary of the department of social and health services or his or her designee;

(g) The secretary of the department of corrections or his or her designee.

The secretary shall develop and implement the certification procedures with the advice of the committee by July 1, 1991. Following implementation of these procedures by the secretary, the committee shall be a permanent body. The members shall serve staggered six-year terms, to be set by the secretary. No person other than the members representing the departments of social and health services and corrections may serve more than two consecutive terms.

The secretary may remove any member of the advisory committee for cause as specified by rule. In a case of a vacancy, the secretary shall appoint a person to serve for the remainder of the unexpired term.

(3) Committee members shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060.

(4) The committee shall elect officers as deemed necessary to administer its duties. A simple majority of the committee members currently serving shall constitute a quorum of the committee.

(5) Members of the advisory committee shall be residents of this state. The members who are sex offender treatment providers must have a minimum of five years of extensive work experience in treating sex offenders to qualify for appointment to the initial committee, which shall develop and implement the certification program. After July 1, 1991, the sex offender treatment providers on the committee must be certified pursuant to this chapter.

(6) The committee shall meet at times as necessary to conduct committee business.

NEW SECTION. Sec. 806. The secretary, members of the committee, and individuals acting on their behalf are immune from suit in any action, civil or criminal, based on any acts performed in the course of their duties.

NEW SECTION. Sec. 807. The department shall issue a certificate to any applicant who meets the following requirements:

(1) Successful completion of an educational program approved by the secretary or successful completion of alternate training which meets the criteria of the secretary;

(2) Successful completion of any experience requirement established by the secretary;

(3) Successful completion of an examination administered or approved by the secretary;

(4) Not having engaged in unprofessional conduct or being unable to practice with reasonable skill and safety as a result of a physical or mental impairment;

(5) Other requirements as may be established by the secretary that impact the competence of the sex offender treatment provider.

NEW SECTION. Sec. 808. The secretary shall establish by rule standards and procedures for approval of the following:

(1) Educational programs and alternate training;

(2) Examination procedures;

(3) Certifying applicants who have a comparable certification in another jurisdiction;

(4) Application method and forms;

(5) Requirements for renewals of certificates;

(6) Requirements of certified sex offender treatment providers who seek inactive status;

(7) Other rules as appropriate to carry out the purposes of this chapter.

NEW SECTION. Sec. 809. The uniform disciplinary act, chapter 18.130 RCW, governs unauthorized practice, the issuance and denial of certificates, and the discipline of certified sex offender treatment providers under this chapter.

Sec. 810. Section 7, chapter 243, Laws of 1988, section 22, chapter 267, Laws of 1988, and section 13, chapter 277, Laws of 1988 and RCW 18.130.040 are each reenacted and amended to read as follows:

(1) This chapter applies only to the ~~((director))~~ secretary and the boards having jurisdiction in relation to the professions licensed under the chapters specified in this section. This chapter does not apply to any business or profession not licensed under the chapters specified in this section.

(2) (a) The ~~((director))~~ secretary has authority under this chapter in relation to the following professions:

(i) Dispensing opticians licensed under chapter 18.34 RCW;

(ii) Naturopaths licensed under chapter 18.36A RCW;

(iii) Midwives licensed under chapter 18.50 RCW;

(iv) Ocularists licensed under chapter 18.55 RCW;

(v) Massage operators and businesses licensed under chapter 18.108 RCW;

(vi) Dental hygienists licensed under chapter 18.29 RCW;

(vii) Acupuncturists certified under chapter 18.06 RCW;

(viii) Radiologic technologists certified under chapter 18.84 RCW;

(ix) Respiratory care practitioners certified under chapter 18.89 RCW;

(x) Persons registered or certified under chapter 18.19 RCW;

(xi) Persons registered as nursing pool operators;

(xii) Nursing assistants registered or certified under chapter 18.52B RCW; ~~((and))~~

(xiii) Dietitians and nutritionists certified under chapter 18.138 RCW; and

(xiv) Sex offender treatment providers certified under sections 801 through 809 of this 1990 act.

- (b) The boards having authority under this chapter are as follows:
 - (i) The podiatry board as established in chapter 18.22 RCW;
 - (ii) The chiropractic disciplinary board as established in chapter 18.26 RCW governing licenses issued under chapter 18.25 RCW;
 - (iii) The dental disciplinary board as established in chapter 18.32 RCW;
 - (iv) The council on hearing aids as established in chapter 18.35 RCW;
 - (v) The board of funeral directors and embalmers as established in chapter 18.39 RCW;
 - (vi) The board of examiners for nursing home administrators as established in chapter 18.52 RCW;
 - (vii) The optometry board as established in chapter 18.54 RCW governing licenses issued under chapter 18.53 RCW;
 - (viii) The board of osteopathic medicine and surgery as established in chapter 18.57 RCW governing licenses issued under chapters 18.57 and 18.57A RCW;
 - (ix) The medical disciplinary board as established in chapter 18.72 RCW governing licenses and registrations issued under chapters 18.71 and 18.71A RCW;
 - (x) The board of physical therapy as established in chapter 18.74 RCW;
 - (xi) The board of occupational therapy practice as established in chapter 18.59 RCW;
 - (xii) The board of practical nursing as established in chapter 18.78 RCW;
 - (xiii) The examining board of psychology and its disciplinary committee as established in chapter 18.83 RCW;
 - (xiv) The board of nursing as established in chapter 18.88 RCW; and
 - (xv) The veterinary board of governors as established in chapter 18.92 RCW.

(3) In addition to the authority to discipline license holders, the disciplining authority has the authority to grant or deny licenses based on the conditions and criteria established in this chapter and the chapters specified in subsection (2) of this section. However, the board of chiropractic examiners has authority over issuance and denial of licenses provided for in chapter 18.25 RCW, the board of dental examiners has authority over issuance and denial of licenses provided for in RCW 18.32.040, and the board of medical examiners has authority over issuance and denial of licenses and registrations provided for in chapters 18.71 and 18.71A RCW. This chapter also governs any investigation, hearing, or proceeding relating to denial of licensure or issuance of a license conditioned on the applicant's compliance with an order entered pursuant to RCW 18.130.160 by the disciplining authority.

NEW SECTION. Sec. 811. Sections 801 through 809 of this act shall constitute a new chapter in Title 18 RCW.

PART IX
ENHANCED PENALTIES

Sec. 901. Section 5, chapter 14, Laws of 1975 1st ex. sess. as last amended by section 1, chapter 146, Laws of 1988 and RCW 9A.44.050 are each amended to read as follows:

(1) A person is guilty of rape in the second degree when, under circumstances not constituting rape in the first degree, the person engages in sexual intercourse with another person:

- (a) By forcible compulsion;
- (b) When the victim is incapable of consent by reason of being physically helpless or mentally incapacitated; or
- (c) When the victim is developmentally disabled and the perpetrator is a person who is not married to the victim and who has supervisory authority over the victim.

(2) Rape in the second degree is a class (B) A felony.

Sec. 902. Section 5, chapter 145, Laws of 1988 and RCW 9A.44.083 are each amended to read as follows:

(1) A person is guilty of child molestation in the first degree when the person has sexual contact with another who is less than twelve years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

(2) Child molestation in the first degree is a class (B) A felony.

Sec. 903. Section 3, chapter 145, Laws of 1988 and RCW 9A.44.076 are each amended to read as follows:

(1) A person is guilty of rape of a child in the second degree when the person has sexual intercourse with another who is at least twelve years old but less than fourteen years old and not married to the perpetrator and the perpetrator is at least thirty-six months older than the victim.

(2) Rape of a child in the second degree is a class (B) A felony.

Sec. 904. Section 9A.88.010, chapter 260, Laws of 1975 1st ex. sess. as amended by section 1, chapter 277, Laws of 1987 and RCW 9A.88.010 are each amended to read as follows:

(1) A person is guilty of indecent exposure if he intentionally makes any open and obscene exposure of his person or the person of another knowing that such conduct is likely to cause reasonable affront or alarm.

(2) Indecent exposure is a misdemeanor unless such person exposes himself to a person under the age of fourteen years in which case indecent exposure is a gross misdemeanor on

the first offense and, if such person has previously been convicted under this subsection or of a sex offense as defined in RCW 9A.04.030, then such person is guilty of a class C felony punishable under chapter 9A.20 RCW.

PART X
CIVIL COMMITMENT

NEW SECTION. Sec. 1001. The legislature finds that a small but extremely dangerous group of sexually violent predators exist who do not have a mental disease or defect that renders them appropriate for the existing involuntary treatment act, chapter 71.05 RCW, which is intended to be a short-term civil commitment system that is primarily designed to provide short-term treatment to individuals with serious mental disorders and then return them to the community. In contrast to persons appropriate for civil commitment under chapter 71.05 RCW, sexually violent predators generally have antisocial personality features which are unamenable to existing mental illness treatment modalities and those features render them likely to engage in sexually violent behavior. The legislature further finds that sex offenders' likelihood of engaging in repeat acts of predatory sexual violence is high. The existing involuntary commitment act, chapter 71.05 RCW, is inadequate to address the risk to reoffend because during confinement these offenders do not have access to potential victims and therefore they will not engage in an overt act during confinement as required by the involuntary treatment act for continued confinement. The legislature further finds that the prognosis for curing sexually violent offenders is poor, the treatment needs of this population are very long term, and the treatment modalities for this population are very different than the traditional treatment modalities for people appropriate for commitment under the involuntary treatment act.

NEW SECTION. Sec. 1002. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

(1) 'Sexually violent predator' means any person who has been convicted of or charged with a crime of sexual violence and who suffers from a mental abnormality or personality disorder which makes the person likely to engage in predatory acts of sexual violence.

(2) 'Mental abnormality' means a congenital or acquired condition affecting the emotional or volitional capacity which predisposes the person to the commission of criminal sexual acts in a degree constituting such person a menace to the health and safety of others.

(3) 'Predatory' means acts directed towards strangers or individuals with whom a relationship has been established or promoted for the primary purpose of victimization.

(4) 'Sexually violent offense' means: (a) An act defined in Title 9A RCW as rape in the first degree, rape in the second degree by forcible compulsion, rape of a child in the first or second degree, statutory rape in the first or second degree, indecent liberties by forcible compulsion, indecent liberties against a child under age fourteen, incest against a child under age fourteen, or child molestation in the first or second degree; (b) any conviction for a felony offense in effect at any time prior to the effective date of this section, that is comparable to a sexually violent offense as defined in subsection (4)(a) of this section, or any federal or out-of-state conviction for a felony offense that under the laws of this state would be a sexually violent offense as defined in this subsection; or (c) any act of murder in the first or second degree, assault in the first or second degree, kidnapping in the first or second degree, burglary in the first degree, residential burglary, or unlawful imprisonment, which act, either at the time of sentencing for the offense or subsequently during civil commitment proceedings pursuant to this section, has been determined beyond a reasonable doubt to have been sexually motivated, as that term is defined in section 602 of this act; or, as described in chapter 9A.28 RCW, is an attempt, criminal solicitation, or criminal conspiracy to commit one of the felonies designated in (a), (b), or (c) of this subsection.

NEW SECTION. Sec. 1003. When it appears that: (1) The sentence of a person who has been convicted of a sexually violent offense is about to or has expired at any time in the past; (2) the term of confinement of a person found to have committed a sexually violent offense as a juvenile is about to or has expired; (3) a person who has been charged with a sexually violent offense and has been determined to be incompetent to stand trial is about to be or has been released pursuant to RCW 10.77.090(3); or (4) a person who has been found not guilty by reason of insanity of a sexually violent offense is about to be released pursuant to RCW 10.77.020(3); and it appears that the person may be a sexually violent predator, the prosecuting attorney of the county where the person was convicted or charged or the attorney general if requested by the prosecuting attorney may file a petition alleging that the person is a 'sexually violent predator' and stating sufficient facts to support such allegation.

NEW SECTION. Sec. 1004. Upon the filing of a petition under section 1003 of this act, the judge shall determine whether probable cause exists to believe that the person named in the petition is a sexually violent predator. If such determination is made the judge shall direct that the person be taken into custody and the person shall be transferred to an appropriate facility for an evaluation as to whether the person is a sexually violent predator. The evaluation shall be conducted by a person deemed to be professionally qualified to conduct such an examination pursuant to rules developed by the department of social and health services. In adopting such rules, the department of social and health services shall consult with the department of health and the department of corrections.

NEW SECTION. Sec. 1005. Within forty-five days after the filing of a petition pursuant to section 1003 of this act, the court shall conduct a trial to determine whether the person is a sexually violent predator. At all stages of the proceedings under this chapter, any person subject to this chapter shall be entitled to the assistance of counsel, and if the person is indigent, the court shall appoint counsel to assist him or her. Whenever any person is subjected to an examination under this chapter, he or she may retain experts or professional persons to perform an examination on their behalf. When the person wishes to be examined by a qualified expert or professional person of his or her own choice, such examiner shall be permitted to have reasonable access to the person for the purpose of such examination, as well as to all relevant medical and psychological records and reports. In the case of a person who is indigent, the court shall, upon the person's request, assist the person in obtaining an expert or professional person to perform an examination or participate in the trial on the person's behalf. The person, the prosecuting attorney or attorney general, or the judge shall have the right to demand that the trial be before a jury. If no demand is made, the trial shall be before the court.

NEW SECTION. Sec. 1006. (1) The court or jury shall determine whether, beyond a reasonable doubt, the person is a sexually violent predator. If the state alleges that the prior sexually violent offense that forms the basis for the petition for commitment was an act that was sexually motivated as provided in section 1002(3)(c) of this act, the state must prove beyond a reasonable doubt that the alleged sexually violent act was sexually motivated as defined in section 602 of this act. If the court or jury determines that the person is a sexually violent predator, the person shall be committed to the custody of the department of social and health services in a secure facility for control, care, and treatment until such time as the person's mental abnormality or personality disorder has so changed that the person is safe to be at large. Such control, care, and treatment shall be provided at a facility operated by the department of social and health services. If the court or jury is not satisfied beyond a reasonable doubt that the person is a sexually violent predator, the court shall direct the person's release.

(2) If the person charged with a sexually violent offense has been found incompetent to stand trial, and is about to or has been released pursuant to RCW 10.77.090(3), and his or her commitment is sought pursuant to subsection (1) of this section, the court shall first hear evidence and determine whether the person did commit the act or acts charged if the court did not enter a finding prior to dismissal under RCW 10.77.090(3) that the person committed the act or acts charged. The hearing on this issue must comply with all the procedures specified in this section. In addition, the rules of evidence applicable in criminal cases shall apply, and all constitutional rights available to defendants at criminal trials, other than the right not to be tried while incompetent, shall apply. After hearing evidence on this issue, the court shall make specific findings on whether the person did commit the act or acts charged, the extent to which the person's incompetence or developmental disability affected the outcome of the hearing, including its effect on the person's ability to consult with and assist counsel and to testify on his or her own behalf, the extent to which the evidence could be reconstructed without the assistance of the person, and the strength of the prosecution's case. If, after the conclusion of the hearing on this issue, the court finds, beyond a reasonable doubt, that the person did commit the act or acts charged, it shall enter a final order, appealable by the person, on that issue, and may proceed to consider whether the person should be committed pursuant to this section.

(3) The state shall comply with RCW 10.77.220 while confining the person pursuant to this chapter. The facility shall not be located on the grounds of any state mental facility or regional habilitation center because these institutions are insufficiently secure for this population.

NEW SECTION. Sec. 1007. Each person committed under this chapter shall have a current examination of his or her mental condition made at least once every year. The person may retain, or if he or she is indigent and so requests, the court may appoint a qualified expert or a professional person to examine him or her, and such expert or professional person shall have access to all records concerning the person. The periodic report shall be provided to the court that committed the person under this chapter.

NEW SECTION. Sec. 1008. The involuntary detention or commitment of persons under this chapter shall conform to constitutional requirements for care and treatment.

NEW SECTION. Sec. 1009. (1) If the secretary of the department of social and health services determines that the person's mental abnormality or personality disorder has so changed that the person is not likely to commit predatory acts of sexual violence if released, the secretary shall authorize the person to petition the court for release. The petition shall be served upon the court and the prosecuting attorney. The court, upon receipt of the petition for release, shall within forty-five days order a hearing. The prosecuting attorney or the attorney general, if requested by the county, shall represent the state, and shall have the right to have the petitioner examined by an expert or professional person of his or her choice. The hearing shall be before a jury if demanded by either the petitioner or the prosecuting attorney or attorney general. The burden of proof shall be upon the prosecuting attorney or attorney general to show beyond a reasonable doubt that the petitioner's mental abnormality or personality disorder remains such that the petitioner is not safe to be at large and that if discharged is likely to commit predatory acts of sexual violence.

(2) Nothing contained in this chapter shall prohibit the person from otherwise petitioning the court for discharge without the secretary's approval. The secretary shall provide the committed person with an annual written notice of the person's right to petition the court for release over the secretary's objection. The notice shall contain a waiver of rights. The secretary shall forward the notice and waiver form to the court with the annual report. If the person does not affirmatively waive the right to petition, the court shall set a show cause hearing to determine whether facts exist that warrant a hearing on whether the person's condition has so changed that he or she is safe to be at large. The committed person shall have a right to have an attorney represent him or her at the show cause hearing but the person is not entitled to be present at the show cause hearing. If the court at the show cause hearing determines that probable cause exists to believe that the person's mental abnormality or personality disorder has so changed that the person is safe to be at large and will not engage in acts of sexual violence if discharged, then the court shall set a hearing on the issue. At the hearing, the committed person shall be entitled to be present and to the benefit of all constitutional protections that were afforded to the person at the initial commitment proceeding. The prosecuting attorney or the attorney general if requested by the county shall represent the state and shall have a right to a jury trial and to have the committed person evaluated by experts chosen by the state. The committed person shall also have the right to have experts evaluate him or her on his or her behalf and the court shall appoint an expert if the person is indigent and requests an appointment. The burden of proof at the hearing shall be upon the state to prove beyond a reasonable doubt that the committed person's mental abnormality or personality disorder remains such that the person is not safe to be at large and if released will engage in acts of sexual violence.

NEW SECTION. Sec. 1010. Nothing in this chapter shall prohibit a person from filing a petition for discharge pursuant to this chapter. However, if a person has previously filed a petition for discharge without the secretary's approval and the court determined, either upon review of the petition or following a hearing, that the petitioner's petition was frivolous or that the petitioner's condition had not so changed that he or she was safe to be at large, then the court shall deny the subsequent petition unless the petition contains facts upon which a court could find that the condition of the petitioner had so changed that a hearing was warranted. Upon receipt of a first or subsequent petition from committed persons without the secretary's approval, the court shall endeavor whenever possible to review the petition and determine if the petition is based upon frivolous grounds and if so shall deny the petition without a hearing.

NEW SECTION. Sec. 1011. The department of social and health services shall be responsible for all costs relating to the evaluation and treatment of persons committed to their custody under any provision of this chapter. Reimbursement may be obtained by the department for the cost of care and treatment of persons committed to its custody pursuant to RCW 43.20B.330 through 43.20B.370.

NEW SECTION. Sec. 1012. In addition to any other information required to be released under this chapter, the department is authorized, pursuant to section 117 of this act, to release relevant information that is necessary to protect the public, concerning a specific sexually violent predator committed under this chapter.

NEW SECTION. Sec. 1013. Sections 1001 through 1012 of this act shall constitute a new chapter in Title 71 RCW.

PART XI BACKGROUND CHECKS

Sec. 1101. Section 1, chapter 486, Laws of 1987 as amended by section 1, chapter 90, Laws of 1989 and by section 1, chapter 334, Laws of 1989 and RCW 43.43.830 are each reenacted and amended to read as follows:

Unless the context clearly requires otherwise, the definitions in this section apply throughout RCW 43.43.830 through 43.43.840.

(1) 'Applicant' means ~~((either))~~:

(a) Any prospective employee who will or may have unsupervised access to children under sixteen years of age or developmentally disabled persons or vulnerable adults during the course of his or her employment or involvement with the business or organization ~~((--However, for school districts and educational service districts, prospective employee includes only noncertificated personnel))~~; or

(b) Any prospective volunteer who will have regularly scheduled unsupervised access to children under sixteen years of age, developmentally disabled persons, or vulnerable adults during the course of his or her employment or involvement with the business or organization under circumstances where such access will or may involve groups of (i) five or fewer children under twelve years of age, (ii) three or fewer children between twelve and sixteen years of age, (iii) developmentally disabled persons, or (iv) vulnerable adults.

(2) 'Business or organization' means a business or organization licensed in this state, any agency of the state, or other governmental entity, that educates, trains, treats, supervises, or provides recreation to developmentally disabled persons, vulnerable adults, or children under sixteen years of age, including school districts and educational service districts.

(3) 'Civil adjudication' means a specific court finding of sexual abuse or exploitation or physical abuse in a dependency action under RCW ~~((13.34.030(2)(b)))~~ 13.34.040 or in a domestic relations action under Title 26 RCW. In the case of vulnerable adults, civil adjudication means a specific court finding of abuse or financial exploitation in a protection proceeding under chapter 74.34 RCW. It does not include administrative proceedings. The term 'civil adjudication' is further limited to court findings that identify as the perpetrator of the abuse a named individual, over the age of eighteen years, who was a party to the dependency or dissolution proceeding or was a respondent in a protection proceeding in which the finding was made and who contested the allegation of abuse or exploitation.

(4) 'Conviction record' means 'conviction record' information as defined in RCW 10.97.030(3) relating to a crime against children or other persons committed by either an adult or a juvenile. It does not include a conviction for an offense that has been the subject of an expungement, pardon, annulment, certificate of rehabilitation, or other equivalent procedure based on a finding of the rehabilitation of the person convicted, or a conviction that has been the subject of a pardon, annulment, or other equivalent procedure based on a finding of innocence. It does include convictions for offenses for which the defendant received a deferred or suspended sentence, unless the record has been expunged according to law.

~~(5) ('Disciplinary board final decision' means any final decision issued by the disciplinary board or the director of the department of licensing for the following business or professions:~~

- ~~(a) Chiropractic;~~
- ~~(b) Dentistry;~~
- ~~(c) Dental hygiene;~~
- ~~(d) Drugless healing;~~
- ~~(e) Massage;~~
- ~~(f) Midwifery;~~
- ~~(g) Osteopathy;~~
- ~~(h) Physical therapy;~~
- ~~(i) Physicians;~~
- ~~(j) Practical nursing;~~
- ~~(k) Registered nursing;~~
- ~~(l) Psychology; and~~
- ~~(m) Real estate brokers and salesmen.~~

~~(6))~~ (6) 'Crime against children or other persons' means a conviction of any of the following offenses: Aggravated murder; first or second degree murder; first or second degree kidnapping; first, second, or third degree assault; first, second, or third degree rape; first, second, or third degree rape of a child; first or second degree robbery; first degree arson; first degree burglary; first or second degree manslaughter; first or second degree extortion; indecent liberties; incest; vehicular homicide; first degree promoting prostitution; communication with a minor; unlawful imprisonment; simple assault; sexual exploitation of minors; first or second degree criminal mistreatment; child abuse or neglect as defined in RCW 26.44.020; first or second degree custodial interference; malicious harassment; first, second, or third degree child molestation; first or second degree sexual misconduct with a minor; first or second degree rape of a child; patronizing a juvenile prostitute; child abandonment; promoting pornography; selling or distributing erotic material to a minor; custodial assault; violation of child abuse restraining order; child buying or selling; prostitution; felony indecent exposure; or any of these crimes as they may be renamed in the future.

~~((7))~~ (6) 'Crimes relating to financial exploitation' means a conviction for first, second, or third degree extortion; first, second, or third degree theft; first or second degree robbery; forgery; or any of these crimes as they may be renamed in the future.

~~(7) 'Disciplinary board final decision' means any final decision issued by the disciplinary board or the director of the department of licensing for the following businesses or professions:~~

- ~~(a) Chiropractic;~~
- ~~(b) Dentistry;~~
- ~~(c) Dental hygiene;~~
- ~~(d) Massage;~~
- ~~(e) Midwifery;~~
- ~~(f) Naturopathy;~~
- ~~(g) Osteopathy;~~
- ~~(h) Physical therapy;~~
- ~~(i) Physicians;~~
- ~~(j) Practical nursing;~~
- ~~(k) Registered nursing;~~
- ~~(l) Psychology; and~~
- ~~(m) Real estate brokers and salesmen.~~

(8) 'Unsupervised' means not in the presence of:

(a) Another employee or volunteer from the same business or organization as the applicant; or

(b) Any relative or guardian of any of the children or developmentally disabled persons to which the applicant has access during the course of his or her employment or involvement with the business or organization.

(9) 'Vulnerable adult' means a person sixty years of age or older who has the functional, mental, or physical inability to care for himself or herself or a patient in a state hospital as defined in chapter 72.23 RCW.

(10) 'Financial exploitation' means the illegal or improper use of a vulnerable adult or that adult's resources for another person's profit or advantage.

(11) 'Agency' means any person, firm, partnership, association, corporation, or facility which receives, provides services to, houses or otherwise cares for vulnerable adults.

Sec. 1102. Section 2, chapter 486, Laws of 1987 as amended by section 2, chapter 90, Laws of 1989 and by section 2, chapter 334, Laws of 1989 and RCW 43.43.832 are each reenacted and amended to read as follows:

(1) The legislature finds that businesses and organizations providing services to children, developmentally disabled persons, and vulnerable adults need adequate information to determine which employees or licensees to hire or engage. Therefore, the Washington state patrol criminal identification system may disclose, upon the request of a business or organization as defined in RCW 43.43.830, ~~((a prospective employee's))~~ an applicant's record for convictions of offenses against children or other persons, convictions for crimes relating to financial exploitation, but only if the victim was a vulnerable adult, adjudications of child abuse in a civil action, the issuance of a protection order against the respondent under chapter 74.34 RCW, and disciplinary board final decisions and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision. When necessary, applicants may be employed on a conditional basis pending completion of such a background investigation.

(2) The legislature also finds that the state board of education may request of the Washington state patrol criminal identification system information regarding a certificate applicant's record for convictions under subsection (1) of this section.

(3) The legislature also finds that law enforcement agencies, the office of the attorney general, prosecuting authorities, and the department of social and health services may request this same information to aid in the investigation and prosecution of child, developmentally disabled person, and vulnerable adult abuse cases and to protect children and adults from further incidents of abuse.

(4) The legislature further finds that the department of social and health services, when considering persons for state positions directly responsible for the care, supervision, or treatment of children, developmentally disabled persons, or vulnerable adults or when licensing or authorizing such persons or agencies pursuant to its authority under chapter 74.15, 18.51, 18.20, or 72.23 RCW, or any later-enacted statute which purpose is to license or regulate a facility which handles vulnerable adults, must consider the information listed in subsection (1) of this section. However, when necessary, persons may be employed on a conditional basis pending completion of the background investigation. The state personnel board shall adopt rules to accomplish the purposes of this subsection as it applies to state employees.

Sec. 1103. Section 3, chapter 486, Laws of 1987 as amended by section 3, chapter 90, Laws of 1989 and by section 3, chapter 334, Laws of 1989 and RCW 43.43.834 are each reenacted and amended to read as follows:

(1) A business or organization shall not make an inquiry to the Washington state patrol under RCW 43.43.832 or an equivalent inquiry to a federal law enforcement agency unless the business or organization has notified the applicant who has been offered a position as an employee or volunteer, that an inquiry may be made.

(2) A business or organization shall require each applicant to disclose to the business or organization whether the applicant has been:

(a) Convicted of any crime against children or other persons;

(b) Convicted of crimes relating to financial exploitation if the victim was a vulnerable adult;

(c) Found in any dependency action under RCW ~~((13.34.030(2)(b)))~~ 13.34.040 to have sexually assaulted or exploited any minor or to have physically abused any minor;

(d) Found by a court in a domestic relations proceeding under Title 26 RCW to have sexually abused or exploited any minor or to have physically abused any minor;

(e) Found in any disciplinary board final decision to have sexually or physically abused or exploited any minor or developmentally disabled person or to have abused or financially exploited any vulnerable adult; or

(f) Found by a court in a protection proceeding under chapter 74.34 RCW, to have abused or financially exploited a vulnerable adult.

The disclosure shall be made in writing and signed by the applicant and sworn under penalty of perjury. The disclosure sheet shall specify all crimes against children or other persons and all crimes relating to financial exploitation as defined in RCW 43.43.830 in which the victim was a vulnerable adult.

(3) The business or organization shall pay such reasonable fee for the records check as the state patrol may require under RCW 43.43.838.

(4) The business or organization shall notify the applicant of the state patrol's response within ten days after receipt by the business or organization. The employer shall provide a copy of the response to the applicant and shall notify the applicant of such availability.

(5) The business or organization shall use this record only in making the initial employment or engagement decision. Further dissemination or use of the record is prohibited. A business or organization violating this subsection is subject to a civil action for damages.

(6) An insurance company shall not require a business or organization to request background information on any employee before issuing a policy of insurance.

(7) The business and organization shall be immune from civil liability for failure to request background information on ~~((a prospective employee or volunteer))~~ an applicant unless the failure to do so constitutes gross negligence.

Sec. 1104. Section 5, chapter 486, Laws of 1987 as amended by section 4, chapter 90, Laws of 1989 and by section 4, chapter 334, Laws of 1989 and RCW 43.43.838 are each reenacted and amended to read as follows:

(1) After January 1, 1988, and notwithstanding any provision of RCW 43.43.700 through 43.43.810 to the contrary, the state patrol shall furnish a transcript of the conviction record, disciplinary board final decision and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision, or civil adjudication record pertaining to any person for whom the state patrol or the federal bureau of investigation has a record upon the written request of:

- (a) The subject of the inquiry;
- (b) Any business or organization for the purpose of conducting evaluations under RCW 43.43.832;
- (c) The department of social and health services;
- (d) Any law enforcement agency, prosecuting authority, or the office of the attorney general; or

(e) The department of social and health services for the purpose of meeting responsibilities set forth in chapter 74.15, 18.51, 18.20, or 72.23 RCW, or any later-enacted statute which purpose is to regulate or license a facility which handles vulnerable adults. However, access to conviction records pursuant to this subsection (1)(e) does not limit or restrict the ability of the department to obtain additional information regarding conviction records and pending charges as set forth in RCW 74.15.030(2)(b).

After processing the request, if the conviction record, disciplinary board final decision and any subsequent criminal charges associated with the conduct that is the subject of the disciplinary board final decision, or adjudication record shows no evidence of a crime against children or other persons or, in the case of vulnerable adults, no evidence of crimes relating to financial exploitation in which the victim was a vulnerable adult, an identification declaring the showing of no evidence shall be issued to the applicant by the state patrol and shall be issued within fourteen working days of the request. Possession of such identification shall satisfy future background check requirements for the applicant for a two-year period unless the prospective employee is any current school district employee who has applied for a position in another school district.

(2) The state patrol shall by rule establish fees for disseminating records under this section to recipients identified in subsection (1)(a) and (b) of this section. The state patrol shall also by rule establish fees for disseminating records in the custody of the national crime information center. The revenue from the fees shall cover, as nearly as practicable, the direct and indirect costs to the state patrol of disseminating the records: PROVIDED, That no fee shall be charged to a nonprofit organization, including school districts and educational service districts, for the records check.

(3) No employee of the state, employee of a business or organization, or the business or organization is liable for defamation, invasion of privacy, negligence, or any other claim in connection with any lawful dissemination of information under RCW 43.43.830 through 43.43.840 or RCW 43.43.760.

(4) Before July 26, 1987, the state patrol shall adopt rules and forms to implement this section and to provide for security and privacy of information disseminated under this section, giving first priority to the criminal justice requirements of this chapter. The rules may include requirements for users, audits of users, and other procedures to prevent use of civil adjudication record information or criminal history record information inconsistent with this chapter.

(5) Nothing in RCW 43.43.830 through 43.43.840 shall authorize an employer to make an inquiry not specifically authorized by this chapter, or be construed to affect the policy of the state declared in chapter 9.96A RCW.

PART XII

COMMUNITY ACTION

NEW SECTION. Sec. 1201. The legislature recognizes the need to increase the services available to the victims of sex offenders. The legislature also recognizes that these services are

most effectively planned and provided at the local level through the combined efforts of concerned community and citizens groups, treatment providers, and local government officials. The legislature further recognizes that adequate treatment for victims is not only a matter of justice for the victim, but also a method by which additional abuse can be prevented.

The legislature intends to enhance the community-based treatment services available to the victims of sex offenders by:

- (1) Providing funding support for local treatment programs which provide services to victims of sex offenders;
- (2) Providing technical assistance and support to help communities plan for and provide treatment services; and
- (3) Providing communities and local treatment providers with opportunities to share information about successful prevention and treatment programs.

NEW SECTION. Sec. 1202. (1) There is established in the office of the governor a crime victims' advocacy office to provide advocacy services to crime victims. The governor shall appoint an executive administrator for the advocacy office. The position of administrator is exempt from the civil service laws. The salary of the administrator shall be set by the governor in accordance with RCW 43.03.030.

(2) The crime victims' advocacy office located in the office of the governor shall solicit communities for suggestions on state practices, policies, and priorities that would help communities treat victims of sex offenders. The office shall make recommendations to the governor and to the legislature based upon its findings.

(3) The crime victims' advocacy office shall expire on July 1, 1991.

NEW SECTION. Sec. 1203. There is established in the department of community development a grant program to enhance the funding for treating the victims of sex offenders. Activities that can be funded through this grant program are limited to those that:

- (1) Provide effective treatment to victims of sex offenders;
- (2) Increase access to and availability of treatment for victims of sex offenders, particularly if from underserved populations; and
- (3) Create or build on efforts by existing community programs, coordinate those efforts, or develop cooperative efforts or other initiatives to make the most effective use of resources to provide treatment services to these victims.

Funding priority shall be given to those applicants that represent well-established existing programs and applicants that represent new programs that are being created in geographic areas where no programs presently exist.

NEW SECTION. Sec. 1204. Applications for funding under this chapter must:

- (1) Present evidence demonstrating how the criteria in section 1201 of this act will be met and demonstrating the effectiveness of the proposal.
- (2) Contain evidence of active participation of the community and its commitment to providing an effective treatment service for victims of sex offenders through the participation of local governments, tribal governments, human service and health organizations, and treatment entities and through meaningful involvement from others, including citizen groups.

NEW SECTION. Sec. 1205. Local governments, nonprofit community groups, and nonprofit treatment providers including organizations which provide services, such as emergency housing, counseling, and crisis intervention shall, among others, be eligible for grants under the program established in section 1203 of this act.

NEW SECTION. Sec. 1206. At a minimum, grant applications must include the following:

- (1) The geographic area from which the victims to be served are expected to come;
- (2) A description of the extent and effect of the needs of these victims within the relevant geographic area;
- (3) An explanation of how the funds will be used, their relationship to existing services available within the community, and the need that they will fulfill;
- (4) An explanation of what organizations were involved in the development of the proposal; and
- (5) An evaluation methodology.

NEW SECTION. Sec. 1207. (1) Subject to funds appropriated by the legislature, the department of community development shall make awards under the grant program established by section 1203 of this act.

(2) Awards shall be made competitively based on the purposes of and criteria in this chapter.

(3) To aid the department of community development in making its determination, the department shall form a peer review committee comprised of the executive administrator for the crime victims' advocacy office and individuals who have experience in the treatment of victims of predatory violent sex offenders. The peer review committee shall advise the department on the extent to which each eligible applicant meets the purposes and criteria of this chapter. The department shall consider this advice in making awards.

(4) Activities funded under this section may be considered for funding in future years, but shall be considered under the same terms and criteria as new activities. Funding under this

chapter shall not constitute an obligation by the state of Washington to provide ongoing funding.

NEW SECTION. Sec. 1208. The department of community development may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of this chapter and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments.

NEW SECTION. Sec. 1209. The department of community development shall report to the legislature by January 1, 1991, regarding the operations of the grant program authorized in section 1203 of this act. The report shall include at least the following:

- (1) The number of grants awarded and the amount of each grant;
- (2) Identification of the recipients of grants, including the communities in which they are based;
- (3) The purposes for which the grants were awarded;
- (4) The success of the projects in achieving their stated goals and objectives;
- (5) An assessment of the effect that the activities of this act had on encouraging and supporting coordinated treatment services;
- (6) Recommendations for further funding by the state; and
- (7) Recommendations regarding future operations of the program, including criteria for awarding grants.

NEW SECTION. Sec. 1210. (1) Section 1202 of this act is added to chapter 43.06 RCW.

(2) Sections 1201 and 1203 through 1208 of this act shall constitute a new chapter in Title 43 RCW.

PART XIII

TREATMENT FOR ABUSIVE PERSON REMOVED FROM HOME

NEW SECTION. Sec. 1301. A new section is added to chapter 26.44 RCW to read as follows:

The court shall require that an individual who, while acting in a parental role, has physically or sexually abused a child and has been removed from the home pursuant to a court order issued in a proceeding under chapter 13.34 RCW, prior to being permitted to reside in the home where the child resides, complete the treatment and education requirements necessary to protect the child from future abuse. The court may require the individual to continue treatment as a condition for remaining in the home where the child resides.

The department of social and health services or supervising agency shall be responsible for advising the court as to appropriate treatment and education requirements, providing referrals to the individual, monitoring and assessing the individual's progress, informing the court of such progress, and providing recommendations to the court.

The person removed from the home shall pay for these services according to a schedule established by the department of social and health services. This schedule shall be based on the individual's ability to pay.

PART XIV

MISCELLANEOUS

NEW SECTION. Sec. 1401. Since child maltreatment cases often involve criminal offenses such as physical abuse, sexual abuse, and sexual exploitation by a family member, many such cases should be investigated by law enforcement agencies as well as child protective services agencies, and criminally prosecuted. A pilot project located in two counties shall be established for the joint investigation of child abuse and sexual assault cases by a law enforcement officer trained in gathering physical evidence and other investigative procedures, and a child protective services case worker skilled in interpreting psychological evidence and interviewing child victims in a sensitive manner.

The pilot project shall be conducted in the counties of King and Spokane from July 1, 1990, through June 30, 1991. The department of social and health services and participating law enforcement agencies shall report findings and recommendations to the senate committee on law and justice and the house of representatives judiciary committee by December 1, 1991.

The pilot project shall include the following elements:

- (1) Joint training for law enforcement and child protective services staff in the investigation and assessment of reports of child maltreatment. The training programs shall be conducted jointly by the involved agencies.
- (2) A law enforcement officer shall be teamed with a child protective services worker for the investigation of specified incidents.
- (3) When the law enforcement agency receives a report of suspected physical abuse, neglect, sexual abuse, or other sexual exploitation of a child by the child's parent, guardian, custodian, or person otherwise responsible for the child's welfare the agency shall notify the child protective services agency immediately.
- (4) When the child protective services agency receives a report of suspected physical assault, sexual offense, or sexual exploitation committed upon a child by anyone, whether or not the person is the child's parent, guardian, custodian, or otherwise responsible for the child's welfare, the agency shall notify the law enforcement agency immediately.
- (5) The law enforcement agency and the child protective services agency shall jointly develop a procedure to determine when investigations of suspicious child deaths, physical

abuse, neglect affecting the child's health, sexual abuse, and sexual exploitation of a child committed by the child's parent, guardian, custodian, or person otherwise responsible for the child's welfare shall be jointly investigated by the investigating teams authorized by this section.

NEW SECTION. Sec. 1402. (1) The department of social and health services through its division of children and family services shall provide, subject to available funds, comprehensive sexual assault services to sexually abused children. The department shall provide treatment by licensed professionals on a one-to-one or group basis as may be deemed appropriate.

(2) Funds appropriated under this section shall be provided solely for contracts or direct purchase of specific treatment services from community organizations and private service providers for child victims of sexual assault and sexual abuse. Funds shall be disbursed through the request for proposal or request for qualifications process.

(3) As part of the request for proposal or request for qualifications process the department of social and health services shall ensure that there be no duplication of services with existing programs including the crime victims' compensation program as provided in chapter 7.68 RCW. The department shall also ensure that victims exhaust private insurance benefits available to the child victim before providing services to the child victim under this section.

NEW SECTION. Sec. 1403. The department of social and health services through its division of children and family services shall, subject to available funds, establish a system of early identification and referral to treatment of child victims of sexual assault or sexual abuse. The system shall include schools, physicians, sexual assault centers, domestic violence centers, child protective services, and foster parents. A mechanism shall be developed to identify communities that have experienced success in this area and share their expertise and methodology with other communities state-wide.

NEW SECTION. Sec. 1404. The index and part headings used in this act do not constitute any part of the law.

NEW SECTION. Sec. 1405. 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. 1406. (1) Sections 101 through 131, 401 through 409, 501 through 504, 606, 707 and 708, 801 through 810, 1101 through 1104, 1201 through 1210, and 1401 through 1403 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately.

(2) Sections 201 through 203, 301 through 305, 701 through 706, and 901 through 904 shall take effect July 1, 1990, and shall apply to crimes committed on or after July 1, 1990.

(3) Sections 1001 through 1012 shall take effect July 1, 1990.

(4) Section 1301 shall take effect July 1, 1991.

(5) Sections 601 through 605, for purposes of sentencing adult or juvenile offenders shall take effect July 1, 1990, and shall apply to crimes or offenses committed on or after July 1, 1990. For purposes of defining a 'sexually violent offense' pursuant to section 1002(4) of this act, sections 601 through 605 of this act shall take effect July 1, 1990, and shall apply to crimes committed on, before, or after July 1, 1990."

On page 1, line 1 of the title, after "offenders;" strike the remainder of the title and insert "amending RCW 13.40.205, 10.77.163, 10.77.165, 10.77.210, 71.05.325, 71.05.390, 71.05.420, 71.05.440, 71.05.670, 9.94A.155, 13.50.050, 9.95.140, 10.97.030, 10.97.050, 70.48.100, 43.43.765, 9.92.151, 9.94A.150, 70.48.210, 13.40.020, 13.40.160, 13.40.110, 13.40.210, 43.43.745, 7.68.060, 7.68.070, 7.68.080, 7.68.085, 9.94A.390, 13.40.150, 9.94A.350, 9.94A.120, 9.94A.360, 9.95.009, 9A.44.050, 9A.44.083, 9A.44.076, and 9A.88.010; reenacting and amending RCW 9.94A.030, 9.94A.310, 9.94A.320, 9.94A.400, 18.130.040, 43.43.830, 43.43.832, 43.43.834, and 43.43.838; adding a new section to chapter 4.24 RCW; adding new sections to chapter 9.94A RCW; adding a new section to chapter 9.95 RCW; adding a new section to chapter 74.13 RCW; adding new sections to chapter 9A.44 RCW; adding a new section to chapter 10.01 RCW; adding new sections to chapter 10.77 RCW; adding new sections to chapter 13.40 RCW; adding a new section to chapter 43.43 RCW; adding a new section to chapter 46.20 RCW; adding a new section to chapter 70.48 RCW; adding new sections to chapter 71.05 RCW; adding a new section to chapter 71.06 RCW; adding new sections to chapter 72.09 RCW; adding a new chapter to Title 18 RCW; adding a new chapter to Title 71 RCW; adding a new section to chapter 43.06 RCW; adding a new chapter to Title 43 RCW; adding a new section to chapter 26.44 RCW; creating new sections; prescribing penalties; providing effective dates; and declaring an emergency."

Signed by Senators Nelson, Newhouse, Talmadge; Representatives Appelwick, Insee, Padden.

MOTION

On motion of Mr. Appelwick, the Report of the Conference Committee on Engrossed Second Substitute Senate Bill No. 6259 was adopted and the committee was granted the powers of Free Conference.

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

SECOND READING

HOUSE CONCURRENT RESOLUTION NO. 4432, by Representatives Prince, Hine, Day, Ferguson, McLean, Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Crane, Dellwo, Dorn, Doty, Ebersole, G. Fisher, R. Fisher, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, J. King, P. King, R. King, Kirby, Kremen, Leonard, Locke, May, R. Meyers, Miller, Morris, Moyer, H. Myers, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, K. Wilson, S. Wilson, Wineberry, Winsley, Wolfe, Wood, Youngsman and Zellinsky

Establishing the "Legislative Old Timers" Reunion.

The resolution was read the second time. With consent of the House, the rules were suspended, the second reading considered the third, and the resolution was placed on final passage.

Representatives O'Brien, Brough and Ferguson spoke in favor of the resolution.

ROLL CALL

The Clerk called the roll on the final adoption of House Concurrent Resolution No. 4432, and the resolution was adopted by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Brooks, Crane, Meyers R, Prince - 4.

House Concurrent Resolution No. 4432, having received the constitutional majority, was declared adopted.

HOUSE BILL NO. 2951, by Representatives Braddock, Brooks, D. Sommers, Sayan and Wineberry; by request of Department of Corrections

Establishing procedures for siting of correctional facilities.

The bill was read the second time.

POINT OF ORDER

Ms. Brough: Mr. Speaker, House Bill No. 2951 is not properly before us. Our cut-off resolution would mean that this bill would have stayed in Committee on Rules prior to our cut-off for House Bills for floor action.

SPEAKER'S RULING

The Speaker: Representative Brough, the Speaker has examined your Point of Order after we were able to find the cut-off resolution. The language in the cut-off resolution exempts matters from those cut-off dates and clearly says "with the exception of budgets, matters necessary to implement budgets, and matters relating to the reduction of taxes, growth strategies and access to medical care." The Speaker finds that this is necessary to implement the budget. If you can't get prisons sited, then you can't spend the money in the capital budget. We find the bill necessary to implement the budget--in this case, the capital budget.

On motion of Mr. Braddock, Second Substitute House Bill No. 2951 was substituted for House Bill No. 2951, and the second substitute bill was placed on the second reading calendar.

Ms. Rasmussen moved adoption of the following amendment by Representatives Rasmussen, Fraser, Dorn and Winsley:

On page 1, line 27, after "life," insert "Further, it is the policy of the state of Washington to address the impacts of locating and operating correctional facilities on people living and working in the vicinity of such correctional facilities, including their personal safety, property values, lifestyles, and impacts on schools and day care facilities."

Representatives Rasmussen, Fraser, Miller, Dorn and Betzoff spoke in favor of adoption of the amendment, and Representatives Braddock, H. Sommers and Schoon opposed it.

Mr. May demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on adoption of the amendment on page 1, line 27, by Representative Rasmussen and others, and the amendment was adopted by the following vote: Yeas, 67; nays, 27; excused, 4.

Voting yea: Representatives Anderson, Ballard, Basich, Baugher, Beck, Bennett, Betzoff, Bowman, Brekke, Brough, Brumsickle, Cantwell, Chandler, Cooper, Dorn, Doty, Ferguson, Fisher G, Forner, Fraser, Fuhrman, Hankins, Heavey, Holland, Horn, Inslee, Jesernig, Jones, King P, King R, Kirby, Kremen, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, Padden, Peery, Phillips, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Schmidt, Silver, Smith, Sommers D, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Walker, Wilson K, Wilson S, Winsley, Wolfe, Wood, Youngsman, Zellinsky - 67.

Voting nay: Representatives Appelwick, Belcher, Braddock, Cole, Day, Dellwo, Ebersole, Fisher R, Gallagher, Grant, Hargrove, Haugen, Hine, Jacobsen, Leonard, Locke, O'Brien, Prentice, Rust, Sayan, Schoon, Scott, Sommers H, Vekich, Wang, Wineberry, and Mr. Speaker - 27.

Excused: Representatives Brooks, Crane, Meyers R, Prince - 4.

MOTION

Mr. Ebersole moved that the House defer further consideration of Second Substitute House Bill No. 2951 and that the bill hold its place on the second reading calendar. The motion was carried.

MESSAGE FROM THE SENATE

February 23, 1990

Mr. Speaker:

The Senate has adopted the report of the Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6259 and has granted said committee the powers of Free Conference.

W. D. Naismith, Assistant Secretary.

REPORT OF FREE CONFERENCE COMMITTEE

February 23, 1990

Mr. Speaker:

We of your Free Conference Committee to whom was referred ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6259, changing provisions relating to criminal offenders, have had the same under consideration and we recommend that the bill be amended as proposed in the request for Free Conference and that the bill do pass as amended by the Free Conference Committee

(See Report of Conference Committee on Engrossed Second Substitute Senate Bill No. 6259, today's Journal.)

Signed by Senators Nelson, Newhouse, Talmadge; Representatives Appelwick, Inslee, Padden.

MOTION

Mr. Appelwick moved that the rules be suspended and that the House adopt the Report of the Free Conference Committee on Engrossed Second Substitute Senate Bill No. 6259.

Mr. Padden spoke in favor of the motion, and it was carried.

FINAL PASSAGE OF SENATE BILL
AS AMENDED BY FREE CONFERENCE COMMITTEE

The speaker stated the question before the House to be the final passage of Engrossed Second Substitute Senate Bill No. 6259 as amended by Free Conference Committee.

Representatives Appelwick, Padden, Betzoff and Locke spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Second Substitute Senate Bill No. 6259 as amended by Free Conference Committee, and the bill passed the House by the following vote: Yeas, 94; excused, 4.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brough, Brumsickle, Cantwell, Chandler, Cole, Cooper, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 94.

Excused: Representatives Brooks, Crane, Meyers R, Prince - 4.

Engrossed Second Substitute Senate Bill No. 6259 as amended by Free Conference Committee, having received the constitutional majority, was declared passed.

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

MOTIONS

Mr. Ebersole moved that Senate Bill No. 6038 be referred from Committees on Fisheries & Wildlife/Appropriations to Committee on Revenue and Senate Joint Memorial No. 8017 be referred from Committee on Appropriations to Committee on Rules.

Ms. Brough moved to amend the motion by Mr. Ebersole and to refer Engrossed Substitute Senate Bill No. 6536 from Committee on Natural Resources & Parks to Committee on Rules.

Mr. Ebersole spoke against the motion by Representative Brough.

Mr. May demanded an electric roll call vote, and the demand was sustained.

ROLL CALL

The Clerk called the roll on the motion by Representative Brough to amend the motion by Representative Ebersole and refer Engrossed Substitute Senate Bill No. 6536 from Committee on Natural Resources & Parks to Committee on Rules, and the motion was not carried by the following vote: Yeas, 33; nays, 61; excused, 4.

Voting yea: Representatives Ballard, Beck, Betzoff, Bowman, Brough, Brumsickle, Chandler, Doty, Ferguson, Forner, Fuhrman, Hankins, Holland, Horn, May, McLean, Miller, Moyer, Nealey, Padden, Schmidt, Schoon, Silver, Smith, Sommers D, Tate, Van Luven, Walker, Wilson S, Winsley, Wolfe, Wood, Youngsman - 33.

Voting nay: Representatives Anderson, Appelwick, Basich, Baugher, Belcher, Bennett, Braddock, Brekke, Cantwell, Cole, Cooper, Day, Dellwo, Dorn, Ebersole, Fisher G, Fisher R, Fraser, Gallagher, Grant, Hargrove, Haugen, Heavey, Hine, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, Morris, Myers H, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Scott, Sommers H, Spanel, Sprengle, Todd, Valle, Vekich, Wang, Wilson K, Wineberry, Zellinsky, and Mr. Speaker - 61.

Excused: Representatives Brooks, Crane, Meyers R, Prince - 4.

The motion by Representative Ebersole was carried.

The Speaker declared the House to be at ease.

The Speaker (Mr. Anderson presiding) called the House to order.

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

REPORTS OF STANDING COMMITTEES

February 22, 1990

HB 2528 Prime Sponsor, Representative R. Fisher: Modifying transportation tax rates and distributions. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 11, line 21 after "of" insert "paved"

On page 11, line 26 after "that" strike "the" and insert "a"

On page 17, line 23 after "\$" strike "50.00" and insert "~~((50.00))~~ 62.50"

On page 18, line 29 after "\$" strike "10.00" and insert "~~((10.00))~~ 12.50"

On page 18, line 30 after "\$" strike "10.00" and insert "~~((10.00))~~ 12.50"

On page 20, line 13 after "dollars" insert "and fifty cents"

On page 20, line 31, after "be" strike "twenty-five dollars" and insert "~~((twenty-five dollars))~~ thirty-one dollars and twenty-five cents"

On page 21, line 19 after "account" strike all material through "commission" on line 24 and insert "~~((to partially finance, together with other funds in the account, any budgeted state ferry system maintenance and operating deficit for that biennium. The deficit shall be calculated by subtracting from total costs the sum of all unappropriated funds available to the state ferry system, including revenues from tolls that are adjusted by the transportation commission))~~"

On page 37, line 2 after "act" insert "to a referendum vote"

On page 37, line 27 after "RCW 46.16.070" insert "except vehicles with an unladen weight of 6,000 pounds or less"

On page 37, line 28 after "46.16.090" strike all material through "purposes" on line 30

On page 45, line 34 after "to" strike "~~((four and two-tenths))~~ three and four-tenths" and insert "four and two-tenths"

On page 68, beginning on line 4 strike all of section 406.

Renumber remaining sections consecutively and correct internal references accordingly.

On page 71, line 26 after "RCW 47.56.365;" strike "and"

On page 71, line 27 after "(2)" insert "Section 47.60.160, chapter 13, Laws of 1961, section 312, chapter 7, Laws of 1984 and RCW 47.60.160; and
(3)"

Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Berozoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Jones, Kremen, Nelson, Prentice, Todd and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Baugher, Vice Chair, Eastern Washington; Bennett, Hankins, Haugen, Heavey, Smith, D. Sommers, Walker and S. Wilson.

Voting nay: Representatives Baugher, Vice Chair, Eastern Washington; Bennett, Hankins, Haugen, Heavey, Prince, Smith, D. Sommers, Walker and S. Wilson.

Passed to Committee on Rules for second reading.

February 22, 1990

HB 2675 Prime Sponsor, Representative Vekich: Establishing the Washington state trauma care system. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Chandler, Morris and Sprenkle.

Referred to Committee on Appropriations.

February 20, 1990

HB 2713 Prime Sponsor, Representative Locke: Adding provisions relating to airport noise abatement and planning. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives R. Fisher, Chair; R. Meyers, Vice Chair, Western Washington; Basich, Bennett, Berozoff, Cooper, Day, G. Fisher,

Forner, Gallagher, Heavey, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Baugher, Vice Chair, Eastern Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Hankins and S. Wilson.

Voting nay: Representatives Baugher, Vice Chair, Eastern Washington; Wood, Assistant Ranking Republican Member; Hankins and Smith.

Absent: Representatives Schmidt, Ranking Republican Member; Cantwell, Haugen, Jones, Kremen and S. Wilson.

Passed to Committee on Rules for second reading.

February 23, 1990

2SSB 5104

Prime Sponsor, Committee on Economic Development & Labor: Providing technical assistance for self-help projects. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 14 after "department" strike "shall set aside, within its general fund appropriation, a sum of two hundred thousand dollars per biennium for" and insert "may provide"

On page 2, line 18 after "areas," insert "These grants shall meet the requirements of subsection (1) of this section. The department shall use any funds appropriated for purposes of this subsection solely for grants for technical assistance under this subsection."

On page 2, line 19 after "funds" strike "set aside" and insert "granted"

On page 2, line 24 after "funds" strike "set aside" and insert "granted"

On page 3, strike lines 13 through 16

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member, Kirby, Kremen, Raiter, Rasmussen, Rector and Tate.

Absent: Representative Schoon.

Referred to Committee on Appropriations.

February 21, 1990

ESB 5169

Prime Sponsor, Senator Smith: Providing for revenue collection by the department of social and health services. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 2, chapter 163, Laws of 1981 as amended by section 37, chapter 75, Laws of 1987 and RCW 43.20B.635 are each amended to read as follows:

After service of a notice of debt for an overpayment as provided for in RCW 43.20B.630, stating the debt accrued, the secretary may issue to any person, firm, corporation, association, political subdivision, or department of the state, an order to withhold and deliver property of any kind including, but not restricted to, earnings which are due, owing, or belonging to the debtor, when the secretary has reason to believe that there is in the possession of such person, firm, corporation, association, political subdivision, or department of the state property which is due, owing, or belonging to the debtor. The order to withhold and deliver shall state the amount of the debt, and shall state in summary the terms of this section, RCW ((7-33-200)) 6.27-.150 and 6.27.160, chapters ((6-72)) 6.13 and ((6-76)) 6.15 RCW, 15 U.S.C. 1673, and other state or federal exemption laws applicable generally to debtors. The order to withhold and deliver shall be served in the manner prescribed for the service of a summons in a civil action or by certified mail, return receipt requested. Any person, firm, corporation, association, political subdivision, or department of the state upon whom service has been made shall answer the order to withhold and deliver within twenty days, exclusive of the day of service, under oath and in writing, and shall make true answers to the matters inquired of therein. The secretary may require further and additional answers to be completed by the person, firm, corporation, association, political subdivision, or department of the state. If any such person, firm, corporation, association, political subdivision, or department of the state possesses any property which may be subject to the claim of the department of social and health services, such property shall be withheld immediately upon receipt of the order to withhold and deliver and shall, after the twenty-day period, upon demand, be delivered forthwith to the secretary. The secretary shall hold the property in trust for application on the indebtedness involved or for return, without interest, in accordance with final determination of liability or nonliability. In the alternative, there may be furnished to the secretary a good and sufficient bond, satisfactory to the

secretary, conditioned upon final determination of liability. Where money is due and owing under any contract of employment, express or implied, or is held by any person, firm, corporation, association, political subdivision, or department of the state subject to withdrawal by the debtor, such money shall be delivered by remittance payable to the order of the secretary. Delivery to the secretary, subject to the exemptions under RCW ((7-33-200)) 6.27.150 and 6.27.160, chapters ((6-+2)) 6.13 and ((6-+6)) 6.15 RCW, 15 U.S.C. 1673, and other state or federal law applicable generally to debtors, of the money or other property held or claimed satisfies the requirement of the order to withhold and deliver. Delivery to the secretary serves as full acquittance, and the state warrants and represents that it shall defend and hold harmless for such actions persons delivering money or property to the secretary pursuant to this chapter. The state also warrants and represents that it shall defend and hold harmless for such actions persons withholding money or property pursuant to this chapter.

The secretary shall also, on or before the date of service of the order to withhold and deliver, mail or cause to be mailed by certified mail a copy of the order to withhold and deliver to the debtor at the debtor's last known post office address, or, in the alternative, a copy of the order to withhold and deliver shall be served on the debtor in the same manner as a summons in a civil action on or before the date of service of the order or within two days thereafter. The copy of the order shall be mailed or served together with a concise explanation of the right to petition for a hearing on any issue related to the collection. This requirement is not jurisdictional, but, if the copy is not mailed or served as provided in this section, or if any irregularity appears with respect to the mailing or service, the superior court, on its discretion on motion of the debtor promptly made and supported by affidavit showing that the debtor has suffered substantial injury due to the failure to mail the copy, may set aside the order to withhold and deliver and award to the debtor an amount equal to the damages resulting from the secretary's failure to serve on or mail to the debtor the copy.

Sec. 2. Section 74.09.180, chapter 26, Laws of 1959 as last amended by section 14, chapter 283, Laws of 1987 and RCW 74.09.180 are each amended to read as follows:

The provisions of this chapter shall not apply to recipients whose personal injuries are occasioned by negligence or wrong of another; PROVIDED, HOWEVER, That the secretary ((of the department of social and health services may, in his discretion;)) may furnish assistance, under the provisions of this chapter, for the results of injuries to or illness of a recipient, and the department ((of social and health services)) shall thereby be subrogated to the recipient's rights against the recovery had from any tortfeasor ((and/or his or her)) or the tortfeasor's insurer, or both, and shall have a lien thereupon to the extent of the value of the assistance furnished by the department ((of social and health services; PROVIDED FURTHER, That to the end of securing reimbursement of any assistance furnished to such a recipient, the department of social and health services may, as a nonexclusive legal remedy, assert and enforce a lien upon any claim, right of action, settlement proceeds, and/or money, including any claim for benefits arising from an insurance program, to which such recipient is entitled (a) against any tortfeasor and/or insurer of such tortfeasor, or (b) any contract of insurance, purchased by the recipient or any other person, providing coverage to such recipient for said injuries, any illness, dental costs, costs incident to birth, or any other coverage for purposes of or costs for which the department provides assistance or meets all or part of the cost of care to a vendor, to the extent of the assistance furnished by said department to the recipient; if a recovery shall be made and the subrogation or lien is satisfied either in full or in part as a result of an independent action initiated by or on behalf of a recipient to recover the personal injuries against any tortfeasor or insurer, then and in that event the amount repaid to the state of Washington as a result of said action, whether concluded by entry of a judgment or compromise and settlement, shall bear its proportionate share of attorney's fees and costs incurred by the injured recipient or his widow, children, or dependents, as the case may be, to the extent that such attorney's fees and costs are approved by the court in which the action is initiated, and upon notice to the department which shall have the right to be heard on the matter)). To secure reimbursement for assistance provided under this section, the department may pursue its remedies under section 7 of this 1990 act.

Sec. 3. Section 9, chapter 173, Laws of 1969 ex. sess. as amended by section 341, chapter 141, Laws of 1979 and RCW 74.09.182 are each amended to read as follows:

The form of the lien in ((RCW 74.09.180)) section 7 of this 1990 act shall be substantially as follows:

STATEMENT OF LIEN

Notice is hereby given that the State of Washington, Department of Social and Health Services, has rendered assistance or provided residential care to _____, a person who was injured on or about the _____ day of _____ in the county of _____ state of _____, and the said department hereby asserts a lien, to the extent provided in ((RCW 74.09.180)) section 7 of this 1990 act, for the amount of such assistance or residential care, upon any sum due and owing _____ (name of injured person) from _____, alleged to have caused the injury, and/or his or her insurer and from any other person or insurer liable for the injury or

obligated to compensate the injured person on account of such injuries by contract or otherwise.

STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES

By: (Title)

STATE OF WASHINGTON

COUNTY OF

} ss.

I,, being first duly sworn, on oath state: That I am (title); that I have read the foregoing Statement of Lien, know the contents thereof, and believe the same to be true.

((Subscribed)) Signed and sworn to or affirmed before me this day of 19.. by

..... (name of person making statement).

(Seal or stamp)

..... Notary Public in and for the State of Washington((-residing at))

My appointment expires:

Sec. 4. Section 12, chapter 173, Laws of 1969 ex. sess. and RCW 74.09.186 are each amended to read as follows:

No settlement made by and between the recipient and tortfeasor and/or insurer shall discharge or otherwise compromise the lien created in ((RCW 74.09.186, against any money due or owing by such tortfeasor or insurer to the recipient or relieve the tortfeasor and/or insurer from liability by reason of such lien unless such settlement also provides for the payment and discharge of such lien or unless a written release or waiver of such claim or lien, signed by the department, be filed in the court where any action has been commenced on such claim, or in case no action has been commenced against the tortfeasor and/or insurer, then such written release or waiver shall be delivered to the tortfeasor or insurer)) section 7 of this 1990 act without the express written consent of the secretary. Discretion to compromise such liens rests solely with the secretary or the secretary's designee.

(2) No settlement or judgment shall be entered purporting to compromise the lien created by section 7 of this 1990 act without the express written consent of the secretary or the secretary's designee.

Sec. 5. Section 10, chapter 152, Laws of 1979 ex. sess. as amended by section 23, chapter 41, Laws of 1983 1st ex. sess. and RCW 74.09.290 are each amended to read as follows:

The secretary of the department of social and health services or his authorized representative shall have the authority to:

(1) Conduct audits and investigations of providers of medical and other services furnished pursuant to this chapter, except that the Washington state medical disciplinary board shall generally serve in an advisory capacity to the secretary in the conduct of audits or investigations of physicians. ((in the conduct of such audits or investigations, the secretary may examine only those records or portions thereof, including patient records, for which services were rendered by a health care provider and reimbursed by the department)) Any overpayment discovered as a result of an audit of a provider under this authority shall be offset by any underpayments discovered in that same audit sample. In order to determine the provider's actual, usual, customary, or prevailing charges, the secretary may examine such random representative records as necessary to show accounts billed and accounts received. In order to verify costs incurred by the department for treatment of public assistance applicants or recipients, the secretary may examine patient records or portions thereof in connection with services to such applicants or recipients rendered by a health care provider, notwithstanding the provisions of RCW 5.60.060, 18.53.200, 18.83.110, or any other statute which may make or purport to make such records privileged or confidential: PROVIDED, That no original patient records shall be removed from the premises of the health care provider, and that the disclosure of any records or information by the department of social and health services is prohibited and ((constitutes a violation of RCW 42-22-040)) shall be punishable as a class C felony according to chapter 9A.20 RCW, unless such disclosure is directly connected to the official purpose for which the records or information were obtained: PROVIDED FURTHER, That the disclosure of patient information as required under this section shall not subject any physician or other health services provider to any liability for breach of any confidential relationship between the provider and the patient, but no evidence resulting from such disclosure may be used in any civil, administrative, or criminal proceeding against the patient unless a waiver of the applicable evidentiary privilege is obtained: PROVIDED FURTHER, That the secretary shall destroy all copies of patient medical records in their possession upon completion of the audit, investigation or proceedings:

(2) Approve or deny applications to participate as a provider of services furnished pursuant to this chapter:

(3) Terminate or suspend eligibility to participate as a provider of services furnished pursuant to this chapter; and

(4) Adopt, promulgate, amend, and rescind administrative rules and regulations, in accordance with the administrative procedure act, chapter 34.05 RCW, to carry out the policies and purposes of RCW 74.09.200 through 74.09.290.

Sec. 6. Section 1, chapter 264, Laws of 1988 (uncodified) is amended to read as follows:

(1) Persons receiving public assistance, particularly families, frequently have great difficulty obtaining adequate housing. The department of social and health services is directed to conduct a pilot program designed to show whether the supply of housing for persons on public assistance would increase if the department made rental payments directly to landlords.

(2) The department shall solicit not fewer than three nor more than seven local governing bodies for participation in the pilot program. In implementing this program the department shall:

(a) Provide a written statement notifying the recipient of public assistance that the landlord may not legally require direct payment from the department;

(b) Upon written request of the recipient, pay to the recipient's landlord as defined in RCW 59.18.030, through the local governing body, that portion that equals ninety percent of the monthly public assistance grant which is allocated for rent in the department's payment standard under RCW 74.04.770 or ninety percent of the rent, whichever is less. No direct payment shall be made for rent of premises with respect to which the landlord is not in compliance with RCW 59.18.060;

(c) Promptly terminate such payments to the landlord upon the recipient's written request, provided that the recipient gives written notice of termination of direct payments to the landlord and the local governing body;

(d) Enter into an agreement with the local governing bodies selected to participate in the pilot program for the direct payment of rent to landlords.

(3) The local governing bodies selected to participate in the pilot program shall:

(a) Administer the pilot program using existing housing assistance providers, where appropriate;

(b) Charge the landlord a monthly fee of two dollars to cover the cost of administering each direct payment made under this section, which fee shall not be charged to the tenant;

(c) Charge the landlord a fee, up to fifty dollars, to cover the cost of inspecting and certifying that the housing unit is in compliance with the housing quality standards used for the United States department of housing and urban development, section eight existing housing program.

(4) The landlords participating in the pilot program shall mail to the secretary and the local governing body, by certified mail, a copy of any notice served upon the tenant under RCW 59.12.030 or 59.18.200 which terminates the tenancy. The notice, when mailed to the secretary and the local governing body, shall constitute the landlord's request that the secretary and local governing body cease making direct payments of rent to the landlord.

(5) No recipient of public assistance shall be liable to the department of social and health services for any amount incorrectly paid to a landlord under this section. The department shall recover such overpayment from the landlord ~~((under RCW 74.04.700)).~~

(6) The department of social and health services shall adopt rules under chapter 34.05 RCW regarding the pilot program.

(7) The secretary may include in the department's annual report to the governor and the legislature a summary of the progress and status of the pilot program. The summary shall include but need not be limited to the results of the individual projects selected, the number of persons served, and recommendations for improving the program.

(8) The secretary shall immediately take such steps as are necessary to ensure that this section is implemented on its effective date. This section shall take effect July 1, 1988.

(9) This section shall terminate June 30, 1991, unless extended by law for an additional fixed period of time.

NEW SECTION. Sec. 7. A new section is added to chapter 43.20B RCW to read as follows:

(1) To secure reimbursement of any assistance paid under chapter 74.09 RCW or reimbursement for any residential care provided by the department at a hospital for the mentally ill or habilitative care center for the developmentally disabled, as a result of injuries to or illness of a recipient caused by the negligence or wrong of another, the department shall be subrogated to the recipient's rights against a tortfeasor or the tortfeasor's insurer, or both.

(2) The department shall have a lien upon any recovery by or on behalf of the recipient from such tortfeasor or the tortfeasor's insurer, or both to the extent of the value of the assistance paid or residential care provided by the department, provided that such lien shall not be effective against recoveries subject to wrongful death when there are surviving dependents of the deceased. The lien shall become effective upon filing with the county auditor in the county where the assistance was authorized or where any action is brought against the tortfeasor or insurer. The lien may also be filed in any other county or served upon the recipient in the same manner as a civil summons if, in the department's discretion, such alternate filing or service is necessary to secure the department's interest. The additional lien shall be effective upon filing or service.

(3) The lien of the department shall be upon any claim, right of action, settlement proceeds, money, or benefits arising from an insurance program to which the recipient might be entitled (a) against the tortfeasor or insurer of the tortfeasor, or both, and (b) under any contract of insurance purchased by the recipient or by any other person providing coverage for the illness or injuries for which the assistance or residential care is paid or provided by the department.

(4) If recovery is made by the department under this section and the subrogation is fully or partially satisfied through an action brought by or on behalf of the recipient, the amount paid to the department shall bear its proportionate share of attorneys' fees and costs. The determination of the proportionate share to be borne by the department shall be based upon:

(a) The fees and costs approved by the court in which the action was initiated; or

(b) The written agreement between the attorney and client which establishes fees and costs when fees and costs are not addressed by the court.

(c) When fees and costs have been approved by a court, after notice to the department, the department shall have the right to be heard on the matter of attorneys' fees and costs or its proportionate share.

(d) When fees and costs have not been addressed by the court, the department shall receive at the time of settlement a copy of the written agreement between the attorney and client which establishes fees and costs and may request and examine documentation of fees and costs associated with the case. The department may bring an action in superior court to void a settlement if it believes the attorneys' calculation of its proportionate share of fees and costs is inconsistent with the written agreement between the attorney and client which establishes fees and costs or if the fees and costs associated with the case are exorbitant in relation to cases of a similar nature.

NEW SECTION, Sec. 8. A new section is added to chapter 43.20B RCW to read as follows:

An attorney representing a person who, as a result of injuries or illness sustained through the negligence or wrong of another, has received, is receiving, or has applied to receive assistance under chapter 74.09 RCW, or residential care provided by the department at a hospital for the mentally ill or habilitative care center for the developmentally disabled, shall:

(1) Notify the department at the time of filing any claim against a third party, commencing an action at law, negotiating a settlement, or accepting a settlement offer from the tortfeasor or the tortfeasor's insurer, or both; and

(2) Give the department thirty days' notice before any judgment, award, or settlement may be satisfied in any action or any claim by the applicant or recipient to recover damages for such injuries or illness.

NEW SECTION, Sec. 9. RCW 43.20A.440 is recodified as RCW 43.20B.687.

NEW SECTION, Sec. 10. RCW 74.09.182 and 74.09.186 are recodified as sections in chapter 43.20B RCW.

NEW SECTION, Sec. 11. RCW 74.09.750 is recodified as RCW 43.20B.130.

NEW SECTION, Sec. 12. Section 10, chapter 173, Laws of 1969 ex. sess. and RCW 74.09.184 are each repealed.

NEW SECTION, Sec. 13. Sections 2, 4, 7(1), and 8(2) of this act apply to all existing claims against third parties for which settlements have not been reached or judgments entered by the effective date of this section."

On page 1, line 2 of the title, after "services;" strike the remainder of the title and insert "amending RCW 43.20B.635, 74.09.180, 74.09.182, 74.09.186, and 74.09.290; amending section 1, chapter 264, Laws of 1988 (uncodified); adding new sections to chapter 43.20B RCW; creating a new section; recodifying RCW 43.20A.440, 74.09.182, 74.09.186, and 74.09.750; and repealing RCW 74.09.184."

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Anderson, Brekke, Leonard and Winsley.

MINORITY recommendation: Do not pass. Signed by Representatives Tate, Assistant Ranking Republican Member; Hargrove and Padden.

Absent: Representative Raiter.

Passed to Committee on Rules for second reading.

February 23, 1990

3SSB 5203 Prime Sponsor, Committee on Economic Development & Labor:
Establishing the Washington state self-employment loan program.
Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 3, after line 28 insert:

"No more than ten percent of any amount appropriated to the department for the program established under section 3 of this act shall be used for administrative expenses."

On page 4, line 30 after "screened" insert "to ensure that applicants are low income and are likely to repay the loan"

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representative Schoon.

Referred to Committee on Appropriations.

February 23, 1990

SSB 5300 Prime Sponsor, Committee on Economic Development & Labor: Updating references to women and minorities in apprenticeship programs statute. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 2, after "Hispanic Americans," strike "Native Americans" and insert "American Indians"

Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative Forner.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 5424 Prime Sponsor, Senator Metcalf: Providing for landowner liability protection for volunteer projects. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 28, after "waste," insert "without charging a fee of any kind"

On page 1, line 29 after "injuries to", strike "any volunteer group or to any other" and insert "such"

On page 2, at the beginning of line 12, strike "volunteer groups, or other users" and insert "or users as provided in this section"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Forner, Hargrove, Inslee, H. Myers, Scott, D. Sommers and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, R. Meyers, Moyer, Schmidt and Tate.

Voting nay: Representatives Brough, Moyer, Schmidt and Tate.

Absent: Representatives Dellwo and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

E2SSB 5516 Prime Sponsor, Committee on Health & Long Term Care: Regarding the disabilities land trust. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 79.01 RCW to read as follows:

(1) Every five years the department of social and health services and other state agencies that operate institutions shall conduct an inventory of all real property subject to the charitable, educational, penal, and reform institution trust account and other real property acquired for institutional purposes or for the benefit of the blind, deaf, mentally ill, developmentally disabled, or otherwise disabled. The inventory shall identify which of those real properties are not needed for state-provided residential care, custody, or treatment. By December 1, 1992, and every five years thereafter the department shall report the results of the inventory to the house committee on capital facilities and financing, the senate committee on ways and means, and the legislative budget committee.

(2) Real property identified as not needed for state-provided residential care, custody, or treatment shall be transferred to the corpus of the charitable, educational, penal, and reform institution trust. This subsection shall not apply to real property acquired with conditions that conflict with this subsection.

(3) The department of natural resources shall manage the charitable, educational, penal, and reform institution trust account and, in consultation with the department of social and health services and the department of corrections, shall adopt a plan for the management of real property subject to the trust and other real property acquired for institutional purposes or for the benefit of the blind, deaf, mentally ill, developmentally disabled, or otherwise disabled.

(a) The plan shall be consistent with state trust land policies and shall be compatible with the needs of institutions adjacent to real property subject to the plan.

(b) The plan may be modified as necessary to ensure the quality of future management and to address the acquisition of additional real property.

NEW SECTION, Sec. 2. A new section is added to chapter 43.20A RCW to read as follows:

The department shall conduct an inventory of real properties as provided in section 1 of this act.

NEW SECTION, Sec. 3. 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 shall take effect immediately."

On page 1, line 1 of the title, after "trust;" strike the remainder of the title and insert "adding a new section to chapter 43.20A RCW; adding a new section to chapter 79.01 RCW; and declaring an emergency."

Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Betrozoff.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 5547 Prime Sponsor, Committee on Health Care & Corrections: Regarding payment of jail processing costs by criminal defendants. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 6, after line 26, insert the following:

Sec. 8. Section 147, page 124, Laws of 1854 as last amended by section 2, chapter 276, Laws of 1983 and RCW 10.82.030 are each amended to read as follows:

If any person ordered into custody until the fine and costs adjudged against him be paid shall not, within five days, pay, or cause the payment of the same to be made, the clerk of the court shall issue a warrant to the sheriff commanding him to imprison such defendant in the county jail until the amount of such fine and costs owing are paid. Execution may at any time issue against the property of the defendant for that portion of such fine and costs not reduced by the application of this section. The amount of such fine and costs owing shall be the whole of such fine and costs reduced by the amount of any portion thereof paid, and ~~((thirty-five))~~ sixty dollars for every day the defendant performs labor as provided in RCW 10.82.040, and ~~((twenty-five))~~ fifty dollars for every day the defendant does not perform such labor while imprisoned."

On page 1, line 2 of the title, strike "and"

On page 1, line 3 of the title, after "10.82.070" insert ", and 10.82.030"

Signed by Representatives Appelwick, Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Hargrove, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Inslee.

Absent: Representatives Belcher, Dellwo and Locke.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 5554 Prime Sponsor, Committee on Transportation: Providing for testing of railroad track scales. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Chandler, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representatives Baugher, Rasmussen and Youngsman.

Referred to Committee on Appropriations.

February 22, 1990

ESB 5597 Prime Sponsor, Senator Nelson: Limiting pharmacists' liability.
Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 18, after "of a" insert "professional."

On page 3, after line 35, insert the following section:

"Sec. 4, Section 4, chapter 27, Laws of 1981 as last amended by section 1, chapter 94, Laws of 1988 and RCW 7.72.030 are each amended to read as follows:

(1) A product manufacturer is subject to liability to a claimant if the claimant's harm was proximately caused by the negligence of the manufacturer in that the product was not reasonably safe as designed or not reasonably safe because adequate warnings or instructions were not provided.

(a) A product is not reasonably safe as designed, if, at the time of manufacture, the likelihood that the product would cause the claimant's harm or similar harms, and the seriousness of those harms, outweighed the burden on the manufacturer to design a product that would have prevented those harms and the adverse effect that an alternative design that was practical and feasible would have on the usefulness of the product: PROVIDED, That a firearm or ammunition shall not be deemed defective in design on the basis that the benefits of the product do not outweigh the risk of injury posed by its potential to cause serious injury, damage, or death when discharged.

(b) A product is not reasonably safe because adequate warnings or instructions were not provided with the product, if, at the time of manufacture, the likelihood that the product would cause the claimant's harm or similar harms, and the seriousness of those harms, rendered the warnings or instructions of the manufacturer inadequate and the manufacturer could have provided the warnings or instructions which the claimant alleges would have been adequate.

(c) A product is not reasonably safe because adequate warnings or instructions were not provided after the product was manufactured where a manufacturer learned or where a reasonably prudent manufacturer should have learned about a danger connected with the product after it was manufactured. In such a case, the manufacturer is under a duty to act with regard to issuing warnings or instructions concerning the danger in the manner that a reasonably prudent manufacturer would act in the same or similar circumstances. This duty is satisfied if the manufacturer exercises reasonable care to inform product users.

(2) A product manufacturer is subject to strict liability to a claimant if the claimant's harm was proximately caused by the fact that the product was not reasonably safe in construction or not reasonably safe because it did not conform to the manufacturer's express warranty or to the implied warranties under Title 62A RCW.

(a) A product is not reasonably safe in construction if, when the product left the control of the manufacturer, the product deviated in some material way from the design specifications or performance standards of the manufacturer, or deviated in some material way from otherwise identical units of the same product line.

(b) A product does not conform to the express warranty of the manufacturer if it is made part of the basis of the bargain and relates to a material fact or facts concerning the product and the express warranty proved to be untrue.

(c) Whether or not a product conforms to an implied warranty created under Title 62A RCW shall be determined under that title.

(3) In determining whether a product was not reasonably safe under this section, the trier of fact shall consider whether the product was unsafe to an extent beyond that which would be contemplated by the ordinary consumer.

(4) Manufacturers of a single source drug product shall be individually subject to product liability claims. Manufacturers and/or distributors, as indicated by the drug product label, of a multiple source drug product shall share product liability proportionate to their market share. Any manufacturer or distributor who is able to demonstrate that their drug product was not involve in the product liability claim shall be removed from the calculation of market share.

Renumber the remaining section consecutively

On page 1, line 2 of the title, after "7.72.010" insert "and 7.72.030"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Locke and Scott.

Passed to Committee on Rules for second reading.

February 22, 1990

ESSB 5650 Prime Sponsor, Committee on Law & Justice: Specifying conditions for the awarding of attorneys' fees. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that certain individuals, smaller partnerships, smaller corporations, and other organizations may be deterred from seeking review of or defending against unreasonable agency action because of the expense involved in securing the vindication of their rights in administrative proceedings. The legislature further finds that because of the greater resources of the state of Washington, individuals, smaller partnerships, smaller corporations, and other organizations are often deterred from seeking review of or defending against state agency actions because of the costs for attorneys, expert witnesses, and other costs. The legislature therefore adopts this equal access to justice act to ensure that these parties have a greater opportunity to defend themselves from inappropriate state agency actions and to protect their rights.

NEW SECTION, Sec. 2. A new section is added to chapter 4.84 RCW to read as follows:

(1)(a) Except as otherwise specifically provided by statute, a court shall award to a prevailing party other than the state of Washington fees and other expenses including reasonable attorneys' fees, in addition to any reasonable costs awarded, not to exceed ten thousand dollars, incurred by that party in any civil action except an action for personal injury or wrongful death, including proceedings for judicial review of agency action, unless the court finds that the position of the state of Washington was substantially justified or that circumstances make an award unjust.

(b) A party seeking an award of fees and other expenses shall, within thirty days of final judgment in the action, submit to the court an application for fees and other expenses which shows that the party is a prevailing party and is eligible to receive an award under this subsection, and the amount sought, including an itemized statement from any attorney or expert witness representing or appearing on behalf of the party stating the actual time expended and the rate at which fees and other expenses were computed. The party shall also allege that the position of the state of Washington was not substantially justified. Whether or not the position of the state of Washington was substantially justified shall be determined on the basis of the record, including the record with respect to the action or failure by the agency upon which the civil action is based, which is made in the civil action for which fees and other expenses are sought.

(c) The court, in its discretion, may reduce the amount to be awarded pursuant to this subsection, or deny an award, to the extent that the prevailing party during the course of other proceedings engaged in conduct which unduly and unreasonably protracted the final resolution of the matter in controversy.

(2) For purposes of this section:

(a) 'Fees and other expenses' includes the reasonable expenses of expert witnesses, the reasonable cost of any study, analysis, engineering report, test, or project which is found by the court to be necessary for the preparation of the party's case, and reasonable attorneys' fees. The amount of fees awarded under this subsection shall be based upon the prevailing market rates for the kind and quality of the services furnished, except that (i) no expert witness shall be compensated at a rate in excess of the highest rate of compensation for expert witnesses paid by the state of Washington; and (ii) attorneys shall not be awarded in excess of one hundred fifty dollars per hour unless the court determines that an increase in the cost of living or a special factor, such as the limited availability of qualified attorneys for the proceedings involved, justify a higher fee;

(b) 'Party' means (i) an individual whose net worth did not exceed two million dollars at the time the civil action was filed, or (ii) any owner of an unincorporated business, or any partnership, corporation, association, or organization, the net worth of which did not exceed seven million dollars at the time the civil action was filed; except that an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 501(c)(3)) exempt from taxation under section 501(a) of the Internal Revenue Code of 1986 (26 U.S.C. 501(a)), or a cooperative association as defined by section 15(a) of the agricultural marketing act (12 U.S.C. 1141j(a)), may be a party regardless of the net worth of such organization or cooperative association;

(c) 'Washington state' includes any agency and any official of the state of Washington acting in his or her official capacity;

(d) 'Position of the state of Washington' means, in addition to the position taken by the state of Washington in the civil action, the action or failure to act by the agency upon which the civil action is based; except that fees and expenses may not be awarded to a party for any portion of the litigation in which the party has unreasonably protracted the proceedings;

(e) 'Civil action' means a civil action brought by or against the state of Washington and includes an appeal by a party of a decision of an agency action.

NEW SECTION, Sec. 3. The office of financial management shall report annually to the legislature on the amount of fees and other expenses awarded during the preceding fiscal year under this act. The report shall describe the number, nature, and amount of the awards, the claims involved in the controversy, and any other relevant information which may aid the legislature in evaluating the scope and impact of the awards."

On page 1, line 2 of the title, after "state," strike the remainder of the title and insert "adding a new section to chapter 4.84 RCW; and creating new sections."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Dellwo, Locke and R. Meyers.

Referred to Committee on Appropriations.

February 23, 1990

SB 5705 Prime Sponsor, Senator Benitz: Requiring the energy facility site evaluation council to consider the extent of carbon dioxide emissions by thermal plant facilities seeking certification. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that the greenhouse effect on the earth's atmosphere with its ensuing global warming may jeopardize the economic framework and the quality of life in this state. The legislature finds that increased production of carbon dioxide may contribute to the greenhouse effect, and that when new facilities are needed, there must be consideration of the impact on the environment of these facilities. The legislature further finds that all sources of energy have other environmental consequences in their production, transportation, and consumption and that these environmental consequences have not always been included in determining the total cost of these energy resources.

NEW SECTION, Sec. 2. A new section is added to chapter 80.50 RCW to read as follows:

When considering an application for certification of an energy facility under RCW 80.50-.060, the council must consider the extent to which the facility will increase emissions of carbon dioxide. Each application for certification of a thermal plant must include a plan which sets forth what steps the plant will take to minimize any increase in carbon dioxide emissions to the extent that it is technologically and economically feasible. The council shall recommend whether the plan is satisfactory.

NEW SECTION, Sec. 3. The state energy office shall include in the biennial report required by RCW 43.21F.045(9) to be submitted by December 1, 1990, an interim report on an energy study that:

(1) Reviews state energy policy as contained in RCW 43.21F.015 and elsewhere and recommends changes where appropriate, especially taking into consideration global environmental impacts of energy resources use;

(2) Evaluates all energy resources for availability, efficiency, and dollar and environmental costs. Evaluation shall include all facets of obtaining, processing, transporting, making ready for use, controlling pollutants, and disposal of residues; and

(3) Analyzes the approaches to and recommends methodologies for inclusion of environmental costs, especially costs of global environmental pollutant controls in least cost planning.

The study shall be completed and provided to the governor and the legislature by December 1, 1991.

Sec. 4. Section 1, chapter 45, Laws of 1970 ex. sess. as amended by section 29, chapter 108, Laws of 1975-'76 2nd ex. sess. and RCW 80.50.010 are each amended to read as follows:

The legislature finds that ~~((the present and predicted))~~ growth in energy demands in the state of Washington requires the development of a procedure for the selection and utilization of sites for energy facilities and the identification of a state position with respect to each proposed site. The legislature recognizes that the selection of sites will have a significant impact upon the welfare of the population, the location and growth of industry and the use of the natural resources of the state.

It is the policy of the state of Washington to recognize the ~~((pressing))~~ continuing need for increased energy facilities, and to ensure through available and reasonable methods, that the location and operation of ~~((such))~~ energy facilities will produce minimal adverse effects on the environment, ecology of the land and its wildlife, and the ecology of state waters and their aquatic life.

It is the intent to seek courses of action that will balance ~~((the increasing))~~ continuing demands for energy facility location and operation in conjunction with the broad interests of the public. Such action will be based on these premises:

(1) To assure Washington state citizens that, where applicable, operational safeguards are at least as stringent as the criteria established by the federal government and are technically sufficient for their welfare and protection.

(2) To preserve and protect the quality of the environment; to enhance the public's opportunity to enjoy the ~~((esthetic))~~ aesthetic and recreational benefits of the air, water and land resources; to promote air cleanliness; to limit the danger posed to the environment by the

release of greenhouse gasses and other byproducts of energy generation; and to pursue beneficial changes in the environment.

(3) To provide ((abundant)) adequate energy at ((reasonable)) the least cost. In evaluating whether a proposed facility will provide energy at the least cost, the council shall consider the entire cost of the energy resource to be used at the facility, including the costs of obtaining, processing, transporting, making ready for use, controlling pollutants, and disposing of residues from the energy source. The council shall consider the results of the study conducted by the Washington state energy office under section 3 of this act and any relevant studies completed by the northwest power planning council.

On page 1, line 1 of the title, after "location;" strike the remainder of the title and insert "amending RCW 80.50.010; adding a new section to chapter 80.50 RCW; and creating new sections."

Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Bennett, Cooper, Gallagher, Jacobsen and Jesernig.

MINORITY recommendation: Do not pass. Signed by Representatives Hankins, Ranking Republican Member; May, Miller and S. Wilson.

Voting nay: Representatives Hankins, Ranking Republican Member; Brooks, May, Miller and S. Wilson.

Absent: Representative R. Meyers.

Passed to Committee on Rules for second reading.

February 22, 1990

2SSB 5835 Prime Sponsor, Committee on Energy & Utilities: Creating an energy information program for local school district use. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:
On page 2, beginning on line 16, strike NEW SECTION, Sec. 4

On page 1, line 2 of the title, after "28A RCW;" strike "creating a new section; and making an appropriations" and insert "and creating a new section"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle and Walker.

MINORITY recommendation: Without recommendation. Signed by Representative K. Wilson.

Absent: Representatives Peery, Chair; Fuhrman and Phillips.

Passed to Committee on Rules for second reading.

February 23, 1990

2SSB 5872 Prime Sponsor, Committee on Economic Development & Labor: Establishing a rural affairs revitalization committee and undertaking rural development projects. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. LEGISLATIVE FINDINGS. The legislature finds that rural areas of Washington are a vital component of the state's economy and that in recent years numerous rural communities have undergone severe economic downturns resulting in job dislocation and high unemployment rates. Maintenance of a balanced state-wide economy is dependent on rural areas being a partner in growth and continuing to provide employment opportunities for the citizens of those regions.

The legislature further finds that several state agencies administer numerous rural development programs and in order to ensure a maximum level of program effectiveness it is necessary to:

- (1) Coordinate state activities which will facilitate and promote effective delivery of state services; and
- (2) Undertake several ambitious and cooperative development projects to assist rural communities that are experiencing economic decline.

NEW SECTION, Sec. 2. DEFINITIONS. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 through 7 of this act.

- (1) 'Department' means the department of community development.

(2) 'Project' means the rural revitalization project established under section 3 of this act.

(3) 'Rural area' means (a) all Washington communities located outside of a standard metropolitan statistical area; or (b) all Washington communities located within a standard metropolitan statistical area with a population of less than ten thousand.

(4) 'Traditional industries' means those industries that have historically provided the primary employment and income base to the region, including but not limited to, natural resource-based industries, agriculture, and industries that receive federal funding.

NEW SECTION. Sec. 3. RURAL REVITALIZATION PROJECTS ESTABLISHED. The department shall establish and administer a state rural revitalization program. The department may establish an advisory committee for the rural revitalization program. The goals of the program shall be:

(1) To support the development and implementation of locally driven rural revitalization strategies that address community needs. These strategies may include but are not limited to formation of new businesses and industries, retention and expansion of viable existing businesses and industries, and maintenance or development of infrastructure and essential public services conducive to area revitalization;

(2) To increase the capacity of rural areas to plan, organize, and implement revitalization initiatives, with an emphasis on local decision making and leadership development;

(3) To encourage partnerships among rural communities and those organizations, public and private, that serve rural areas. Particular emphasis shall be placed on coordination of targeted state agency programs on locally initiated and locally driven revitalization projects;

(4) The department shall consult with other appropriate state agencies regarding the implementation of the rural revitalization program.

NEW SECTION. Sec. 4. RURAL REVITALIZATION PROJECT IDENTIFICATION. (1) The department shall develop comprehensive guidelines for identification and administration of the projects established under section 3 of this act. Local governments or nonprofit local development organizations may submit applications to the department to participate in the projects. Any local government or entity requesting participation in the project must demonstrate the cooperative participation of a cross-section of the local community where the project is to take place, including business, labor, education and training, and other public and private sector agencies. The size of the geographic area covered by the proposal shall be determined by local applicants. Applicants may submit proposals covering areas representing one or more communities. Applications submitted by several communities jointly that propose an integrated approach are encouraged. Communities whose economies are dependent on natural resources or agriculture and who are not benefiting from the economic growth generated from prosperous urban areas shall be encouraged to apply.

(2) A project application to the department shall include but not be limited to:

(a) A list of individuals that are willing to act as a local advisory board that will assist the department in the implementation of the project;

(b) A detailed description of the local economic situation;

(c) A list of available resources that would be of assistance in the project; and

(d) An outline of the goals for the project.

(3) The department shall solicit applications from eligible rural areas that desire to participate in the rural revitalization program and shall evaluate these applications. A project application shall include but not be limited to a description of:

(a) The need or opportunity to be addressed and its importance to the area;

(b) The approach proposed and expected outcomes;

(c) The state resources needed to carry out the proposed approach, and the local resources that will be made available.

NEW SECTION. Sec. 5. APPLICATION EVALUATION. In deciding which project to undertake, the department shall consider the following factors:

(1) The degree of economic distress in the community;

(2) Community initiative;

(3) The degree to which additional state assistance is required to accomplish the project's goals; and

(4) The feasibility of significantly impacting the community's economic condition, and its surrounding region.

NEW SECTION. Sec. 6. DEPARTMENT OVERSIGHT. The department shall be responsible for:

(1) Oversight and implementation of the project;

(2) Assessment and effectiveness of the project;

(3) Coordination of multi-agency efforts;

(4) Acting as liaison with other local governments and interested entities; and

(5) Providing or coordinating the delivery of technical and managerial assistance.

NEW SECTION. Sec. 7. CONTRACTING. The department may contract for services as it deems necessary to carry out its duties and responsibilities.

NEW SECTION. Sec. 8. CAPTIONS NOT LAW. Section captions as used in sections 1 through 8 of this act do not constitute any part of the law.

NEW SECTION. Sec. 9. Sections 1 through 8 of this act are each added to chapter 43.63A RCW.

NEW SECTION. Sec. 10. 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 shall take effect immediately."

On page 1, line 1 of the title, after "revitalization," strike the remainder of the title and insert "adding new sections to chapter 43.63A RCW; and declaring an emergency."

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Referred to Committee on Appropriations.

February 22, 1990

E2SSB 5882 Prime Sponsor, Committee on Law & Justice: Establishing definitions and revising penalties for reckless, negligent, and inattentive driving. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Insee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher and Hargrove.

Voting nay: Representatives Belcher, Hargrove and R. Meyers.

Absent: Representatives Locke and Scott.

Passed to Committee on Rules for second reading.

February 23, 1990

2SSB 5993 Prime Sponsor, Committee on Energy & Utilities: Promoting the use of one thousand acres leased on the Hanford reservation. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6031 Prime Sponsor, Committee on Law & Justice: Establishing voter registration availability with driver's licensing. Reported by Committee on State Government

MAJORITY recommendation: Do pass with the following amendments:

On page 4, beginning on line 9, strike all of sections 7 and 8 and insert the following:

"Sec. 7. Section 29.07.070, chapter 9, Laws of 1965 as last amended by section 3, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.070 are each amended to read as follows:

The registration officer shall interrogate the applicant for registration, concerning his or her qualifications as a voter of the state, and of the county, city, town, and precinct in which he or she applies for registration, requiring ~~(him)~~ the applicant to state:

(1) The previous address of the last former registration of the applicant as a voter in the state;

(2) His or her full name;

(3) Date of birth;

(4) Place of residence, street and number, if any, or post office or rural mail route address;

(5) Whether he or she is a citizen of the United States.

Answers to all questions shall be inserted on a single registration form to be prescribed by the secretary of state.

This section does not apply to registrations made under sections 1 through 6 of this 1990 act.

Sec. 8. Section 29.07.080, chapter 9, Laws of 1965 as last amended by section 4, chapter 21, Laws of 1973 1st ex. sess. and RCW 29.07.080 are each amended to read as follows:

The registrar shall note the sex of the applicant on the registration form. ~~((He))~~ The registrar shall then require the applicant to sign an oath in the following form: 'I, the undersigned, on

oath or affirmation, do hereby declare that the facts set forth herein relating to my qualifications as a voter, recorded by the registration officer in my presence, are true. I further certify that I am not presently denied my civil rights as a result of being convicted of an infamous crime and that I will be at least eighteen years of age at the time of voting; and the registration officer shall sign and date such oath in verification of the fact that the same was signed and sworn to before ~~(him)~~ the officer in the following form: 'Subscribed and sworn to before me this day of 19. . . . Registration Officer.'

Otherwise the registration officer shall refuse to register the applicant. Upon receipt of the registration record, the county auditor shall note on the record all of the identifying code numbers and precinct in which the applicant resides.

This section does not apply to registrations made under sections 1 through 6 of this 1990 act.

On page 7, beginning on line 23, strike all of section 12
Remember the remaining section consecutively.

On page 1, line 2 of the title, after "29.07.080," insert "and" and after "29.07.140" strike ", and 29.85.200"

Signed by Representatives Todd, Chair; Anderson, Vice Chair; McLean, Ranking Republican Member; R. Fisher, Hankins, R. King, Morris and O'Brien.

MINORITY recommendation: Do not pass. Signed by Representative Silver.

Passed to Committee on Rules for second reading.

February 23, 1990

ESB 6164 Prime Sponsor, Senator Newhouse: Revising provisions for the transportation of food products. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. The definitions in this section apply throughout sections 1 through 7 of this act:

(1) 'Food' means: (a) Any article used for food or drink for humans or used as a component of such an article; or (b) a food grade substance.

(2) 'Food grade substance' means a substance which satisfies the requirements of the federal food, drug, and cosmetic act, meat inspection act, and poultry products act and rules promulgated thereunder as materials approved by the federal food and drug administration, United States department of agriculture, or United States environmental protection agency for use: (a) As an additive in food or drink for human consumption, (b) in sanitizing food or drink for human consumption, (c) in processing food or drink for human consumption, or (d) in maintaining equipment with food contact surfaces during which maintenance the substance is expected to come in contact with food or drink for human consumption.

(3) 'In bulk form' means a food or substance which is not packaged or contained by anything other than the cargo carrying portion of the vehicle or vessel.

(4) 'Vehicle or vessel' means a commercial vehicle or commercial vessel which has a gross weight of more than ten thousand pounds, is used to transport property, and is a motor vehicle, motor truck, trailer, railroad car, or vessel.

NEW SECTION, Sec. 2. (1) Except as provided in sections 4 and 6 of this act, no person may transport in intrastate commerce food in bulk form in the cargo carrying portion of a vehicle or vessel that has been used for transporting in bulk form a cargo other than food.

(2) No person may transport in intrastate commerce food in bulk form in the cargo carrying portion of a vehicle or vessel unless the vehicle or vessel is marked 'Food or Food Compatible Only' in conformance with rules adopted under section 3 of this act.

(3) No person may transport in intrastate commerce a substance in bulk form other than food or a substance on a list adopted under section 3 of this act in the cargo carrying portion of a vehicle or vessel marked 'Food or Food Compatible Only.'

(4) This section does not apply to the transportation of a raw agricultural commodity from the point of its production to the facility at which the commodity is first processed or packaged.

NEW SECTION, Sec. 3. (1) The director of agriculture and the secretary of health shall jointly adopt by rule:

(a) A list of food compatible substances other than food that may be transported in bulk form as cargo in a vehicle or vessel that is also used, on separate occasions, to transport food in bulk form as cargo. The list shall contain those substances that the director and the secretary determine will not pose a health hazard if food in bulk form were transported in the vehicle or vessel after it transported the substance. In making this determination, the director and the secretary shall assume that some residual portion of the substance will remain in the cargo carrying portion of the vehicle or vessel when the food is transported;

(b) The procedures to be used to clean the vehicle or vessel after transporting the substance and prior to transporting the food:

(c) The form of the certificates to be used under section 4 of this act; and

(d) Requirements for the 'Food or Food Compatible Only' marking which must be borne by a vehicle or vessel under section 2 or 4 of this act.

(2) In developing and adopting rules under this section and section 5 of this act, the director and the secretary shall consult with the secretary of transportation, the chief of the state patrol, the chair of the utilities and transportation commission, and representatives of the vehicle and vessel transportation industries, food processors, and agricultural commodity organizations.

NEW SECTION. Sec. 4. Transporting food as cargo in bulk form in intrastate commerce in a vehicle or vessel that has previously been used to transport in bulk form a cargo other than food does not constitute a violation of section 2 of this act if:

(1) The cargo is a food compatible substance contained on the list adopted by the director and secretary under section 3 of this act;

(2) The vehicle or vessel has been cleaned as required by the rules adopted under section 3 of this act;

(3) The vehicle or vessel is marked 'Food or Food Compatible' in conformance with rules adopted under section 3 of this act; and

(4) A certificate accompanies the vehicle or vessel when the food is transported which attests, under penalty of perjury, to the fact that the vehicle or vessel has been cleaned as required by those rules and is dated and signed by the party responsible for that cleaning. Such certificates shall be maintained by the owner of the vehicle or vessel for not less than three years and shall be available for inspection concerning compliance with sections 1 through 7 of this act. Forms for the certificates shall be provided by the department of agriculture.

NEW SECTION. Sec. 5. The director of agriculture and the secretary of health shall jointly adopt by rule:

(1) A list of substances which, if transported in bulk form in the cargo carrying portion of a vehicle or vessel, render the vehicle or vessel permanently unsuitable for use in transporting food in bulk form because the prospect that any residue might be present in the vehicle or vessel when it transports food poses a hazard to the public health; and

(2) Procedures to be used to rehabilitate a vehicle or vessel that has been used to transport a substance other than a substance contained on a list adopted under section 3 of this act or under subsection (1) of this section. The procedures shall ensure that transporting food in the cargo carrying portion of the vehicle or vessel after its rehabilitation will not pose a health hazard.

NEW SECTION. Sec. 6. A vehicle or vessel that has been used to transport a substance other than food or a substance contained on the lists adopted by the director and secretary under sections 3 and 5 of this act, may be rehabilitated and used to transport food only if:

(1) The vehicle or vessel is rehabilitated in accordance with the procedures established by the director and secretary in section 5 of this act;

(2) The vehicle or vessel is inspected by the department of agriculture, and the department determines that transporting food in the cargo carrying portion of the vehicle or vessel will not pose a health hazard;

(3) A certificate accompanies the vehicle or vessel certifying that the vehicle or vessel has been rehabilitated and inspected and is authorized to transport food, and is dated and signed by the director of agriculture, or an authorized agent of the director. Such certificates shall be maintained for the life of the vehicle by the owner of the vehicle or vessel, and shall be available for inspection concerning compliance with sections 1 through 7 of this act. Forms for the certificates shall be provided by the department of agriculture; and

(4) The vehicle or vessel is marked as required by section 2 of this act or is marked and satisfies the requirements of section 4 of this act which are not inconsistent with the rehabilitation authorized by this section.

No vehicle or vessel that has transported in bulk form a substance contained on the list adopted under section 5 of this act qualifies for rehabilitation.

The cost of rehabilitation shall be borne by the vehicle or vessel owner. The director shall determine a reasonable fee to be imposed on the vehicle or vessel owner based on inspection, laboratory, and administrative costs incurred by the department in rehabilitating the vehicle or vessel.

NEW SECTION. Sec. 7. A person who knowingly transports a cargo in violation of section 2 of this act or who knowingly causes a cargo to be transported in violation of section 2 of this act is subject to a civil penalty, as determined by the director of agriculture, for each such violation as follows:

(1) For a person's first violation or first violation in a period of five years, not more than five thousand dollars;

(2) For a person's second or subsequent violation within five years of a previous violation, not more than ten thousand dollars.

The director shall impose the penalty by an order which is subject to the provisions of chapter 34.05 RCW.

The director shall, wherever practical, secure the assistance of other public agencies, including but not limited to the department of health, the utilities and transportation commission, and the state patrol, in identifying and investigating potential violations of section 2 of this act.

NEW SECTION. Sec. 8. The director of agriculture and the secretary of health shall examine, in consultation with an industry advisory committee, the potential hazards that may be posed to the public health by the transportation of food in other than bulk form in intrastate commerce. The director and secretary shall report the findings to the legislature by January 1, 1992, concerning the extent of the potential hazards, the frequency of mixed shipments of packaged food and nonfood items, the manner in which mixed shipments of packaged food and nonfood items are transported, and the incidents of food contamination in Washington state within the past five years. The findings shall include recommendations, if any, for regulating the transportation of food in other than bulk form.

The director and the secretary shall establish an industry advisory committee to provide advice regarding the examination required by this section. The director and the secretary shall jointly appoint not less than nine persons to the committee. These persons shall be representatives from the manufacturing, processing, wholesaling, distributing, and retailing sectors of the food industry.

Sec. 9. Section 99, chapter 257, Laws of 1945 and RCW 69.04.810 are each amended to read as follows:

For the purpose of enforcing the provisions of this chapter, carriers engaged in intrastate commerce, and persons receiving food, drugs, devices, or cosmetics in intrastate commerce or holding such articles so received, shall, upon the request of the director, permit the director at reasonable times, to have access to and to copy all records showing the movement in intrastate commerce of any food, drug, device, or cosmetic, or the holding thereof during or after such movement, and the quantity, shipper, and consignee thereof; and it shall be unlawful for any such carrier or person to fail to permit such access to and the copying of any such records so requested when such request is accompanied by a statement in writing specifying the nature or kind of food, drug, device, or cosmetic to which such request relates: **PROVIDED**, That evidence obtained under this section shall not be used in a criminal prosecution of the person from whom obtained: **PROVIDED FURTHER**, That except for violations of section 2 of this act, penalties levied under section 7 of this act, the requirements of sections 1 through 7 of this act, and the requirements of this section, carriers shall not be subject to the other provisions of this chapter by reason of their receipt, carriage, holding, or delivery of food, drugs, devices, or cosmetics in the usual course of business as carriers.

NEW SECTION. Sec. 10. Sections 1 through 7 of this act are each added to chapter 69.04 RCW.

On page 1, line 1 of the title, after "products;" strike the remainder of the title and insert "amending RCW 69.04.810; adding new sections to chapter 69.04 RCW; creating a new section; and prescribing penalties."

Signed by Representatives Rayburn, Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representative Rasmussen.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6165 Prime Sponsor, Committee on Law & Justice: Changing provisions relating to pro tempore service by retired judges. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Insee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Referred to Committee on Appropriations.

February 23, 1990

SSB 6167 Prime Sponsor, Committee on Financial Institutions & Insurance: Regulating motor vehicle subleasing and ownership transfers. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Baugher, Beck, Crane, Day, Dorn, Inslee and Winsley.

Absent: Representatives Chandler, Ranking Republican Member; Anderson, P. King, Nutley, Schmidt and K. Wilson.

Passed to Committee on Rules for second reading.

February 23, 1990

ESB 6172 Prime Sponsor, Senator Sellar: Revising provisions for environmental coordination procedures. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 13, strike "permit and applications information" and insert "information regarding permits and applications"

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Absent: Representatives D. Sommers, Ranking Republican Member; and Phillips.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6180 Prime Sponsor, Senator West: Providing confidentiality for certain basic health plan records and data. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Chandler, Morris and Sprenkle.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6182 Prime Sponsor, Committee on Governmental Operations: Clarifying provisions relating to fire protection district service charges. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 9, after "((service))" strike "district"

On page 6, line 20, after "board" insert "for at least a two week period"

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representative Phillips.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6195 Prime Sponsor, Committee on Environment & Natural Resources: Prohibiting the use of live animals to train hunting, tracking or fighting animals. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 16.52 RCW to read as follows:

(1) Any person who uses domestic dogs or cats as bait, prey, or targets for the purpose of training dogs or other animals to track, fight, or hunt, in such a fashion as to torture, torment, deprive of necessary sustenance, cruelly beat, or mutilate such animals, shall be guilty of a misdemeanor.

(2) Any person who violates the provisions of subsection (1) of this section, and whose actions result in the death of the animal, shall be guilty of a gross misdemeanor.

(3) Any person who captures by trap a domestic dog or cat to be used as bait, prey, or targets for the purpose of training dogs or other animals to track, fight, or hunt, in such a fashion as to torture, torment, deprive of necessary sustenance, cruelly beat, or mutilate such animals, shall be guilty of a misdemeanor.

(4) Any person who violates the provisions of subsection (3) of this section, and whose actions result in the death of the animal, shall be guilty of a gross misdemeanor.

(5) If a person violates this section, law enforcement authorities shall seize and hold the animals being trained. Such animals shall be disposed of by the court pursuant to the provisions of RCW 16.52.200(3).

(6) This section shall not in any way interfere with or impair the operation of any provision of Title 28B RCW, relating to higher education or biomedical research."

On page 1, line 1 of the title, after "animals;" strike the remainder of the title and insert "adding a new section to chapter 16.52 RCW; and prescribing penalties."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Chandler, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representatives Baugher and Doty.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6221 Prime Sponsor, Committee on Education: Creating the high school and beyond assessment program. Reported by Committee on Education

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 29, strike all of **NEW SECTION, Sec. 4**

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 3, line 19, after "of" strike "the Washington state high school and beyond assessment program including"

Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Jones, Phillips, Pruitt, Rasmussen, Rayburn and Walker.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Horn and Schoon.

Voting nay: Representatives Holland, Horn, Schoon and K. Wilson.

Absent: Representatives Fuhrman and P. King.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6223 Prime Sponsor, Committee on Education: Changing the frequency of scoliosis screening in public schools. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Chandler, Morris and Sprenkle.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6234 Prime Sponsor, Committee on Higher Education: Changing safety requirements for colleges and universities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 8 strike "an annual" and insert "a monthly"

On page 5, line 29 after "(3)" strike everything through "following:" on page 6, line 11 and insert "Each institution of higher education shall provide to every new employee at the time of employment, and to all new students information regarding the institutions security policies and procedures. All students and faculty shall be informed annually that the information is available upon request. In its acknowledgement of receipt of the formal application for admission, the institution shall notify the applicant of the availability of such information. Institutions with a main campus and one or more branch campuses shall provide the information on a campus-by-campus basis. In the case of community colleges, colleges shall provide such information to the main campuses only and shall provide reasonable alternative information at any off-campus centers and other affiliated college sites enrolling less than one hundred students."

(4) Community Colleges shall provide campus information which follows the general categories for safety policies and procedures outlined in this section. Such categories shall, at a minimum, include campus enrollments, campus nonstudent workforce profile, the number and duties of campus security personnel, arrangements with state and local police, and policies on controlled substances. Four year institutions of higher education shall provide information for the most recent academic year which shall include, but not be limited to, the following:"

Remember the remaining subsections and correct internal references.

Signed by Representatives Jacobsen, Chair; Van Luven, Ranking Republican Member; Basich, Heavey, Jesernig, Miller, Prince, Rector and Wood.

MINORITY recommendation: Do not pass. Signed by Representatives Doty and Fraser.

Voting nay: Representatives Spanel, Vice Chair; Bennett, Doty and Fraser.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6239 Prime Sponsor, Committee on Law & Justice: Authorizing service of process by mail in district courts. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 12 after "plaintiff" insert "in a case in which the complaint asks only for the recovery of money in an amount not greater than three thousand dollars"

On page 1, line 13, after "mail," insert "Any service by mail shall require a return receipt personally signed by the defendant, and shall include proof that the service was made within the venue of the court."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Forner, R. Meyers, Moyer, Schmidt, D. Sommers, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Inslee, H. Myers and Scott.

Voting nay: Representatives Hargrove, Inslee, P. King, H. Myers, Scott and Wineberry..

Absent: Representatives Belcher, Dellwo and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6247 Prime Sponsor, Committee on Law & Justice: Restricting civil actions to appoint receivers to manage real property. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Forner, Hargrove, Inslee, Moyer, H. Myers, Schmidt, Scott, D. Sommers and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Appelwick, Chair; Dellwo, R. Meyers and Wineberry.

Absent: Representatives Dellwo, Inslee and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

ESB 6252 Prime Sponsor, Senator Patterson: Enacting a moratorium on siting of hazardous waste disposal facilities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. The legislature finds that economic factors considered within the program for permitting the siting and operation of commercial off-site hazardous waste disposal facilities must not be elevated above human health and environmental quality concerns in the eventual siting of such facilities. It is therefore the intent of this act to review the potential siting of such facilities within the agricultural communities and direct the Washington State University hazardous substances research group to complete a review to determine the impact of such facilities to agricultural lands.

NEW SECTION, Sec. 2. A new section is added to chapter 70.105 RCW to read as follows:

(1) On or before November 1, 1990, the Washington State University hazardous substance research group shall submit a report to the legislature and governor which includes the following:

(a) An assessment of the risks that airborne contaminants from hazardous waste incineration facilities pose to nearby agricultural lands and their products;

(b) An assessment of the risks that the landfill disposal of the ash from such facilities pose to nearby agricultural lands and their products;

(c) An assessment of the origins and quantity of hazardous waste within Washington, Alaska, Oregon, and Idaho that are likely to be disposed at a facility located within Washington. Information pertaining to the origins and quantity of hazardous waste within the region shall be based on information from the Pacific Northwest hazardous waste advisory council; and

(d) An assessment of the viability of the state-owned land on the Hanford reservation as a site for a hazardous waste incineration and disposal facility.

(2) The assessment and report shall be based on a review of existing scientific studies and information. The studies and information collected for assessment on or before June 15, 1990, shall be deemed as 'existing scientific studies and information' for the purposes of this section. The assessment and report shall be based on the relative impact on existing background hazardous material levels.

(3) In preparing the report, the research group shall form and incorporate the advice of an advisory committee with balanced representation geographically throughout the state, and that includes representatives of agriculture, local government, environmental organizations, hazardous waste generators, and the waste management industry. The research group shall also consult with recognized scientific authorities on the environmental and health impacts of the siting and operation of hazardous waste disposal facilities, and review the operational record of the facilities located in other states and countries.

(4) Prior to issuing a permit for a facility for the incineration or disposal of hazardous waste the department of ecology shall take into consideration the report prepared by the research group and shall have information adequate to determine the need for, size of, and environmental safety of such a facility.

NEW SECTION, Sec. 3. The sum of one hundred ninety-eight thousand five hundred dollars, or as much thereof as may be necessary, is appropriated from the state toxics control account to Washington State University for the biennium ending June 30, 1991, to carry out the purposes of this act.

On page 1, line 2 of the title, after "lands;" strike the remainder of the title and insert "adding a new section to chapter 70.105 RCW; creating a new section; and making an appropriation."

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Phillips, Pruitt and Sprengle.

MINORITY recommendation: Do not pass. Signed by Representatives D. Sommers, Ranking Republican Member; Schoon, Van Luven and Walker.

Referred to the Committee on Appropriations.

February 22, 1990

SB 6253 Prime Sponsor, Senator Patterson: Providing a method to evaluate whether a "taking" has occurred. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 4, after "Sec. 1," strike everything through "required," on line 18

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Forner, Hargrove, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Dellwo, Locke and R. Meyers.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6255 Prime Sponsor, Committee on Law & Justice: Increasing penalties for assaulting transit and school bus drivers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:
Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 6, chapter 257, Laws of 1986 as last amended by section 1, chapter 169, Laws of 1989 and RCW 9A.36.031 are each amended to read as follows:

(1) A person is guilty of assault in the third degree if he or she, under circumstances not amounting to assault in the first or second degree:

(a) With intent to prevent or resist the execution of any lawful process or mandate of any court officer or the lawful apprehension or detention of himself or another person, assaults another; or

(b) Assaults a person employed as a transit operator or driver by a public or private transit company while that person is operating or is in control of a vehicle that is owned or operated by the transit company and that is occupied by one or more passengers; or

(c) Assaults a school bus driver employed by a school district or a private company under contract for transportation services with a school district while the driver is operating or is in control of a school bus that is occupied by one or more passengers; or

(d) With criminal negligence, causes bodily harm to another person by means of a weapon or other instrument or thing likely to produce bodily harm; or

((d)) (e) Assaults a fire fighter or other employee of a fire department or fire protection district who was performing his or her official duties at the time of the assault; or

((e)) (f) With criminal negligence, causes bodily harm accompanied by substantial pain that extends for a period sufficient to cause considerable suffering; or

((f)) (g) Assaults a law enforcement officer or other employee of a law enforcement agency who was performing his or her official duties at the time of the assault.

(2) Assault in the third degree is a class C felony."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Locke and Schmidt.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6272 Prime Sponsor, Senator West: Providing for discipline of assistants of health care professionals. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 18.130 RCW to read as follows:

Any assistant to a licensee governed by RCW 18.130.040 who is granted a right to practice by statutory exemption, authorization, or disciplining authority rule shall be subject to discipline by the disciplining authority of the profession (1) upon a finding of unprofessional conduct as defined in RCW 18.130.180, or (2) upon a determination that the individual is unable to practice with reasonable skill or safety due to a physical or mental condition as described in RCW 18.130.170. All references to license in chapter 18.130 RCW shall include the right to practice by statutory exemption, authorization, or disciplining authority rule.

The secretary shall have the authority to adopt rules pursuant to RCW 43.70.250."

On page 1, line 2 of the title, after "professionals," insert "and adding a new section to chapter 18.130."

Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Cantwell, Chandler, Morris and Sprengle.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6292 Prime Sponsor, Senator Hansen: Making owners of mosquito infested land responsible for their control. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Grant, Jesernig, Kirby, Rasmussen and Youngsman.

Voting nay: Representative McLean.

Absent: Representatives Baugher and Doty.

Referred to Committee on Appropriations.

February 22, 1990

SB 6303 Prime Sponsor, Senator von Reichbauer: Enhancing pedestrian safety. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 22 strike "vehicular traffic" and insert "(~~vehicular traffic~~) vehicle operators"

On page 4, line 32 strike "drivers" and insert "vehicle operators"

On page 5, line 5 after "the" strike "driver" and insert "(~~driver~~) operator"

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Jones, Kremen, Nelson, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Gallagher, Heavey, Jones, Prentice and Prince.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6304 Prime Sponsor, Senator Saling: Requiring that sick leave records be kept for teaching and research faculty at state and regional universities. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 16, after "faculty" strike all material through "employees" on page 1, line 17

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Van Luven, Ranking Republican Member; Basich, Bennett, Doty, Fraser, Heavey, Jesernig, Miller, Prince, Rector and Wood.

Absent: Representatives Heavey and Wood.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6325 Prime Sponsor, Committee on Economic Development & Labor: Creating the industrial competitiveness program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 22, insert:

"It is the intent of the legislature to provide public resources to augment and not displace the services currently being provided by the private sector."

On page 3, line 8, after "institutions," insert "vendors."

On page 3, line 10, after "manufacturers" insert ", and at least two members shall be in the business of selling automated equipment to manufacturers"

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Schoon and Youngsman.

Referred to Committee on Appropriations.

February 23, 1990

SSB 6326 Prime Sponsor, Committee on Ways & Means: Authorizing a southern Puget Sound water quality program. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass. Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprengle, Van Luven and Walker.

Absent: Representative D. Sommers, Ranking Republican Member.

Referred to Committee on Appropriations.

February 22, 1990

ESSB 6330 Prime Sponsor, Committee on Energy & Utilities: Amending consumer protection provisions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 3, line 21, after "person" insert "if not a bank, trust company, mutual savings bank, credit union, or savings and loan association organized under the laws of the United States or of any one of the United States"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Insee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Locke and Scott.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6344 Prime Sponsor, Senator Niemi: Revising provisions for regional support networks. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 4, chapter 204, Laws of 1982 as last amended by section 3, chapter 205, Laws of 1989 and RCW 71.24.035 are each amended to read as follows:

- (1) The department is designated as the state mental health authority.
- (2) The secretary may provide for public, client, and licensed service provider participation in developing the state mental health program.
- (3) The secretary shall provide for participation in developing the state mental health program for children and other underserved populations, by including representatives on any committee established to provide oversight to the state mental health program.
- (4) The secretary shall be designated as the county authority if a county fails to meet state minimum standards or refuses to exercise responsibilities under RCW 71.24.045.
- (5) The secretary shall:
 - (a) Develop a biennial state mental health program that incorporates county biennial needs assessments and county mental health service plans and state services for mentally ill adults and children. The secretary may also develop a six-year state mental health plan;
 - (b) Assure that any county community mental health program provides access to treatment for the county's residents in the following order of priority: (i) The acutely mentally ill; (ii) the chronically mentally ill; and (iii) the seriously disturbed. Such programs shall provide:
 - (A) Outpatient services;
 - (B) Emergency care services for twenty-four hours per day;
 - (C) Day treatment for mentally ill persons which includes training in basic living and social skills, supported work, vocational rehabilitation, and day activities. Such services may include therapeutic treatment. In the case of a child, day treatment includes age-appropriate basic living and social skills, educational and prevocational services, day activities, and therapeutic treatment;
 - (D) Screening for patients being considered for admission to state mental health facilities to determine the appropriateness of admission;
 - (E) Consultation and education services; and
 - (F) Community support services;
 - (c) Develop and promulgate rules establishing state minimum standards for the delivery of mental health services including, but not limited to:
 - (i) Licensed service providers;
 - (ii) Regional support networks; and
 - (iii) Residential and inpatient services, evaluation and treatment services and facilities under chapter 71.05 RCW, resource management services, and community support services;
 - (d) Assure that the special needs of minorities, the elderly, disabled, children, and low-income persons are met within the priorities established in this section;
 - (e) Establish a standard contract or contracts, consistent with state minimum standards, which shall be used by the counties;
 - (f) Establish, to the extent possible, a standardized auditing procedure which minimizes paperwork requirements of county authorities and licensed service providers;
 - (g) Develop and maintain an information system to be used by the state, counties, and regional support networks when they are established which shall include a tracking method which allows the department and regional support networks to identify mental health clients' participation in any mental health service or public program on an immediate basis. The information system shall not include individual patient's case history files. Confidentiality of client information and records shall be maintained as provided in this chapter and in RCW 71.05.390, 71.05.400, 71.05.410, 71.05.420, 71.05.430, and 71.05.440. The system shall be fully operational no later than January 1, 1993: PROVIDED, HOWEVER, That when a regional support network is established, the department shall have an operational interim tracking system for

that network that will be adequate for the regional support network to perform its required duties under this chapter:

- (h) License service providers who meet state minimum standards;
- (i) Certify regional support networks that meet state minimum standards;
- (j) Periodically inspect certified regional support networks and licensed service providers at reasonable times and in a reasonable manner; and
- (k) Fix fees to be paid by evaluation and treatment centers to the secretary for the required inspections:
 - (l) Monitor and audit counties, regional support networks, and licensed service providers as needed to assure compliance with contractual agreements authorized by this chapter;
 - (m) Prior to September 1, 1989, adopt such rules as are necessary to implement the department's responsibilities under this chapter pursuant to chapter 34.05 RCW: PROVIDED, That such rules shall be submitted to the appropriate committees of the legislature for review and comment prior to adoption; and
 - (n) Beginning July 1, 1989, and continuing through July 1, 1993, track by region and county the use and cost of state hospital and local evaluation and treatment facilities for seventy-two hour detention, fourteen, ninety, and one hundred eighty day commitments pursuant to chapter 71.05 RCW, voluntary care in state hospitals, and voluntary community inpatient care covered by the medical assistance program. Service use and cost reports shall be provided to regions in a timely fashion at six-month intervals.
- (6) The secretary shall use available resources appropriated specifically for community mental health programs only for programs under RCW 71.24.045. After July 1, 1995, or when regional support networks are established, available resources may be used only for regional support networks.
- (7) Each certified regional support network and licensed service provider shall file with the secretary, on request, such data, statistics, schedules, and information as the secretary reasonably requires. A certified regional support network or licensed service provider which, without good cause, fails to furnish any data, statistics, schedules, or information as requested, or files fraudulent reports thereof, may have its certification or license revoked or suspended.
- (8) The secretary may suspend, revoke, limit, or restrict a certification or license, or refuse to grant a certification or license for failure to conform to the law, applicable rules and regulations, or applicable standards, or failure to meet the minimum standards established pursuant to this section.
- (9) The superior court may restrain any regional support network or service provider from operating without certification or a license or any other violation of this section. The court may also review, pursuant to procedures contained in chapter 34.05 RCW, any denial, suspension, limitation, restriction, or revocation of certification or license, and grant other relief required to enforce the provisions of this chapter.
- (10) Upon petition by the secretary, and after hearing held upon reasonable notice to the facility, the superior court may issue a warrant to an officer or employee of the secretary authorizing him or her to enter at reasonable times, and examine the records, books, and accounts of any regional support network or service provider refusing to consent to inspection or examination by the authority.
- (11) The secretary shall adopt such rules as may be necessary to effectuate the intent and purposes of this chapter, which shall include but not be limited to certification and licensing and other action relevant to certifying regional support networks and licensing service providers.
- (12) Notwithstanding the existence or pursuit of any other remedy, the secretary may, in the manner provided by law, upon the advice of the attorney general who shall represent the secretary in the proceedings, maintain an action in the name of the state for an injunction or other process against any person or governmental unit to restrain or prevent the establishment, conduct, or operation of a regional support network or service provider without certification or a license under this chapter.
- (13) The standards for certification of evaluation and treatment facilities shall include standards relating to maintenance of good physical and mental health and other services to be afforded persons pursuant to this chapter and chapter 71.05 RCW, and shall otherwise assure the effectuation of the purposes and intent of this chapter and chapter 71.05 RCW.
- (14)(a) The department, in consultation with affected parties, shall establish a distribution formula that reflects county needs assessments based on the number of persons who are acutely mentally ill, chronically mentally ill, and seriously disturbed as defined in chapter 71.24 RCW. The formula shall take into consideration the impact on counties of demographic factors in counties which result in concentrations of priority populations as defined in subsection (15) of this section. These factors shall include the population concentrations resulting from commitments under the involuntary treatment act, chapter 71.05 RCW, to state psychiatric hospitals, as well as concentration in urban areas, at border crossings at state boundaries, and other significant demographic and workload factors.
 - (b) The department shall submit a proposed distribution formula in accordance with this section to the ways and means and health care and corrections committees of the senate and

to the ways and means and human services committees of the house of representatives by October 1, 1989. The formula shall also include a projection of the funding allocations that will result for each county, which specifies allocations according to priority populations, including the allocation for services to children and other underserved populations.

(15) To supersede duties assigned under subsection (5) (a) and (b) of this section, and to assure a county-based, integrated system of care for acutely mentally ill adults and children, chronically mentally ill adults and children, and seriously disturbed adults and children who are determined by regional support networks at their sole discretion to be at risk of becoming acutely or chronically mentally ill, the secretary shall encourage the development of regional support networks as follows:

By December 1, 1989, the secretary shall recognize regional support networks requested by counties or groups of counties.

All counties wishing to be recognized as a regional support network on December 1, 1989, shall submit their intentions regarding participation in the regional support networks by October 30, 1989, along with preliminary plans. Counties wishing to be recognized as a regional support network by January 1, ~~(1993)~~ of any year thereafter shall submit their intentions by ~~(November 30, 1992)~~ October 30 of the previous year along with preliminary plans. The secretary shall assume all duties assigned to the nonparticipating counties under chapters 71.05 and 71.24 RCW on July 1, 1995. Such responsibilities shall include those which would have been assigned to the nonparticipating counties under regional support networks.

The implementation of regional support networks, or the secretary's assumption of all responsibilities under chapters 71.05 and 71.24 RCW, shall be included in all state and federal plans affecting the state mental health program including at least those required by this chapter, the medicaid program, and P.L. 99-660. Nothing in these plans shall be inconsistent with the intent and requirements of this chapter.

(16) The secretary shall:

(a) Disburse the first funds for the regional support networks that are ready to begin implementation by January 1, 1990, or within sixty days of approval of the biennial contract. The department must either approve or reject the biennial contract within sixty days of receipt.

(b) Enter into biennial contracts with regional support networks to begin implementation between January 1, 1990, and March 1, 1990, and complete implementation by June 1995. The contracts shall be consistent with available resources. No contract shall be approved that does not include progress toward meeting the goals of this ~~(1989 act)~~ chapter by taking responsibility for: (i) Short-term commitments; (ii) residential care; and (iii) emergency response systems.

(c) By July 1, 1993, allocate one hundred percent of available resources to regional support networks created by January 1, 1990, in a single grant. Regional support networks created by January 1, ~~(1993)~~ 1991, shall receive a single block grant by July 1, 1993; regional support networks created by January 1, 1992, shall receive a single block grant by July 1, 1994; and regional support networks created by January 1, 1993, shall receive a single block grant by July 1, 1995. The grants shall include funds currently provided for all residential services, all services pursuant to chapter 71.05 RCW, and all community support services and shall be distributed in accordance with a formula submitted to the legislature by January 1, 1993, in accordance with subsection (14) of this section.

(d) By January 1, 1990, allocate available resources to regional support networks for community support services, resource management services, and residential services excluding evaluation and treatment facilities provided pursuant to chapter 71.05 RCW in a single grant using the distribution formula established in subsection (14) of this section.

(e) By March 1, 1990, or within sixty days of approval of the contract continuing through July 1, 1993, provide grants as specifically appropriated by the legislature to regional support networks for evaluation and treatment facilities for persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW. For regional support networks created by January 1, 1993, provide grants as specifically appropriated by the legislature to regional support networks for evaluation and treatment facilities for persons detained or committed for periods up to seventeen days according to chapter 71.05 RCW through July 1, 1995.

(f) Notify regional support networks of their allocation of available resources at least sixty days prior to the start of a new biennial contract period.

(g) Study and report to the legislature by December 1, 1989, on expanding the use of federal Title XIX funds and the definition of institutions for mental diseases to provide services to persons who are acutely mentally ill, chronically mentally ill, or at risk of becoming so. The study shall also include an assessment of the impact of Title XIX funds and the definition of institutions for mental diseases on the use of state funds to provide needed mental health services to the chronically mentally ill.

(h) Deny funding allocations to regional support networks based solely upon formal findings of noncompliance with the terms of the regional support network's contract with the department. Written notice and at least thirty days for corrective action must precede any such action. In such cases, regional support networks shall have full rights to appeal under chapter 34.05 RCW.

(i) Identify in its departmental biennial operating and capital budget requests the funds requested by regional support networks to implement their responsibilities under this chapter.

(j) Contract to provide or, if requested, make grants to counties to provide technical assistance to county authorities or groups of county authorities to develop regional support networks.

(17) The department of social and health services, in cooperation with the state congressional delegation, shall actively seek waivers of federal requirements and such modifications of federal regulations as are necessary to allow federal medicareid reimbursement for services provided by free-standing evaluation and treatment facilities certified under chapter 71.05 RCW. The department shall periodically report its efforts to the health care and corrections committee of the senate and the human services committee of the house of representatives.

(18) The secretary shall establish a task force to examine the recruitment, training, and compensation of qualified mental health professionals in the community, which shall include the advantages and disadvantages of establishing a training academy, loan forgiveness program, or educational stipends offered in exchange for commitments of employment in mental health. The task force shall report back to the appropriate committees of the legislature by January 1, 1990.

Sec. 2. Section 7, chapter 142, Laws of 1973 1st ex. sess. as last amended by section 2, chapter 120, Laws of 1989, and by section 8, chapter 205, Laws of 1989 and by section 13, chapter 420, Laws of 1989 and RCW 71.05.020 are each reenacted and amended to read as follows:

For the purposes of this chapter:

(1) 'Gravely disabled' means a condition in which a person, as a result of a mental disorder: (a) is in danger of serious physical harm resulting from a failure to provide for his or her essential human needs of health or safety, including but not limited to a chronic failure or refusal to take required medications, or (b) manifests severe deterioration in routine functioning evidenced by repeated and escalating loss of cognitive or volitional control over his or her actions and is not receiving such care as is essential for his or her health or safety;

(2) 'Mental disorder' means any organic, mental, or emotional impairment which has substantial adverse effects on an individual's cognitive or volitional functions;

(3) 'Likelihood of serious harm' means either: (a) A substantial risk that physical harm will be inflicted by an individual upon his or her own person, as evidenced by threats or attempts to commit suicide or inflict physical harm on one's self; (b) a substantial risk that physical harm will be inflicted by an individual upon another, as evidenced by behavior which has caused such harm or which places another person or persons in reasonable fear of sustaining such harm, or (c) a substantial risk that physical harm will be inflicted by an individual upon the property of others, as evidenced by behavior which has caused substantial loss or damage to the property of others;

(4) 'Peace officer' means a law enforcement official of a public agency or governmental unit, and includes persons specifically given peace officer powers by any state law, local ordinance, or judicial order of appointment;

(5) 'Judicial commitment' means a commitment by a court pursuant to the provisions of this chapter;

(6) 'Public agency' means any evaluation and treatment facility or institution, hospital, or sanitarium which is conducted for, or includes a department or ward conducted for, the care and treatment of persons who are mentally ill or deranged, if the agency is operated directly by, federal, state, county, or municipal government, or a combination of such governments;

(7) 'Private agency' means any person, partnership, corporation, or association not defined as a public agency, whether or not financed in whole or in part by public funds, which constitutes an evaluation and treatment facility or private institution, hospital, or sanitarium, which is conducted for, or includes a department or ward conducted for the care and treatment of persons who are mentally ill;

(8) 'Attending staff' means any person on the staff of a public or private agency having responsibility for the care and treatment of a patient;

(9) 'Department' means the department of social and health services of the state of Washington;

(10) 'Resource management services' has the meaning given in chapter 71.24 RCW;

(11) 'Secretary' means the secretary of the department of social and health services, or ~~((his))~~ the secretary's designee;

(12) 'Mental health professional' means a psychiatrist, psychologist, psychiatric nurse, or social worker, and such other mental health professionals as may be defined by rules and regulations adopted by the secretary pursuant to the provisions of this chapter;

(13) 'Professional person' shall mean a mental health professional, as above defined, and shall also mean a physician, registered nurse, and such others as may be defined by rules and regulations adopted by the secretary pursuant to the provisions of this chapter;

(14) 'Psychiatrist' means a person having a license as a physician and surgeon in this state who has in addition completed three years of graduate training in psychiatry in a program

approved by the American medical association or the American osteopathic association and is certified or eligible to be certified by the American board of psychiatry and neurology;

(15) 'Psychologist' means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(16) 'Social worker' means a person with a master's or further advanced degree from an accredited school of social work or a degree from a graduate school deemed equivalent under rules and regulations adopted by the secretary;

(17) 'Evaluation and treatment facility' means any facility which can provide directly, or by direct arrangement with other public or private agencies, emergency evaluation and treatment, outpatient care, and short term inpatient care to persons suffering from a mental disorder, and which is certified as such by the department of social and health services: PROVIDED, That a physically separate and separately operated portion of a state hospital may be designated as an evaluation and treatment facility: PROVIDED FURTHER, That a facility which is part of, or operated by, the department of social and health services or any federal agency will not require certification: AND PROVIDED FURTHER, That no correctional institution or facility, or jail, shall be an evaluation and treatment facility within the meaning of this chapter;

(18) 'Antipsychotic medications,' also referred to as 'neuroleptics,' means that class of drugs primarily used to treat serious manifestations of mental illness associated with thought disorders and currently includes phenothiazines, thioxanthenes, butyrophenone, dihydroindolone, and dibenzoxazipine.

(19) 'Developmental disability' means that condition defined in RCW 71A.10.020(2);

(20) 'Developmental disabilities professional' means a person who has specialized training and three years of experience in directly treating or working with persons with developmental disabilities and is a psychiatrist or psychologist, or a social worker, and such other developmental disabilities professionals as may be defined by rules adopted by the secretary;

(21) 'Habilitative services' means those services provided by program personnel to assist persons in acquiring and maintaining life skills and in raising their levels of physical, mental, social, and vocational functioning. Habilitative services include education, training for employment, and therapy. The habilitative process shall be undertaken with recognition of the risk to the public safety presented by the individual being assisted as manifested by prior charged criminal conduct;

(22) 'Psychologist' means a person who has been licensed as a psychologist pursuant to chapter 18.83 RCW;

(23) 'Social worker' means a person with a master's or further advanced degree from an accredited school of social work or a degree deemed equivalent under rules adopted by the secretary;

(24) 'Individualized service plan' means a plan prepared by a developmental disabilities professional with other professionals as a team, for an individual with developmental disabilities, which shall state:

(a) The nature of the person's specific problems, prior charged criminal behavior, and habilitation needs;

(b) The conditions and strategies necessary to achieve the purposes of habilitation;

(c) The intermediate and long-range goals of the habilitation program, with a projected timetable for the attainment;

(d) The rationale for using this plan of habilitation to achieve those intermediate and long-range goals;

(e) The staff responsible for carrying out the plan;

(f) Where relevant in light of past criminal behavior and due consideration for public safety, the criteria for proposed movement to less-restrictive settings, criteria for proposed eventual discharge from involuntary confinement, and a projected possible date for discharge from involuntary confinement; and

(g) The type of residence immediately anticipated for the person and possible future types of residences.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, specifically increasing funding for additional regional support networks and referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void."

On page 1, line 1 of the title, after "networks;" strike the remainder of the title and insert "amending RCW 71.24.035; reenacting and amending RCW 71.05.020; and creating a new section."

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Leonard, Raiter and Winsley.

Absent: Representatives Brekke and Padden.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6348 Prime Sponsor, Committee on Transportation: Permitting temporary-use nonpneumatic spare tires. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Jones, Kremen, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Gallagher, Heavey, Jones and Prince.

Passed to Committee on Rules for second reading.

February 22, 1990

E2SSB 6352 Prime Sponsor, Committee on Ways & Means: Establishing the fair start program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Peery, Chair; G. Fisher, Vice Chair; Betrozoff, Ranking Republican Member; Brumsickle, Cole, Dorn, Holland, Horn, Jones, P. King, Phillips, Pruitt, Rasmussen, Rayburn, Schoon, Valle, Walker and K. Wilson.

Absent: Representatives Peery, Chair; Fuhrman and Phillips.

Referred to Committee on Appropriations.

February 23, 1990

SB 6353 Prime Sponsor, Senator Barr: Revising provisions for the horticultural pest and disease board. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendment:

On page 1, beginning on line 18, after "person," strike all material through "situated," on page 2, line 35 and insert "Any action that the board determines requires the destruction of infested plants, absent the consent of the owner, shall be subject to the provisions of subsection (3) of this section."

(3) In the event the owner of land fails to control and prevent the spread of horticultural pests and diseases as required by RCW 15.09.060, and the county horticultural pest and disease board determines that actions it has taken to control and prevent the spread of such pests or diseases has not been effective or the county horticultural pest and disease board determines that no reasonable measures other than removal of the plants will control and prevent the spread of such pests or diseases, the county horticultural pest and disease board may petition the superior court of the county in which the property is situated for an order directing the owner to show cause why the plants should not be removed at the owner's expense and for an order authorizing removal of said infested plants. The petition shall state: (a) The legal description of the property on which the plants are located; (b) the name and place of residence, if known, of the owners of said property; (c) that the county horticultural pest and disease board has, through its officers or agents, inspected said property and that the plants thereon, or some of them, are infested with a horticultural pest or disease as defined by RCW 15.08.010; (d) the dates of all notices and orders delivered to the owners pursuant to this section; (e) that the owner has failed to control and prevent the spread of said horticultural pest or disease; and (f) that the county horticultural pest and disease board has determined that the measures taken by it have not controlled or prevented the spread of the pest or disease or that no reasonable measure can be taken that will control and prevent the spread of such pest or disease except removal of the plants. The petition shall request an order directing the owner to appear and show cause why the plants on said property shall not be removed at the expense of the owner, to be collected as provided in this chapter. The order to show cause shall direct the owner to appear on a date certain and show cause, if any he or she has, why the plants on the property described in the petition should not be removed at the owner's expense. The order to show cause and petition shall be served on the owner not less than five days before the hearing date specified in the order in the same manner as a summons and complaint. In the event the owner fails to appear or fails to show by competent evidence that the horticultural pest or disease has been controlled, then the court shall authorize the county horticultural pest and disease board to remove the plants at the owner's expense, to be collected as provided by this chapter. If the procedure provided herein is followed, no action for damages for removal of the plants shall lie against the county horticultural pest and disease board, its officers or agents, or the county in which it is situated.

(4) As used in this section, 'destroy' means destroy or remove, or both remove and destroy."

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Chandler, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representative Baugher.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6356 Prime Sponsor, Senator West: Amending health care authority provisions. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Chandler, Morris and Sprenkle.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6370 Prime Sponsor, Senator von Reichbauer: Changing provisions relating to changing the name of a city or town. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 35.62 RCW to read as follows:

The question of whether the name of a city or town shall be changed shall be presented to the voters of the city or town upon either: (1) The adoption of a resolution by the city or town council proposing a specific name change; or (2) the submission of a petition proposing a specific name change that has been signed by voters of the city or town equal in number to at least ten percent of the total number of voters of the city or town who voted at the last municipal general election.

The election on changing the name of the city or town shall be held at the next general election occurring sixty or more days after the resolution was adopted, or the resolution was submitted that has been certified by the county auditor as having sufficient valid signatures.

NEW SECTION, Sec. 2. A new section is added to chapter 35.62 RCW to read as follows:

Where only one new name has been proposed by petition or resolution such question shall be in substantially the following form:

'Shall the name of the city (or town) of (insert name) be changed to the city (or town) of (insert the proposed new name) ?

Yes

No

If a majority of the votes cast favor the name change, the city or town shall have its name changed effective thirty days after the certification of the election results.

NEW SECTION, Sec. 3. A new section is added to chapter 35.62 RCW to read as follows:

Where more than one name is proposed by either petition or resolution, the question shall be separated into two separate parts and shall be in substantially the following form:

'Shall the name of the city (or town) of (insert name) be changed?

Yes

No

'If a name change is approved, which of the following should be the new name?

(insert name)

(insert name)

Vote for one.

Voters may select a name change whether or not they vote in favor of changing the name of the city or town. If a majority of the votes cast on the first proposition favor changing the name, the name that receives at least a majority of the total number of votes cast for an alternative name shall become the new name of the city or town effective thirty days after the certification of the election results.

If no alternative name receives a simple majority vote, then an election shall be held at the next November special election date, at which voters shall be given the option of choosing which of the two alternative names that received the most votes shall become the new name of the city or town. This ballot proposition shall be worded substantially as follows:

'Which of the following names shall become the new name of the city (or town) of

(insert name) ?

(insert name)

(insert name)

Vote for one.

The name that receives the majority vote shall become the new name of the city or town effective thirty days after the certification of the election results.

NEW SECTION, Sec. 4. The following acts or parts of acts are each repealed:

- (1) Section 35.62.020, chapter 7, Laws of 1965 and RCW 35.62.020;
- (2) Section 35.62.030, chapter 7, Laws of 1965 and RCW 35.62.030;
- (3) Section 35.62.040, chapter 7, Laws of 1965 and RCW 35.62.040; and
- (4) Section 35.62.050, chapter 7, Laws of 1965 and RCW 35.62.050."

On page 1, line 1 of the title, after "changes;" strike the remainder of the title and insert "adding new sections to chapter 35.62 RCW; and repealing RCW 35.62.020, 35.62.030, 35.62.040, and 35.62.050."

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Absent: Representative Nelson.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6381 Prime Sponsor, Committee on Financial Institutions & Insurance: Changing multiple insurance statutes. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Chandler, Ranking Republican Member; Anderson, Beck, Crane, Day, Dorn, Inslee, Schmidt and Winsley.

Absent: Representatives Chandler, Ranking Republican Member; Baugher, P. King, Nutley and K. Wilson.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6383 Prime Sponsor, Committee on Economic Development & Labor: Promoting labor-management cooperation on the industrial insurance system. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Cole, Vice Chair; Smith, Ranking Republican Member; Forner, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

MINORITY recommendation: Without recommendation. Signed by Representatives Vekich, Chair; and Jones.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6388 Prime Sponsor, Senator von Reichbauer: Regarding the cancellation of insurance. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Baugher, Beck, Crane, Day, Dorn and Winsley.

Absent: Representatives Chandler, Ranking Republican Member; Anderson, P. King, Nutley, Schmidt and K. Wilson.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6399 Prime Sponsor, Senator Barr: Requiring employer compliance with the office of support enforcement. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 9, chapter 435, Laws of 1987 and RCW 26.23.080 are each amended to read as follows:

~~((No employer shall discipline or discharge an employee or refuse to hire a person by reason of an action authorized in this chapter. If an employer disciplines or discharges an employee or refuses to hire a person in violation of this section, the employee or person shall~~

~~have a cause of action against the employer. The employer shall be liable for double the amount of lost wages and any other damages suffered as a result of the violation and for costs and reasonable attorney fees, and shall be subject to a civil penalty of not more than two thousand five hundred dollars for each violation.;~~) (1) The legislature finds that most employers are supportive of the state's efforts to collect child support payments and are willing to assist the state in the collection of these payments as required by RCW 26.23.060. The legislature further finds that employers serve the public interest by employing persons who are attempting to comply with the ordered payment of child support in fulfillment of the provisions of RCW 26.23.060 and by helping with the collection of those obligations. It is the legislature's intent that employers be encouraged to hire and retain such persons, and that the office of support enforcement cooperate with and provide assistance to employers who wish to hire and retain such persons and who wish to help with such collection.

(2) It is unlawful for an employer to discipline or discharge an employee or refuse to employ any individual because of the existence of a withholding obligation under RCW 26.23.060. If an employer violates the provisions of this section, an employee may bring a civil action for the recovery of lost wages and other damages suffered as a result of the violation and for costs and reasonable attorneys' fees. The court may fine the employer for a violation of this section in an amount not to exceed two hundred fifty dollars. The employer may also be ordered to hire, rehire, or reinstate the aggrieved individual.

Sec. 2. Section 10, chapter 435, Laws of 1987 and RCW 26.23.090 are each amended to read as follows:

(1) The employer shall be liable to the Washington state support registry for one hundred percent of the amount of the support debt, or the amount of support moneys which should have been withheld from the employee's earnings, whichever is the lesser amount, if the employer:

(a) Fails or refuses, after being served with a notice of payroll deduction, to deduct and promptly remit from unpaid earnings the amounts of money required in the notice: ((or))

(b) Fails or refuses to submit an answer to the notice of payroll deduction after being served; or

(c) Is unwilling to comply with the other requirements of RCW 26.23.060.

(2) Liability may be established in superior court or may be established pursuant to RCW 74.20A.270. Awards in superior court and in actions pursuant to RCW 74.20A.270 shall include costs, interest under RCW 19.52.020 and 4.56.110, and reasonable attorney fees and staff costs as a part of the award. Debts established pursuant to this section may be collected pursuant to chapter 74.20A RCW utilizing any of the remedies contained in that chapter."

On page 1, line 2 of the title, after "enforcement;" strike the remainder of the title and insert "amending RCW 26.23.080 and 26.23.090; and prescribing penalties."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher, Brough and Wineberry.

Voting nay: Representatives Belcher, Brough and R. Meyers.

Absent: Representatives Dellwo and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6402 Prime Sponsor, Committee on Health & Long-Term Care: Continuing the board of pharmacy and modifying licensures. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Chandler, Morris and Sprenkle.

Passed to Committee on Rules for second reading.

February 23, 1990

ESB 6411 Prime Sponsor, Senator Lee: Establishing an employment training program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. The legislature finds that demographic and economic changes are causing an increasing shortage of well trained workers within Washington. The working age

population is growing at a decreasing rate due to the aging of the post World War II baby boom generation and due to a lower rate of birth. The current economic boom in the state is aggravating this long-term trend by lowering the rate of unemployed individuals seeking work. Because of the developing labor shortage, Washington businesses increasingly need to employ individuals from demographic groups which have been traditionally underrepresented among the employed population. Many of these and other individuals need training in order to have the skills required by employers. Despite economic growth, significant unemployment remains a serious and persistent problem in many areas of the state. By making first rate training available to individuals who lack suitable skills for employment in well-paying careers, the state will enhance employment opportunities for low-income individuals, unemployed persons, dislocated workers, and others enabling more citizens of the state to enjoy our economic prosperity.

The legislature further finds that our state's businesses have a growing need for highly trained workers because of the increasing technological complexity of occupations and due to increasing world market competition. Because of these technical and economic changes, businesses in the future will need to fully utilize the capacities of their workers for skilled, flexible, and intelligent work.

The legislature further finds that the vast majority of the work force for the year 2000 and beyond is already of the age eighteen years or older. For the work force of the future to be well trained will require a first-rate adult training system. This system will need to train those individuals who are entering and reentering the labor market and those individuals already employed who need new or updated skills to meet changing technological and economic conditions. For the training system to be first rate will require a system that is well coordinated between service providers, is accountable for its performance, and is responsive to the needs of businesses and the work force. The training system must emphasize training in broad-based skills with long-term career potential. For the state to have a first rate training system requires a thorough study of our present and future training needs; experimentation in new ways of providing training; and leadership and recommendations from representatives of business, workers, and training providers.

The legislature further finds that adults without the basic skills needed for training in job skills are more likely to need unemployment compensation and welfare payments, and to fill our state's correctional institutions. The legislature intends to assess adult educational opportunities in the state for adults lacking basic literacy skills, for adults who have not received a high school diploma, and for adults who have received a high school diploma but whose level of achievement, based on standard measures, indicates that additional basic skills are necessary in order to enter a job training program.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this act.

(1) 'Basic literacy' means achievement at a tenth grade educational level as measured by standardized tests.

(2) 'Council' means the advisory council on investment in human capital.

(3) 'Training' means any education, literacy, or skill training or retraining activity that is needed by an individual to begin or continue full participation in the Washington work force.

(4) 'Training system' means the network of public and private providers of training, and includes secondary vocational education programs for gainful employment upon completion of a designated program sequence, but not other programs of primary or secondary education.

(5) 'Training providers' includes agencies and institutions of secondary vocational education programs for gainful employment upon completion of a designated program sequence, adult education, vocational technical institutes, community colleges, apprenticeship programs, private and public nonprofit organizations that are representative of communities or significant segments of communities and provide job training services, and private for-profit organizations that provide training as their primary service.

(6) 'Workforce' means all persons of working age including those who are currently gainfully employed and those who are not.

NEW SECTION, Sec. 3. (1) There is created the advisory council on investment in human capital. The council shall consist of ten voting members, nine nonvoting members, and a nonvoting chairperson. The governor shall appoint the members of the council except for the legislative members. Three of the voting members shall be representatives of business, and three of the voting members shall be representatives of labor. Four of the voting members shall be the state superintendent of public instruction or the superintendent's designee, the executive director of the state board for community college education or the director's designee, the commissioner of the department of employment security or the commissioner's designee, and the director of the department of labor and industries or the director's designee. The nine nonvoting members shall be a member from each of the two major caucuses in the house of representatives appointed by the speaker of the house, a member from each of the two major caucuses in the senate appointed by the president of the senate, a representative of the council of vocational technical institutes, a representative of the general public, a representative of a

broad-based coalition of groups providing literacy services, a representative of private or public nonprofit organizations that are representative of communities or significant segments of communities and provide job training services, and a representative of private for-profit organizations which provide job training services as their primary service. The governor or the governor's designee shall serve as the nonvoting chairperson of the council.

(2) The council shall advise the office of financial management concerning the study of training authorized under section 4 of this act.

(3) The council shall advise the office of financial management and other appropriate state agencies concerning the pilot programs established under sections 5 through 9 of this act.

(4) The council shall make recommendations on changes necessary in state policies for training to the office of financial management and to the governor by December 1, 1990.

(5) The office of financial management and the office of the governor shall provide staff to the council as necessary to carry out the purposes of this act.

(6) The council shall meet as necessary to carry out the purposes of this act, and council members shall be reimbursed for travel expenses in accordance with RCW 43.03.050 and 43.03.060, or 44.04.120.

NEW SECTION. Sec. 4. (1) The office of financial management shall, with the advice of the council, administer a study of the training needs of the state's work force, businesses, and the economy, including an evaluation of the training system. The office of financial management shall complete the study by December 1, 1990, and present the study to the council and governor. For purposes of the study, the office of financial management shall use already existing data whenever appropriate. As necessary, the labor market and economic analysis unit of the department of employment security shall assist the office of financial management with labor market and economic data, and state agencies that provide training shall assist the office of financial management with data on their training programs. The director of the office of financial management may contract for services necessary for the completion of the study, and shall contract for services as necessary to ensure objectivity in evaluating the training system. The study shall include:

(2) An assessment of the employment competency needs of the present Washington work force, including regional and demographic subgroups of the state work force, and projections of these competencies to the year 2010. Employment competency needs shall include, but not be limited to, literacy, basic skills, and vocational skills;

(3) An assessment of the current work force skill needs of Washington businesses and public employers, including subgroups by region, industry, and firm size, and projections of these needs to the year 2010. Work force skill needs shall include, but not be limited to, literacy, basic skills, and vocational skills;

(4) An assessment of the gaps which may exist between the competencies of the work force and the work force skill needs of Washington businesses between now and the year 2010 given current training policies;

(5) An assessment of the characteristics, size, and geographic distribution of Washington population groups which are in need of training between now and the year 2010;

(6) An inventory and analysis of alternative training programs, policies, and funding mechanisms including, but not limited to, financial contributions from businesses, workers, and trainees, which have been proposed or are in use in other states or other nations;

(7) An assessment of current data, information, monitoring, and evaluation systems so that training needs and training providers may be assessed on an ongoing, systematic, objective, and comprehensive basis. This assessment shall include integrating an evaluation component into each of the pilot programs authorized under sections 5 through 9 of this act;

(8) An inventory and analysis of the current training system in terms of organization, including the governance of vocational technical institutes, coordination, responsiveness, accountability, effectiveness, resources, support services for trainees, including but not limited to child care, and access, including access for subgroups of the population, including but not limited to subgroups by gender, race, ethnicity, and income level, and an inventory of training provided by employers whose primary product is not training;

(9) An analysis of current training programs to enable women and minorities to enter occupations and industries in which women and minorities have traditionally been underrepresented, and ways of improving such training;

(10) Recommendations for reducing the percentage of the adult population lacking basic literacy skills to five percent by the year 2010. The recommendations shall provide a framework for interagency collaboration and include:

(a) Recommendations on state policies and objectives to guide the adult literacy activities of the state;

(b) Recommendations on strategies and criteria for coordinating and enhancing adult literacy activities, programs, and services to achieve recommended state policies and objectives, meet the basic skill needs of the adult population, and maximize available state and local resources and expertise devoted to literacy training;

(c) Recommendations on methods to identify and recruit adults lacking basic literacy skills for placement in literacy training programs; and

(d) Recommendations on evaluation criteria to be used to assess literacy program successes and monitor compliance with recommended state policies and objectives;

(11) Recommendations on improving the overall governance of vocational education in this state, including but not limited to:

(a) Recommendations regarding establishing new state agencies or designating existing agencies to be responsible for coordinating vocational education;

(b) Recommendations on who should be assigned responsibility for those duties assigned by statute and delegated by executive order to the coordinating council for occupational education, the commission for vocational education, the state board for vocational education, the job training councils of the employment security department, and the council on vocational education; and

(c) Determination of ways to effectively develop a comprehensive state plan for vocational education and coordinate vocational education programs; and

(12) Recommendations on changes in the training system, including but not limited to ways of improving coordination and integration to meet the present and future needs of the work force, businesses, and the economy.

NEW SECTION, Sec. 5. The office of financial management and the office of the governor, with the advice of the council, shall oversee the pilot programs for job training. The pilot programs shall test means of integrating delivery systems and improving the responsiveness of training providers to the needs of businesses and the work force. Each pilot program shall integrate an evaluation component in conjunction with the study conducted under section 4 of this act.

NEW SECTION, Sec. 6. The state board for community college education shall, in cooperation with the office of financial management, administer pilot programs which provide additional community college training programs incorporating new means of responding to the needs of businesses and the work force. The state board for community college education shall, as appropriate, coordinate these projects with the economic development services provided by the department of trade and economic development and the department of employment security.

NEW SECTION, Sec. 7. The employment security department shall conduct a pilot program for the provision of training and access to related services for workers in timber or wood products industries who have been dislocated from rural firms, or for workers dislocated from rural firms, employing fifty or fewer persons on a full-time basis.

NEW SECTION, Sec. 8. The department of employment security shall, in cooperation with the office of financial management and other appropriate state agencies, administer a pilot program on integrating training services with programs for substance abuse prevention and or treatment for youth.

NEW SECTION, Sec. 9. The superintendent of public instruction shall administer a pilot program on integrating adult education instruction within vocational technical institutes. Under this pilot program the vocational technical institutes shall provide two hundred thousand additional hours of adult education instruction.

NEW SECTION, Sec. 10. The legislature finds that school districts may provide vocational education programs for students more effectively through cooperatives using existing district facilities, facilities at work sites, and facilities including but not limited to mobile instructional units, distance learning, and computers, without the need to construct separate facilities. It is the intent of the legislature to encourage such cooperatives among school districts on a demonstration basis.

NEW SECTION, Sec. 11. The superintendent of public instruction may establish a grant award program to establish demonstration vocational cooperatives for the purposes of sections 10 through 16 of this act. Grants may be awarded for not more than three projects. The cooperatives approved should include projects in urban and rural areas and districts of varying characteristics and size.

NEW SECTION, Sec. 12. Initial applications to participate in the demonstration vocational cooperative program shall be submitted to the superintendent of public instruction not later than June 30, 1990. Each application shall contain a proposed plan that:

- (1) Explains how the plan meets the criteria;
- (2) Describes specific activities to be carried out;
- (3) Identifies the evaluation processes to be used; and
- (4) Includes a copy of the agreement for joint cooperative action pursuant to chapter 39.34 RCW.

NEW SECTION, Sec. 13. The superintendent of public instruction shall administer sections 10 through 16 of this act subject to legislative appropriation for this purpose. The superintendent shall approve requests based on criteria established by the superintendent and notify districts of grant awards on or before August 1, 1990. The demonstration vocational cooperative projects shall begin with the 1990-91 school year. The grant awards may be continued for up to five years if the funds are so provided.

NEW SECTION, Sec. 14. The grant awards for such demonstration vocational cooperatives shall be based on an allocation which includes:

(1) The same amount as would be calculated pursuant to RCW 28A.41.140 for a skill center with the same full time equivalent enrollment; and

(2) An amount to compensate the serving districts for costs to administer the cooperatives pursuant to standards established by the superintendent of public instruction.

NEW SECTION. Sec. 15. Following the completion of each year of operation, each demonstration vocational cooperative shall submit an evaluation of the cooperative program to the superintendent of public instruction in accordance with requirements of the superintendent. On or before July 1, 1992, the superintendent of public instruction shall submit a report to the education committees and the economic development committees of the house of representatives and the senate including the cooperative evaluations and recommendations concerning the continuation of this program.

NEW SECTION. Sec. 16. The superintendent of public instruction shall adopt rules under chapter 34.05 RCW if necessary to implement the superintendent's duties under sections 10 through 15 of this act.

NEW SECTION. Sec. 17. 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. 18. This act shall expire on July 1, 1992.

NEW SECTION. Sec. 19. (1) If funding for the purposes of section 4 of this act, referencing this act by bill number, is not provided by June 30, 1990, in the supplemental omnibus appropriations act, section 4 of this act shall be null and void.

(2) If funding is not provided for any of the pilot programs described in sections 5 through 16 of this act, referencing this act by bill number, is not provided by June 30, 1990, in the supplemental omnibus appropriations act, the section or sections describing that pilot program shall be null and void.

NEW SECTION. Sec. 20. 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 shall take effect immediately."

On page 1, line 1 of the title, after "capital;" strike the remainder of the title and insert "creating new sections; providing an expiration date; and declaring an emergency."

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Referred to Committee on Appropriations.

February 22, 1990

2SSB 6418 Prime Sponsor, Committee on Ways & Means: Expanding rural health care opportunities. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

"PART I

NEW SECTION. Sec. 1. The legislature finds that a health care access problem exists in rural areas of the state due to a lack of practicing physicians, physician assistants, and advanced registered nurse practitioners. In addition, many of these rural providers are unable to leave the community for short-term periods of time to attend required continuing education training or for personal matters because their absence would leave the community without adequate medical care coverage. The lack of adequate medical coverage in geographically remote rural communities constitutes a threat to the health and safety of the people in those communities.

The legislature declares that it is in the public interest to recruit and maintain a pool of physicians, physician assistants, pharmacists, and advanced registered nurse practitioners willing and able on short notice to practice in rural communities on a short-term basis to meet the medical needs of the community.

NEW SECTION. Sec. 2. The department shall establish the health professional temporary substitute resource pool. The purpose of the pool is to provide short-term physician, physician assistant, pharmacist, and advanced registered nurse practitioner personnel to rural communities where these health care providers:

(1) Are unavailable due to provider shortages;
(2) Need time off from practice to attend continuing education and other training programs; and

(3) Need time off from practice to attend to personal matters or recover from illness.

The health professional temporary substitute resource pool is intended to provide short-term assistance and should complement active health provider recruitment efforts by rural communities where shortages exist.

NEW SECTION. Sec. 3. (1) The department, in cooperation with University of Washington school of medicine, the state's registered nursing programs, and other appropriate public and

private agencies and associations, shall develop and keep current a register of physicians, physician assistants, pharmacists, and advanced registered nurse practitioners who are available to practice on a short-term basis in rural communities of the state. The department shall periodically screen individuals on the registry for violations of the uniform disciplinary act as authorized in chapter 18.130 RCW. If a finding of unprofessional conduct has been made by the appropriate disciplinary authority against any individual on the registry, the name of that individual shall be removed from the registry and that person shall be made ineligible for the program. The department shall include a list of back-up physicians and hospitals who can provide support to health care providers in the pool. The register shall be compiled, published, and made available to all rural hospitals, public health departments and districts, and other appropriate public and private agencies and associations. The department shall coordinate with existing entities involved in health professional recruitment when developing the registry for the health professional temporary substitute resource pool.

(2) Eligible health care professionals are those licensed under chapters 18.57, 18.57A, 18.64, 18.71, and 18.71A RCW and advanced registered nurse practitioners licensed under chapter 18.88 RCW.

(3) Participating health care professionals shall receive:

(a) Reimbursement for travel to and from the rural community and for lodging at a rate determined under RCW 43.03.050 and 43.03.060;

(b) Medical malpractice insurance purchased by the department, or the department may reimburse participants for medical malpractice insurance premium costs for medical liability while providing health care services in the program, if the services provided are not covered by the participant's or local provider's existing medical malpractice insurance; and

(c) Information on back-up support from other physicians and hospitals in the area to the extent necessary and available.

(4) The department may require rural communities to participate in health professional recruitment programs as a condition for providing a temporary substitute health care professional if the community does not have adequate permanent health care personnel. To the extent deemed appropriate and subject to funding, the department may also require communities to participate in other programs or projects, such as the rural health system project authorized by this chapter, that are designed to assist communities to reorganize the delivery of rural health care services.

(5) The department may require a community match for assistance provided in subsection (3) of this section if it determines that adequate community resources exist.

(6) The maximum continuous period of time a participating health professional may serve in a community is ninety days. The department may modify or waive this limitation should it determine that the health and safety of the community warrants a waiver or modification. The community shall be responsible for all salary expenses of participating health professionals.

NEW SECTION. Sec. 4. (1) Requests for a temporary substitute health care professional may be made to the department by the local rural hospital, public health department or district, community health clinic, local practicing physician, physician assistant, pharmacist, or advanced registered nurse practitioner, or local city or county government.

(2) The department shall:

(a) Establish a manner and form for receiving requests;

(b) Minimize paperwork and compliance requirements for participant health care professionals and entities requesting assistance; and

(c) Respond promptly to all requests for assistance.

(3) The department may apply for, receive, and accept gifts and other payments, including property and services, from any governmental or other public or private entity or person, and may make arrangements as to the use of these receipts to operate the pool. The department shall make available upon request to the appropriate legislative committees information concerning the source, amount, and use of such gifts or payments.

PART II

NEW SECTION. Sec. 5. The legislature finds that the lack of primary care physicians in some rural areas of the state and the critical shortage of maternity care services adversely affect access to basic health care services. Rural areas often require more services because the health care needs are greater due to poverty or because these areas are difficult to service due to geographic circumstances. The legislature further finds that encouraging primary care physicians to serve in rural areas of the state and midwives to serve in midwife shortage areas is essential to assure continued access to basic health care services. Studies suggest that physicians recruited from rural areas or physicians who have resident and intern experience in a rural setting tend to make a long-term commitment as rural physicians. The legislature declares that whenever possible rural communities should take an active part in identifying prospective medical students from the local rural community or other rural areas. In this way the community and the prospective physician can form a mutual commitment prior to the individual acquiring a medical education.

The legislature further finds that midwives serve as an important provider of prenatal, interpartum, and postpartum care. Training individuals to become midwives can serve to

address the current shortage of providers. The legislature declares that it is in the best interest of the people in this state to promote the availability of midwife services through activities that lead to the recruitment and training of midwives.

NEW SECTION, Sec. 6. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter.

- (1) 'Board' means the higher education coordinating board.
- (2) 'Department' means the department of health.
- (3) 'Eligible expenses' means legitimate expenses associated with the costs of acquiring an education such as tuition, books, equipment, fees, room and board, and other expenses determined by the department.
- (4) 'Eligible student' means a student who has been accepted into: (a) A program leading to eligibility for licensure as a physician under chapter 18.71 RCW, osteopathic physician or surgeon under chapter 18.57 RCW, or pharmacist under chapter 18.64 RCW, and has a declared intention to serve as a primary care physician in a rural area in the state of Washington upon completion of the educational program; or (b) a program leading to eligibility for licensure as a midwife under chapter 18.50 RCW, or certification by a graduate nurse training program as an advanced registered nurse practitioner certified nurse midwife, licensed as a registered nurse under chapter 18.88 RCW and has a declared intention to serve as a midwife in a midwife shortage area in the state of Washington upon completion of the education program.

(5) 'Forgiven' or 'to forgive' or 'forgiveness' means to render physician services in a rural area or midwifery services in a midwife shortage area in the state of Washington in lieu of monetary repayment.

(6) 'Medical school' means a medical school or school of osteopathic medicine and surgery accredited by an accrediting association recognized as such in rule by the department.

(7) 'Midwife shortage area' means a geographic area of the state of Washington where: (a) Maternity services are in short supply to the extent to jeopardize favorable birth outcomes for babies born in the area, and (b) midwifery services could help alleviate the shortage. The department shall identify midwife shortage areas consistent with the state-wide midwife access plan provided for in section 14 of this act.

(8) 'Midwife training program' means a training program that leads to licensure as a midwife in the state of Washington or certification as a nurse-midwife who is qualified to practice as an advanced registered nurse practitioner under chapter 18.88 RCW. The department shall approve training programs by rule under chapter 34.05 RCW.

(9) 'Nonshortage rural area' means a nonurban area of the state of Washington that has not been designated as a rural physician shortage area. The department shall identify the nonshortage rural areas of the state.

(10) 'Participant' means an eligible student who has received a scholarship under this chapter.

(11) 'Pharmacy school' means a pharmacy school accredited by an accrediting association recognized as such in rule by the department.

(12) 'Program' means the rural physician and midwife scholarship program.

(13) 'Prospective medical student' means an individual identified by a sponsoring community who is seeking admission to a school of medicine or osteopathic school of medicine.

(14) 'Rural areas' means a rural area in the state of Washington as identified by the department.

(15) 'Rural physician shortage area' means rural geographic areas where primary care physicians are in short supply as a result of geographic maldistributions and where their limited numbers jeopardize patient care and pose a threat to public health and safety. The department shall designate rural physician shortage areas.

(16) 'Satisfied' means paid-in-full.

(17) 'Scholarship' means a loan that is forgiven in whole or in part if the recipient renders: (a) Physician service as a primary care physician in a rural area of the state; or (b) midwifery services as a licensed midwife or certified nurse midwife in a midwife shortage area.

(18) 'Sponsoring community' means a rural hospital or hospitals as authorized in chapter 70.41 RCW, a rural health care facility or facilities as authorized in chapter 70.175 RCW, or a city or county government or governments.

NEW SECTION, Sec. 7. The rural physician and midwife scholarship program is established for students pursuing medical and midwifery training. The program shall be administered by the board in consultation with the department, the school of medicine at the University of Washington and other appropriate private and public entities. In administering the program, the board shall have the following powers and duties:

(1) Select students to receive scholarships to attend schools of medicine, schools of osteopathic medicine, schools of pharmacy, or training programs in midwifery with the assistance of a screening committee;

(2) Adopt rules and guidelines to implement this chapter;

(3) Publicize the program, particularly emphasizing individuals residing in rural and midwifery shortage rural areas of the state;

(4) Collect and manage repayments from students who do not meet their services obligations under this chapter;

(5) Solicit and accept grants and donations from public and private sources for the program; and

(6) Develop criteria for a contract for service in lieu of the five-year service where appropriate, that may be a combination of service and payment.

NEW SECTION. Sec. 8. (1) The board shall establish a planning committee to develop criteria for the screening and selection of recipients of the scholarships. The planning committee shall be comprised of at least representatives from the following entities: Rural physicians and hospitals, health care clinics, local health districts and departments, agencies involved in physician recruitment, the department, the University of Washington school of medicine, licensed and certified nurse midwives, pharmacists, and other entities involved in rural health and midwifery issues.

(2) For prospective physicians, the selection criteria shall include requirements that recipients declare an interest in serving in rural areas of the state of Washington. Preference for scholarships shall be given to students who reside in rural areas of the state prior to admission to the medical training program. Highest preference shall be given to students seeking admission who are recommended by sponsoring communities and who declare the intent of serving as a physician in a rural area.

(3) For prospective midwives, the selection criteria shall include requirements that the recipient declare an interest in serving in midwife shortage areas of the state of Washington.

(4) For prospective pharmacists, the selection shall include requirements that recipients declare an interest in serving in the rural areas of the state of Washington.

NEW SECTION. Sec. 9. A new section is added to Title 28B RCW to read as follows:

The school of medicine at the University of Washington shall develop and implement a policy to grant admission preference to prospective medical students from rural areas of the state who agree to serve for at least five years as primary care physicians in rural areas of Washington after completion of their medical education and have applied for and meet the qualifications of the program under section 7 of this act. Should the school of medicine be unable to fill any or all of the admission openings due to a lack of applicants from rural areas who meet minimum qualifications for study at the medical school, it may admit students not eligible for preferential admission under this section.

NEW SECTION. Sec. 10. The board may award scholarships to eligible students from the funds appropriated to the board for this purpose, or from any private donations, or any other funds given to the board for this program. Scholarships for physicians may be awarded contingent upon acceptance to a medical school. The amount of the scholarship awarded an individual shall not exceed fifteen thousand dollars per academic year for physicians and four thousand dollars per academic year for midwives and pharmacists. Scholarship awards are intended to meet the eligible financial expenses of eligible students. Students are eligible to receive scholarships for a maximum of five years for physicians and three years for midwives while continually enrolled in an approved medical school or midwifery training program. The board may require the sponsoring community located in a nonshortage rural area to financially contribute to the eligible expenses of a medical student if the student will serve in the nonshortage rural area.

NEW SECTION. Sec. 11. The department may provide technical assistance to rural communities desiring to become sponsoring communities. Such assistance should include, but not be limited to: The identification of prospective students, assisting prospective students to apply to medical school and midwifery training programs, making formal agreements with prospective medical students to provide future primary care physician services in the community, forming agreements between rural communities in a service area to share physician and midwifery services, and fulfilling any matching requirements.

NEW SECTION. Sec. 12. In providing health care services the participant shall not discriminate against any person on the basis of the person's ability to pay for such services or because payment for the health care services provided to such persons will be made under the insurance program established under part A or B of Title XVIII of the federal social security act or under a state plan for medical assistance including Title XIX of the federal social security act and agrees to accept assignment under section 18.42(b)(3)(B)(ii) of such act for all services for which payment may be made under part B of Title XVIII and enters into an appropriate agreement with the department of social and health services for medical assistance under Title XIX to provide services to individuals entitled to medical assistance under the plan. Participants found by the board or the department in violation of this section shall be declared ineligible for receiving assistance under the program authorized by this chapter.

NEW SECTION. Sec. 13. (1) Participants in the program incur an obligation to repay the scholarship, with interest set by state law, unless they serve for five years in rural areas or midwife shortage areas of the state of Washington.

(2) The terms of the repayment, including deferral of the interest, shall be consistent with the terms of the federal guaranteed loan program.

(3) The period for repayment shall be three years, with payments accruing quarterly commencing nine months from the date the participant completes or discontinues the course of study or completes or discontinues the required residency.

(4) The entire principal and interest of each payment shall be forgiven for each payment period in which the participant serves in a rural area or a midwife shortage area until the entire repayment obligation is satisfied or the borrower ceases to so serve. Should the participant cease to serve in a rural area or midwife shortage area of this state before the participant's repayment obligation is completed, payments on the unsatisfied portion of the principal and interest shall begin the next payment period and continue until the remainder of the participant's repayment obligation is satisfied. Except for circumstances beyond their control, participants who serve less than five years shall be obliged to repay to the program an amount equal to twice the total amount paid by the program on their behalf in addition to the unsatisfied portion of principal and interest required by this section.

(5) The board is responsible for collection of repayments made under this section and shall exercise due diligence in such collection, maintaining all necessary records to ensure that maximum repayments are made. Collection and servicing of repayments under this section shall be pursued using the full extent of the law, including wage garnishment if necessary, and shall be performed by entities approved for such servicing by the Washington student loan guaranty association or its successor agency. The board is responsible to forgive all or parts of such repayments under the criteria established in this section and shall maintain all necessary records of forgiven payments.

(6) Receipts from the payment of principal or interest or any other subsidies to which the board as administrator is entitled, which are paid by or on behalf of participants under this section, shall be deposited with the board and shall be used to cover the costs of granting the scholarships, maintaining necessary records, and making collections under subsection (5) of this section. The board shall maintain accurate records of these costs, and all receipts beyond those necessary to pay such costs shall be used to grant scholarships to eligible students.

(7) Sponsoring communities who financially contribute to the eligible financial expenses of eligible medical students may enter into agreements with the student to require repayment should the student not serve the minimum of five years in the community as a primary care physician. The board may develop criteria for the content of such agreements with respect to reasonable provisions and obligations between communities and eligible students.

(8) The board may make exceptions to the conditions for participation and repayment obligations should circumstances beyond the control of individual participants warrant such exceptions.

NEW SECTION, Sec. 14. The legislature finds that a shortage of physicians, nurses, pharmacists, and physician assistants exists in rural areas of the state. In addition, many education programs to train these health care providers do not include options for practical training experience in rural settings. As a result, many health care providers find their current training does not prepare them for the unique demands of rural practice.

The legislature declares that the availability of rural training opportunities as a part of professional medical, nursing, pharmacist, and physician assistant education would provide needed practical experience, serve to attract providers to rural areas, and help address the current shortage of these providers in rural Washington.

NEW SECTION, Sec. 15. (1) The department in consultation with at least the higher education coordinating board, the state board for community college education, the superintendent of public instruction, and state-supported education programs in medicine and nursing, shall develop a plan for increasing rural training opportunities for students in medicine and nursing. The plan shall provide for direct exposure to rural health professional practice conditions for students planning careers in medicine and nursing.

(2) The department and the medical and nurse education programs shall:

(a) Inventory existing rural-based clinical experience programs, including internships, clerkships, residencies, and other training opportunities available to students pursuing degrees in nursing and medicine;

(b) Identify where training opportunities do not currently exist and are needed;

(c) Develop recommendations for improving the availability of rural training opportunities;

(d) Develop recommendations on establishing agreements between education programs to assure that all students in medical, pharmacist, and nurse education programs in the state have access to rural training opportunities; and

(e) Review private and public funding sources to finance rural-based training opportunities.

(3) The department shall report to the house of representatives and senate standing committees on health care by December 1, 1990, with their findings and recommendations including needed legislative changes.

NEW SECTION, Sec. 16. The department, in consultation with training programs that lead to licensure in midwifery and certification as a certified nurse midwife, and other appropriate private and public groups, shall develop a state-wide plan to address access to midwifery services.

The plan shall include at least the following: (1) identification of maternity service shortage areas in the state where midwives could reduce the shortage of services; (2) an inventory of current training programs and preceptorship activities available to train licensed and certified nurse midwives; (3) identification of gaps in the availability of training due to such factors as geographic or economic conditions that prevent individuals from seeking training; (4) identification of other barriers to utilizing midwives; (5) identification of strategies to train future midwives such as developing training programs at community colleges and universities, using innovative telecommunications for training in rural areas, and establishing preceptorship programs accessible to prospective midwives in shortage areas; (6) development of recruitment strategies; and (7) estimates of expected costs associated in recruitment and training.

The plan shall identify the most expeditious and cost-efficient manner to recruit and train midwives to meet the current shortages. Plan development and implementation shall be coordinated with other state policy efforts directed toward, but not limited to, maternity care access, rural health care system organization, and provider recruitment for shortage and medically underserved areas of the state.

The department shall submit a copy of the plan to the senate and house of representatives health care committees by December 1, 1990.

NEW SECTION. Sec. 17. By September 1, 1995, the department shall review the continuing need for the program and recommend the need for its continuation. It shall report its findings to the senate and house of representatives committees on health care by December 1, 1995.

NEW SECTION. Sec. 18. A new section is added to chapter 70.175 RCW to read as follows:

The department may develop and implement a rural health care plan and may approve hospital and rural primary care facilities requests to be designated as essential access community hospitals or rural primary care hospitals so that such facilities may form rural health networks to preserve health care services in rural areas and thereby be eligible for federal program funding and enhanced medicare reimbursement.

NEW SECTION. Sec. 19. After consulting with the higher education coordinating board, the governor may transfer the administration of the rural physician, pharmacist, and midwife scholarship program to another agency with an appropriate educational mission.

PART III

NEW SECTION. Sec. 20. The legislature finds that the residents of rural communities are having difficulties in locating and purchasing affordable health insurance. The legislature further finds that many rural communities have sufficient funds to pay for needed services, but those funds are being expended elsewhere causing insufficient funding of local health services. As part of the solution to this problem, rural communities need to be able to structure the financing of local health services to better serve local residents. The legislature further finds that as rural communities need well financed and organized health care, it is in the interest of residents of rural communities that existing unauthorized entities comply with appropriate fiscal solvency standards and consumer safeguards, and that those entities be given an opportunity to come into compliance with existing state laws.

NEW SECTION. Sec. 21. The insurance commissioner shall establish a committee to recommend to the governor and legislature methods to improve the availability of affordable health insurance or coverage in rural communities. The recommendations shall consider (1) the unique and varied nature of rural communities, (2) methods to maximize the retention of local health expenditures in rural communities, (3) the need of rural communities to have sufficient control over the health services in their communities so that they may improve the quality and have the appropriate quantity of those health services, (4) financial stability and consumer protection issues, and (5) the feasibility of such recommendations. The committee shall examine methods of improving the way currently authorized carriers address rural health issues and shall examine the use of alternative arrangements specifically adapted to rural communities including, but not limited to, the use of local service contractors in combination with other entities authorized under Title 48 RCW.

The committee shall include the insurance commissioner or the commissioner's designee and representatives of rural communities, rural health providers, entities authorized under title 48 RCW, the department of health, and other individuals, as appointed by the insurance commissioner.

These recommendations shall be submitted to the governor and legislature no later than November 1, 1990.

The committee established under this section shall dissolve on January 1, 1991.

NEW SECTION. Sec. 22. Unless the context clearly requires otherwise, the definitions in this section apply to section 23 of this act.

(1) 'Rural community' means any grouping of consumers, seventy-five percent of whom reside in areas outside of a standard metropolitan statistical area as defined by the United States bureau of census.

(2) 'Consumer' means any person enrolled and eligible to receive benefits in the rural health care arrangement.

(3) 'Rural health care service arrangement' or 'arrangement' means any arrangement which is established or maintained for the purpose of offering or providing through the purchase of insurance or otherwise, medical, surgical, or hospital care or benefits in the event of sickness, accident, or disability in a rural community, as defined in this section, that is subject to the jurisdiction of the insurance commissioner but is not now a currently authorized carrier.

NEW SECTION. Sec. 23. Rural health care service arrangements existing on the effective date of this act may continue in full operation only so long as they comply with all of the following:

(1) Within ten days following the effective date of this act, all rural health care service arrangements shall inform the insurance commissioner of their intent to apply for approval to operate as an entity authorized under chapter 48.44 RCW or intend to merge with an entity authorized under Title 48 RCW or merge with an entity defined in this section;

(2) The arrangement submits an application for approval as an entity authorized under chapter 48.44 RCW by May 1, 1990;

(3) The arrangement has one hundred thousand dollars on deposit with the insurance commissioner by July 1, 1990;

(4) The arrangement has one hundred fifty thousand dollars on deposit with the insurance commissioner by September 1, 1990; and

(5) The arrangement complies with all reasonable requirements of the insurance commissioner excluding the deposit requirement, except as outlined in this section.

If such rural health care service arrangements fail to comply with any of the above requirements, or if during the application process an entity engages in any activities which the insurance commissioner reasonably determines may cause imminent harm to consumers, the entity may be subject to appropriate legal action by the insurance commissioner pursuant to the authority provided in Title 48 RCW.

A rural health care service arrangement which comes into compliance with Title 48 RCW through the method outlined in this act shall be subject to all applicable requirements of Title 48 RCW except that the deposit requirements shall not be increased until May 1, 1991.

NEW SECTION. Sec. 24. The insurance commissioner, pursuant to chapter 34.05 RCW, may promulgate rules to implement sections 22 and 23 of this act.

NEW SECTION. Sec. 25. The sum of forty-nine thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the insurance commissioner for the purposes of section 21 of this act.

NEW SECTION. Sec. 26. 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 shall take effect immediately.

NEW SECTION. Sec. 27. Sections 20 through 23 of this act shall constitute a new chapter in Title 48 RCW.

NEW SECTION. Sec. 28. Any additional expenditures incurred by the University of Washington from provisions of this act shall be funded from existing financial resources.

NEW SECTION. Sec. 29. Sections 1 through 8, 10 through 17, 19 and 28 of this act shall constitute a new chapter in Title 70 RCW.

NEW SECTION. Sec. 30. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void."

On page 1, line 1 of the title, after "care;" strike the remainder of the title and insert "adding a new section to Title 28B RCW; adding a new section to chapter 70.175 RCW; adding a new chapter to Title 70 RCW; adding a new chapter to Title 48 RCW; creating new sections; making an appropriation; and declaring an emergency."

Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Chandler, Morris and Sprenkle.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6426 Prime Sponsor, Committee on Transportation: Revising the Scenic and Recreational Highway System. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Jones, Kremen, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Gallagher, Heavey, Jones, Nelson and Prince.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6445 Prime Sponsor, Committee on Law & Justice: Changing provisions relating to the law enforcement officers' and fire fighters' retirement system. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 4, line 3, after "(6)" insert "(a)"

On page 4, after line 20, insert:

"(b) 'Surviving spouse' for persons who establish membership in the retirement system on or after October 1, 1977, means the surviving widow or widower of a member. The word shall not include the divorced spouse of a member."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Dellwo, Inslee and Locke.

Referred to Committee on Appropriations.

February 23, 1990

SSB 6447 Prime Sponsor, Committee on Energy & Utilities: Regarding failing public water systems. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds the best interests of the citizens of the state are served if:

(1) Customers served by public water systems are assured of an adequate quantity and quality of water supply at reasonable rates;

(2) There is improved coordination between state agencies engaged in water system planning and public health regulation and local governments responsible for land use regulation and public health and safety;

(3) Public water systems in violation of health and safety standards adopted under RCW 43.20.050 remain in operation and continue providing water service providing that public health is not compromised, assuming a suitable replacement purveyor is found and deficiencies are corrected in an expeditious manner consistent with public health and safety; and

(4) The state address, in a systematic and comprehensive fashion, new operating requirements which will be imposed on public water systems under the federal Safe Drinking Water Act.

Sec. 2. Section 14, chapter 72, Laws of 1967 as amended by section 2, chapter 188, Laws of 1975 1st ex. sess. and RCW 36.94.140 are each amended to read as follows:

Every county, in the operation of a system of sewerage and/or water, shall have full jurisdiction and authority to manage, regulate and control it and to fix, alter, regulate and control the rates and charges for the service to those to whom such county service is available, and to levy charges for connection to such system. The rates for availability of service and connection charges so charged must be uniform for the same class of customers or service.

In classifying customers served, service furnished or made available by such system of sewerage and/or water, or the connection charges, the board may consider any or all of the following factors:

(1) The difference in cost of service to the various customers within or without the area;

(2) The difference in cost of maintenance, operation, repair and replacement of the various parts of the systems;

(3) The different character of the service furnished various customers;

(4) The quantity and quality of the sewage and/or water delivered and the time of its delivery;

(5) Capital contributions made to the system or systems, including, but not limited to, assessments: ~~((and))~~

(6) The cost of acquiring the system or portions of the system in making system improvements necessary for the public health and safety; and

(7) Any other matters which present a reasonable difference as a ground for distinction.

Such rates shall produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements, and all other charges necessary for the efficient and proper operation of the system.

Sec. 3. Section 5, chapter 102, Laws of 1967 ex. sess. as last amended by section 258, chapter 9, Laws of 1989 1st ex. sess. and RCW 43.70.190 are each amended to read as follows:

(1) The secretary of health or local health officer may bring an action to enjoin a violation or the threatened violation of any of the provisions of the public health laws of this state or any rules or regulation made by the state board of health or the department of health pursuant to said laws, or may bring any legal proceeding authorized by law, including but not limited to the special proceedings authorized in Title 7 RCW, in the superior court in the county in which such violation occurs or is about to occur, or in the superior court of Thurston county. Upon the filing of any action, the court may, upon a showing of an immediate and serious danger to residents constituting an emergency, issue a temporary injunctive order ex parte.

(2) In an action brought by the secretary of health or by a local health officer under chapter 7.60 RCW, the petition for receivership shall include the names of one or more suitable candidates for receiver who have consented to assume operation of the water system. The department shall maintain a list of interested and qualified individuals, municipal entities, special purpose districts, and investor-owned water companies with experience in the provision of water service and a history of satisfactory operation of a water system. If there is no other person willing and able to be named as receiver, the court shall appoint the county in which the water system is located as receiver. The county may designate a county agency to operate the system, or it may contract with another individual or public water system to provide management for the system. If the county is appointed as receiver, the secretary of health and the county health officer shall provide regulatory oversight for the agency or other person responsible for managing the water system.

(3) In any petition for receivership, the department shall recommend that the court grant to the receiver full authority to act in the best interests of the customers served by the public water system. The receiver shall assess the capability, in conjunction with the department and local government, for the system to operate in compliance with health and safety standards, and shall report to the court its recommendations for the system's future operation, including the formation of a water district or other public entity, or ownership by another existing water system capable of providing service.

If a petition for receivership and verifying affidavit executed by an appropriate departmental official allege an immediate and serious danger to residents constituting an emergency, the court shall set the matter for hearing within three days and may appoint a temporary receiver ex parte upon the strength of such petition and affidavit pending a full evidentiary hearing, which shall be held within fourteen days after receipt of the petition.

(4) A bond, if any is imposed upon a receiver, shall be minimal and shall reasonably relate to the level of operating revenue generated by the system. Any receiver appointed pursuant to this section shall not be held personally liable for any good faith, reasonable effort to assume possession of, and to operate, the system in compliance with the court's orders.

(5) The court shall authorize the receiver to impose reasonable assessments on a water system's customers to recover expenditures for improvements necessary for the public health and safety.

Sec. 4. Section 6, chapter 102, Laws of 1967 ex. sess. as last amended by section 259, chapter 9, Laws of 1989 1st ex. sess. and RCW 43.70.200 are each amended to read as follows:

Upon the request of a local health officer, the secretary of health is hereby authorized and empowered to take legal action to enforce the public health laws and rules and regulations of the state board of health or local rules and regulations within the jurisdiction served by the local health department, and may institute any civil legal proceeding authorized by the laws of the state of Washington, including a proceeding under Title 7 RCW.

Sec. 5. Section 12, chapter 446, Laws of 1985 as last amended by section 3, chapter 93, Laws of 1988 and RCW 43.155.070 are each amended to read as follows:

(1) To qualify for loans or pledges under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a long-term plan for financing public works needs; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) The board shall develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board shall attempt to assure a geographical balance in assigning priorities to projects. The board shall consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(c) The cost of the project compared to the size of the local government and amount of loan money available;

(d) The number of communities served by or funding the project;

(e) Whether the project is located in an area of high unemployment, compared to the average state unemployment: ~~((amd))~~

(f) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system; and

(g) Other criteria that the board considers advisable.

(3) Existing debt or financial obligations of local governments shall not be refinanced under this chapter. Each local government applicant shall provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(4) Before November 1 of each year, the board shall develop and submit to the chairs of the ways and means committees of the senate and house of representatives a description of the emergency loans made under RCW 43.155.065 during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list shall include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list shall also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(5) The board shall not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature shall not change the order of the priorities recommended for funding by the board.

(6) Subsections (4) and (5) of this section do not apply to loans made for emergency public works projects under RCW 43.155.065.

Sec. 6. Section 1, chapter 93, Laws of 1988 and RCW 43.155.065 are each amended to read as follows:

The board may make low-interest or interest-free loans to local governments for emergency public works projects. Emergency public works projects shall include the construction, repair, reconstruction, replacement, rehabilitation, or improvement of a public water system that is in violation of health and safety standards and is being operated by a local government on a temporary basis. The loans may be used to help fund all or part of an emergency public works project less any reimbursement from any of the following sources: (1) Federal disaster or emergency funds, including funds from the federal emergency management agency; (2) state disaster or emergency funds; (3) insurance settlements; or (4) litigation. Emergency loans may be made only from those funds specifically appropriated from the public works assistance account for such purpose by the legislature. The amount appropriated from the public works assistance account for emergency loan purposes shall not exceed five percent of the total amount appropriated from this account in any biennium.

Sec. 7. Section 4, chapter 271, Laws of 1986 as amended by section 135, chapter 175, Laws of 1989 and RCW 70.119A.040 are each amended to read as follows:

(1) In addition to or as an alternative to any other penalty provided by law, every person who commits any of the acts or omissions in RCW 70.119A.030 shall be subjected to a penalty in an amount of not less than five hundred dollars. The maximum penalty shall be not more than five thousand dollars per day for every such violation. Every such violation shall be a separate and distinct offense. The amount of fine shall reflect the health significance of the violation and the previous record of compliance on the part of the public water supplier. In case of continuing violation, every day's continuance shall be a separate and distinct violation. Every person who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have violated the provisions of this section and shall be subject to the penalty provided in this section.

(2) The penalty provided for in this section shall be imposed by a notice in writing to the person against whom the civil fine is assessed and shall describe the violation. The notice shall be personally served in the manner of service of a summons in a civil action or in a manner that shows proof of receipt. A penalty imposed by this section is due twenty-eight days after receipt of notice unless application for remission or mitigation is made as provided in subsection (3) of this section or unless application for an adjudicative proceeding is filed as provided in subsection (4) of this section.

(3) Within fourteen days after the notice is received, the person incurring the penalty may apply in writing to the department for the remission or mitigation of such penalty. Upon receipt of the application, the department may remit or mitigate the penalty upon whatever terms the

department in its discretion deems proper, giving consideration to the degree of hazard associated with the violation, provided the department deems such remission or mitigation to be in the best interests of carrying out the purposes of this chapter. The department shall not mitigate the fines below the minimum penalty prescribed in subsection (1) of this section. The department shall have authority to ascertain the facts regarding all such applications in such reasonable manner as it may deem proper. When an application for remission on mitigation is made, a penalty incurred under this section is due twenty-eight days after receipt of the notice setting forth the disposition of the application, unless an application for an adjudicative proceeding to contest the disposition is filed as provided in subsection (4) of this section.

(4) Within twenty-eight days after notice is received, the person incurring the penalty may file an application for an adjudicative proceeding and may pursue subsequent review as provided in chapter 34.05 RCW and applicable rules of the department or board of health.

(5) A penalty imposed by a final order after an adjudicative proceeding is due upon service of the final order.

(6) The attorney general may bring an action in the name of the department in the superior court of Thurston county, or of any county in which such violator may do business, to collect a penalty.

(7) All penalties imposed under this section shall be payable to the state treasury and credited to the general fund.

NEW SECTION. Sec. 8. A new section is added to chapter 8.25 RCW to read as follows:

Consistent with standard appraisal practices, the valuation of a public water system as defined in RCW 70.119A.020 shall reflect the cost of system improvements necessary to comply with health and safety rules of the state board of health and applicable regulations developed under chapter 43.20, 43.20A, or 70.116 RCW.

NEW SECTION. Sec. 9. A new section is added to chapter 82.08 RCW to read as follows:

The tax levied by RCW 82.08.020 shall not apply to expenditures by a water district, public utility district, or municipal water system to acquire and improve public water supply systems not in compliance with health and safety rules of the state board of health.

Sec. 10. Section 12, chapter 51, Laws of 1967 ex. sess. as last amended by section 7, chapter 25, Laws of 1984 and RCW 70.05.070 are each amended to read as follows:

The local health officer, acting under the direction of the local board of health or under direction of the administrative officer appointed under RCW 70.05.040, if any, shall:

(1) Enforce the public health statutes of the state, rules and regulations of the state board of health and the secretary of social and health services, and all local health rules, regulations and ordinances within his or her jurisdiction including imposition of penalties authorized under RCW 70.119A.030 and filing of actions authorized by RCW 43.70.190;

(2) Take such action as is necessary to maintain health and sanitation supervision over the territory within his or her jurisdiction;

(3) Control and prevent the spread of any dangerous, contagious or infectious diseases that may occur within his or her jurisdiction;

(4) Inform the public as to the causes, nature, and prevention of disease and disability and the preservation, promotion and improvement of health within his or her jurisdiction;

(5) Prevent, control or abate nuisances which are detrimental to the public health;

(6) Attend all conferences called by the secretary of social and health services or his or her authorized representative;

(7) Collect such fees as are established by the state board of health or the local board of health for the issuance or renewal of licenses or permits or such other fees as may be authorized by law or by the rules and regulations of the state board of health(;;);

(8) Inspect, as necessary, expansion or modification of existing public water systems, and the construction of new public water systems, to assure that the expansion, modification, or construction conforms to system design and plans;

(9) Take such measures as he or she deems necessary in order to promote the public health, to participate in the establishment of health educational or training activities, and to authorize the attendance of employees of the local health department or individuals engaged in community health programs related to or part of the programs of the local health department.

NEW SECTION. Sec. 11. The department shall prepare a report for the legislature no later than December 1, 1990, with regard to the problems of small water systems and proposed solutions. Such a report shall be prepared in consultation with the utilities and transportation commission, the department of community development, department of ecology, public works assistance board, and associations of cities, counties, public and private utilities, water districts, local health directors, and other interested groups. The report shall address, at a minimum, the following topics, with alternative approaches or solutions:

(1) The number and locations of existing public systems that do not meet public health and safety standards;

(2) Costs associated with state enforcement of new federal standards under the 1986 amendments to the Safe Drinking Water Act, including expenses and potential financing

mechanisms for the operating costs of receivers of water systems when the system revenue is otherwise inadequate to cover the costs;

(3) Available financing for capital improvements for both publicly owned and privately owned water systems;

(4) Legal and regulatory barriers to improved delivery of safe and reliable drinking water supplies to the state's residents and in particular regulating and enforcement overlap between the department and the utilities and transportation commission;

(5) The effect of failing or inadequate water supplies on the ability of an owner to sell, or a buyer to obtain financing to buy, residential real estate in this state;

(6) Staffing levels for both state and local agencies responsible for enforcing the state's drinking water laws, including mechanisms for funding such staff;

(7) Revisions to requirements relating to certification of operators for public water systems, including the utilization state-wide of a system of satellite operators; and

(8) such other topics as are significant and relevant.

NEW SECTION. Sec. 12. 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. 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 shall take effect immediately."

On page 1, line 1 of the title, after "systems;" strike the remainder of the title and insert "amending RCW 36.94.140, 43.70.190, 43.70.200, 43.155.070, 43.155.065, 70.119A.040, and 70.05-.070; adding a new section to chapter 8.25 RCW; adding a new section to chapter 82.08 RCW; creating new sections; prescribing penalties; and declaring an emergency."

Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, Jesernig, May, Miller and S. Wilson.

Absent: Representatives Hankins, Ranking Republican Member; Jesernig and R. Meyers.

Referred to Committee on Revenue.

February 22, 1990

SSB 6459 Prime Sponsor, Committee on Governmental Operations: Establishing a state recording officer. Reported by Committee on Local Government

MAJORITY recommendation: Do pass with the following amendment:

On page 2, line 8, after "company" insert "who is selected by the secretary of state from nominees made by land title insurance companies and land title companies"

Signed by Representatives Haugen, Chair; Cooper, Vice Chair; Ferguson, Ranking Republican Member; Horn, Kirby, Nealey, Nelson, Nutley, Phillips, Raiter, Rayburn, Wolfe, Wood and Zellinsky.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6473 Prime Sponsor, Committee on Law & Justice: Changing conditions applying to the sale of products of correctional industries. Reported by Committee on Health Care

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1, Section 11, chapter 136, Laws of 1981 as last amended by section 7, chapter 185, Laws of 1989 and RCW 72.09.100 are each amended to read as follows:

It is the intent of the legislature to vest in the department the power to provide for a comprehensive inmate work program and to remove statutory and other restrictions which have limited work programs in the past. For purposes of establishing such a comprehensive program, the legislature recommends that the department consider adopting any or all, or any variation of, the following classes of work programs:

(1) CLASS I: FREE VENTURE INDUSTRIES. The industries in this class shall be operated and managed in total or in part by any profit or nonprofit organization pursuant to an agreement between the organization and the department. The organization shall produce goods or services for sale to both the public and private sector.

The department of corrections shall supply appropriate security and custody services without charge to the participating firms.

Inmates who work in free venture industries shall do so at their own choice. They shall be paid a wage not less than sixty percent of the approximate prevailing wage within the state

for the occupation, as determined by the director of the correctional industries division. If the director finds that he cannot reasonably determine the wage, then the pay shall not be less than the federal minimum wage.

(2) CLASS II: TAX REDUCTION INDUSTRIES. Industries in this class shall be state-owned and operated enterprises designed to reduce the costs for goods and services for tax-supported agencies and for nonprofit organizations. The industries selected for development within this class shall, as much as possible, match the available pool of inmate work skills and aptitudes with the work opportunities in the free community. The industries shall be closely patterned after private sector industries but with the objective of reducing public support costs rather than making a profit. The products and services of this industry, including purchased products and services necessary for a complete product line, may be sold to public agencies ~~((and)), to nonprofit organizations~~~~(-PROVIDED-That)),~~ and to private contractors when the goods purchased will be ultimately used by a public agency or a nonprofit organization. Clothing manufactured by an industry in this class may be donated to nonprofit organizations that provide clothing free of charge to low-income persons. Correctional industries products and services shall be reviewed by the correctional industries board of directors before offering such products and services for sale to private contractors. The board of directors shall conduct a yearly marketing review of the products and services offered under this subsection. Such review shall include an analysis of the potential impact of the proposed products and services on the Washington state business community. To avoid waste or spoilage and consequent loss to the state, when there is no public sector market for such goods, byproducts and surpluses of timber, agricultural, and animal husbandry enterprises may be sold to private persons, at private sale. Surplus by-products and surpluses of timber, agricultural and animal husbandry enterprises that cannot be sold to public agencies or to private persons may be donated to nonprofit organizations. All sales of surplus products shall be carried out in accordance with rules prescribed by the secretary.

Security and custody services shall be provided without charge by the department of corrections.

Inmates working in this class of industries shall do so at their own choice and shall be paid for their work on a gratuity scale which shall not exceed the federal minimum wage and which is approved by the director of correctional industries.

(3) CLASS III: INSTITUTIONAL SUPPORT INDUSTRIES. Industries in this class shall be operated by the department of corrections. They shall be designed and managed to accomplish the following objectives:

(a) Whenever possible, to provide basic work training and experience so that the inmate will be able to qualify for better work both within correctional industries and the free community. It is not intended that an inmate's work within this class of industries should be his or her final and total work experience as an inmate.

(b) Whenever possible, to provide forty hours of work or work training per week.

(c) Whenever possible, to offset tax and other public support costs.

Supervising, management, and custody staff shall be employees of the department.

All able and eligible inmates who are assigned work and who are not working in other classes of industries shall work in this class.

Except for inmates who work in work training programs, inmates in this class shall be paid for their work in accordance with an inmate gratuity scale. The scale shall be adopted by the secretary of corrections.

(4) CLASS IV: COMMUNITY WORK INDUSTRIES. Industries in this class shall be operated by the department of corrections. They shall be designed and managed to provide services in the inmate's resident community at a reduced cost. The services shall be provided to public agencies, to persons who are poor or infirm, or to nonprofit organizations.

Inmates in this program shall reside in facilities owned by, contracted for, or licensed by the department of corrections. A unit of local government shall provide work supervision services without charge to the state and shall pay the inmate's wage.

The department of corrections shall reimburse participating units of local government for liability and workers compensation insurance costs.

Inmates who work in this class of industries shall do so at their own choice and shall receive a gratuity which shall not exceed the minimum wage for their work.

(5) CLASS V: COMMUNITY SERVICE PROGRAMS. Programs in this class shall be subject to supervision by the department of corrections. The purpose of this class of industries is to enable an offender, placed on community supervision, to work off all or part of a community service order as ordered by the sentencing court.

Employment shall be in a community service program operated by the state, local units of government, or a nonprofit agency.

To the extent that funds are specifically made available for such purposes, the department of corrections shall reimburse nonprofit agencies for workers compensation insurance costs.

NEW SECTION, Sec. 2. The department of corrections, in conjunction with representatives of labor and the business community, shall study the expansion of prison industries products to the

private sector and report to the senate law and justice and house of representatives health care committees by January 1, 1991."

On page 1, line 1 of the title, after "industries;" strike the remainder of the title and insert "amending RCW 72.09.100; and creating a new section."

Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers, Vekich and Wolfe.

Absent: Representatives Chandler, Morris and Sprengle.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6495 Prime Sponsor, Senator Patrick: Protecting recreational landowners from suit. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 2, beginning on line 2, strike everything through "lawsuit," on line 7 and insert: "In a civil action involving death or personal injury under this section, the court may, upon motion by the prevailing party, require the nonprevailing party to pay the prevailing party for the reasonable expenses, including fees of attorneys, incurred by the prevailing party during the action. If the court finds that special circumstances exist, the court in its discretion may deny or reduce the award of expenses or attorney's fees."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Dellwo, Hargrove, Inslee, P. King, R. Meyers, H. Myers, Scott, D. Sommers and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Forner, Schmidt and Tate.

Voting nay: Representatives Brough, Forner, Moyer, Schmidt and Tate.

Absent: Representatives Belcher and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

ESSB 6499 Prime Sponsor, Committee on Law & Justice: Authorizing a surcharge or district court filing fees to fund dispute resolution centers. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 8, strike "and" and insert ", may impose an appearance fee on civil defendants in an amount it determines appropriate, and may impose"

On page 1, line 9, strike "five" and insert "fifteen"

On page 1, line 12, after "surcharge" insert "or appearance fee"

On page 1, line 25 after "act" insert ", and the defendant shall pay any appearance fee authorized by section 1 of this 1990 act"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Belcher, Brough, Forner, Hargrove, Inslee, P. King, R. Meyers, H. Myers, Scott, and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Republican Member; Moyer, Schmidt and Tate.

Absent: Representatives Inslee and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

ESSB 6501 Prime Sponsor, Committee on Agriculture: Creating a central filing system for security interests in farm crops. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. The availability of credit is vital for agriculture. For that reason, the legislature has traditionally promoted the availability of agricultural credit. The legislature finds that lenders lack a uniformly effective means of providing notice of a lender's security

interest in farm products to purchasers of the products. The legislature further finds that purchasers lack any practical method for discovering the existence of security interests in farm products.

Accordingly, it is the intent of the legislature to promote the development of a central filing system as provided in 7 U.S.C. Sec. 1631(c)(11) and to encourage private businesses to provide for expeditious discovery of liens and security interests in farm products.

Sec. 2. Section 9-307, chapter 157, Laws of 1965 ex. sess. as last amended by section 15, chapter 393, Laws of 1987 and RCW 62A.9-307 are each amended to read as follows:

(1) A buyer in ordinary course of business (subsection (9) of RCW 62A.1-201) other than a person buying farm products from a person engaged in farming operations takes free of a security interest created by his seller even though the security interest is perfected and even though the buyer knows of its existence.

(2) A buyer who in the ordinary course of business buys farm products from a person engaged in farming operations buys and takes free of a security interest created by his or her seller, and a commission merchant or selling agent who in the ordinary course of business sells farm products for a person engaged in farming operations buys, takes, and sells free of a security interest created by his or her seller, even though the security interest is perfected and the buyer, commission merchant, or selling agent knows of the existence of such interest if:

(a) The buyer, commission merchant, or selling agent has registered with the department of licensing pursuant to RCW 62A.9-407(4); and

(i) The secured party has not filed an effective farm products notice statement with the department of licensing pursuant to RCW 62A.9-402(9); or

(ii) Such buyer, commission merchant, or selling agent does not receive from the department of licensing written notice that specifies the seller and farm product pursuant to RCW 62A.9-407(3), (5), and (6); or

(b) The secured party has not filed an effective farm products notice statement pursuant to RCW 62A.9-402(9) and the buyer, commission merchant, or selling agent has not received within one year before the sale from the secured party or seller written notice of the security interest containing:

(i) The name and address of the secured party;

(ii) The name and address of the debtor;

(iii) The social security number of the debtor or, in the case of a debtor doing business other than as an individual, the debtor's federal internal revenue service taxpayer identification number;

(iv) A description by category of the farm products subject to the security interest, including the amount of such products, if applicable;

(v) The crop year;

(vi) The county or counties where the farm products are produced or located and, if less than all of such farm products in a county are claimed, a reasonable description of the real property; and

(vii) Any payment obligations imposed by the secured party as a condition for waiver or release of the security interest;

The notice described in this subsection (b) must be amended in writing within three months and similarly signed and transmitted, to reflect material changes; or

(c) The buyer, commission merchant, or selling agent has obtained a waiver from the secured party by performing any payment obligation or otherwise.

(3) In the case of consumer goods, a buyer takes free of a security interest even though perfected if he buys without knowledge of the security interest, for value and for his own personal, family or household purposes unless prior to the purchase the secured party has filed a financing statement covering such goods.

~~((3))~~ (4) A buyer other than a buyer in ordinary course of business (subsection (1) of this section) takes free of a security interest to the extent that it secures future advances made after the secured party acquires knowledge of the purchase, unless made pursuant to a commitment entered into without knowledge of the purchase.

Sec. 3. Section 9-402, chapter 157, Laws of 1965 ex. sess. as last amended by section 2, chapter 251, Laws of 1989 and RCW 62A.9-402 are each amended to read as follows:

(1) A financing statement is sufficient if it gives the names of the debtor and the secured party, is signed by the debtor, gives an address of the secured party from which information concerning the security interest may be obtained, gives a mailing address of the debtor and contains a statement indicating the types, or describing the items, of collateral. A financing statement may be filed before a security agreement is made or a security interest otherwise attaches. When the financing statement covers timber to be cut or covers minerals or the like (including oil and gas) or accounts subject to subsection (5) of RCW 62A.9-103, or when the financing statement is filed as a fixture filing (RCW 62A.9-313) and the collateral is goods which are or are to become fixtures, the statement must also comply with subsection (5). A copy of the security agreement is sufficient as a financing statement if it contains the above information and is signed by the debtor. A carbon, photographic or other reproduction of a security

agreement or a financing statement is sufficient as a financing statement if the security agreement so provides or if the original has been filed in this state.

(2) A financing statement which otherwise complies with subsection (1) is sufficient when it is signed by the secured party instead of the debtor if it is filed to perfect a security interest in

(a) collateral already subject to a security interest in another jurisdiction when it is brought into this state or when the debtor's location is changed to this state. Such a financing statement must state that the collateral was brought into this state or that the debtor's location was changed to this state under such circumstances; or

(b) proceeds under RCW 62A.9-306 if the security interest in the original collateral was perfected. Such a financing statement must describe the original collateral; or

(c) collateral as to which the filing has lapsed; or

(d) collateral acquired after a change of name, identity or corporate structure of the debtor (subsection (7)).

(3) A form substantially as follows is sufficient to comply with subsection (1):

Name of debtor (or assignor)

Address

Name of secured party (or assignee)

Address

1. This financing statement covers the following types (or items) of property:

(Describe)

2. (If applicable) The above goods are to become fixtures on*

(Describe Real Estate)

and this financing statement is to be filed for record in the real estate records. (If the debtor does not have an interest of record) The name of a record owner is

*Where appropriate substitute either "The above timber is standing on

' or "The above minerals or the like (including oil and gas) or accounts will be financed at the wellhead or minehead of the well or mine located on

3. (If products of collateral are claimed)

Products of the collateral are also covered

(use

whichever Signature of Debtor (or Assignor)

is

applicable) Signature of Secured Party (or Assignee)

(4) A financing statement may be amended by filing a writing signed by both the debtor and the secured party: PROVIDED, That a secured party may amend a financing statement without the signature of the debtor when the amendment is to change the address or name of the secured party. An amendment does not extend the period of effectiveness of a financing statement. If any amendment adds collateral, it is effective as to the added collateral only from the filing date of the amendment. In this Article, unless the context otherwise requires, the term 'financing statement' means the original financing statement and any amendments. The fee for filing an amendment shall be the same as the fee for filing a financing statement.

(5) A financing statement covering timber to be cut or covering minerals or the like (including oil and gas) or accounts subject to subsection (5) of RCW 62A.9-103, or a financing statement filed as a fixture filing (RCW 62A.9-313) where the debtor is not a transmitting utility, must show that it covers this type of collateral, must recite that it is to be filed for record in the real estate records, and the financing statement must contain a description of the real estate sufficient if it were contained in a mortgage of the real estate to give constructive notice of the mortgage under the law of this state. If the debtor does not have an interest of record in the real estate, the financing statement must show the name of a record owner.

(6) A mortgage is effective as a financing statement filed as a fixture filing from the date of its recording if (a) the goods are described in the mortgage by item or type, (b) the goods are or are to become fixtures related to the real estate described in the mortgage, (c) the mortgage complies with the requirements for a financing statement in this section other than a recital that it is to be filed in the real estate records, and (d) the mortgage is duly recorded. No fee with reference to the financing statement is required other than the regular recording and satisfaction fees with respect to the mortgage.

(7) A financing statement sufficiently shows the name of the debtor if it gives the individual, partnership or corporate name of the debtor, whether or not it adds other trade names or the names of partners. Where the debtor so changes his name or in the case of an organization its name, identity or corporate structure that a filed financing statement becomes seriously misleading, the filing is not effective to perfect a security interest in collateral acquired by the debtor more than four months after the change, unless a new appropriate financing statement or an amendment is filed before the expiration of that time. A filed financing statement remains effective with respect to collateral transferred by the debtor even though the secured party knows of or consents to the transfer.

(8) A financing statement substantially complying with the requirements of this section is effective even though it contains minor errors which are not seriously misleading.

(9) Written notice of a security interest in farm products is sufficient for purposes of being filed in the system described in RCW 62A.9-407 (3) through (8) and shall, for purposes of such sections, be called an 'effective farm products notice statement' if it contains the following information:

(a) The name and address of the debtor;

(b) The debtor's signature;

(c) The name, address, and signature of the secured party;

(d) The social security number of the debtor, or in the case of a debtor doing business other than as an individual, the debtor's federal internal revenue service taxpayer identification number;

(e) A description by category (as prescribed by rule pursuant to RCW 62A.9-407(3)) of the farm products subject to the security interest including the amount of such products if applicable;

(f) A reasonable description of the real estate where the farm products are produced or located. This provision may be satisfied by a designation of the county or counties, and a legal description shall not be required.

(10) An effective farm products notice statement described in subsection (9) of this section must be amended in writing within three months, and similarly signed and filed, to reflect any material changes.

(11) If a secured party fails to file a termination statement within ten days after proper demand for the statement, the secured party is liable to the debtor for one hundred dollars, and in addition for any loss caused to the debtor by the failure.

Sec. 4. Section 9-407, chapter 157, Laws of 1965 ex. sess. as last amended by section 5, chapter 189, Laws of 1987 and RCW 62A.9-407 are each amended to read as follows:

(1) If the person filing any financing statement, termination statement, statement of assignment, or statement of release, furnishes the filing officer a copy thereof, the filing officer shall upon request note upon the copy the file number and date and hour of the filing of the original and deliver or send the copy to such person.

(2) Upon request of any person following payment of the required fees, the department of licensing shall issue its certificate showing whether there is on file with the department of licensing on the date and hour stated therein, any presently effective financing statement naming a particular debtor and any statement of assignment thereof and if there is, giving the date and hour of filing of each such statement and the names and addresses of each secured party therein. Upon request and following payment of the required fees, the department of licensing shall issue its certificate and shall furnish a copy of any filed financing statements or statements of assignment.

(3) The department of licensing shall develop and, following certification by the United States department of agriculture, implement a central filing system containing the information filed with it pursuant to RCW 62A.9-402(9). Under this system, the department shall record the date and time of filing and compile the information into a master list organized according to categories of farm products. The list shall be organized within each farm product category in alphabetical order according to the last name of the debtor (or, in the case of debtors doing business other than as individuals, the first word in the name of such debtor). The list shall be further organized according to and contain information required by federal law and regulation. The department shall, by rule adopted pursuant to chapter 34.05 RCW, designate the categories of farm products to be used in compiling the master list. The department may establish and maintain, by rule, a separate system for filing farm products notice statements and search, retrieval, and dissemination of information relating to effective farm products notice statements, and may require separate search requests for such information pursuant to a fee schedule to be established by rule.

(4) The department of licensing shall maintain a list of all buyers of farm products, commission merchants, selling agents, and other persons who register with the department indicating an interest in receiving the lists described in subsection (5) of this section.

(5) The department of licensing shall distribute complete master lists for each farm product category at least quarterly to each buyer, commission merchant, selling agent, and other person registered under subsection (4) of this section and distribute either complete lists or cumulative supplements, which supplements shall be issued not less frequently than twice monthly, of effective farm products notice statements filed subsequent to the last date of filing for effective farm products notice statements on the last preceding quarterly master list, which the buyer, commission merchant, or selling agent has requested. The buyer, commission merchant, or selling agent shall be deemed to have received the lists and supplements no later than the third calendar day following the date of mailing by the department or in the event the mail is not delivered on that day, the first day thereafter on which mail is delivered.

(6) Upon the request of any person not registered pursuant to RCW 62A.9-407(4), the department of licensing shall provide, within twenty-four hours, an oral confirmation of the filing of the notice described in RCW 62A.9-402(9) followed by a written confirmation.

(7) Upon request of any person and payment of such fees as may be established by the department by rule, the department shall furnish copies of particular filed effective farm products notice statements or statements of assignment if the requestor provides the department with the file numbers of the statement to be copied.

(8) The department of licensing shall establish a fee schedule by rule for registration and listing of buyers of farm products, commission merchants, and selling agents of farm products and for distribution of master lists and supplements of master lists and information and oral confirmation of filing as required by RCW 62A.9-407. The fee for registration of buyers of farm products shall not exceed fifty dollars.

NEW SECTION. Sec. 5. To encourage private enterprise, the department of licensing may appoint an agent or agents to develop, implement, and/or maintain a central filing system in compliance with this chapter: PROVIDED, That any such agent or agents must meet such financial responsibility standards as the department may require and further that the appointment of an agent or agents will facilitate the cost-effective operation of the department's responsibilities under this chapter. The department shall adopt any rules necessary for the implementation of this section.

NEW SECTION. Sec. 6. No suit or action shall ever be commenced or prosecuted against the director or the state of Washington by reason of any act done or omitted to be done by any agent appointed under section 5 of this act in the administration of the duties and responsibilities of the agent.

NEW SECTION. Sec. 7. All rules adopted under the provisions of this chapter are subject to the provisions of chapter 34.05 RCW concerning the adoption of rules. The department of licensing shall issue regulations requiring the master lists distributed to registrants to include a listing of statutory crop liens filed with the department.

NEW SECTION. Sec. 8. The central filing system program fund is created in the custody of the state treasurer. All receipts from the fees collected by the director under this chapter and RCW 62A.9-409(1) shall be deposited into the fund. Expenditures from the fund may be used only for the purposes of this act. Only the director of licensing or the director's designee may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

NEW SECTION. Sec. 9. Sections 5 through 8 of this act are each added to chapter 62A.9 RCW.

NEW SECTION. Sec. 10. The sum of one hundred six thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the general fund to the department of licensing for the purposes of this act.

NEW SECTION. Sec. 11. This act shall take effect July 1, 1991. The director of licensing may immediately take such steps as are necessary to ensure that this act is implemented on its effective date."

On page 1, line 1 of the title, after "crops," strike the remainder of the title and insert "amending RCW 62A.9-307, 62A.9-402, and 62A.9-407; adding new sections to chapter 62A.9 RCW; creating a new section; prescribing penalties; making an appropriation; and providing an effective date."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Brough, Dellwo and Locke.

Referred to Committee on Appropriations.

February 21, 1990

E2SSB 6537 Prime Sponsor, Committee on Ways & Means: Providing for foster care reform and making appropriations. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that the foster care system plays an important role in preserving families and giving consistent and nurturing care to children placed in its care. The legislature further finds that foster parents play an integral and important role in the system and particularly in the child's chances for the earliest possible reunification with his or her family.

NEW SECTION. Sec. 2. (1) Preservice training is recognized as a valuable tool to reduce placement disruptions, the length of time children are in care, and foster parent turnover rates. Preservice training also assists potential foster parents in making their final decisions about foster parenting and assists social service agencies in obtaining information about whether to approve potential foster parents.

(2) Foster parent preservice training shall include information about the potential impact of placement on foster children; social service agency administrative processes; the requirements, responsibilities, expectations, and skills needed to be a foster parent; attachment, separation, and loss issues faced by birth parents, foster children, and foster parents; child management and discipline; birth family relationships; and helping children leave foster care. Preservice training shall assist applicants in making informed decisions about whether they want to be foster parents. Preservice training shall be designed to enable the agency to assess the ability, readiness, and appropriateness of families to be foster parents. As a decision tool, effective preservice training provides potential foster parents with enough information to make an appropriate decision, affords potential foster parents an opportunity to discuss their decision with others and consider its implications for their family, clarifies foster family expectations, presents a realistic picture of what foster parenting involves, and allows potential foster parents to consider and explore the different types of children they might serve.

(3) Preservice training shall be completed prior to the issuance of a foster care license, except that the department may, on a case by case basis, issue a written waiver that allows the foster parent to complete the training after licensure, so long as the training is completed within ninety days following licensure.

NEW SECTION. Sec. 3. If specific funding for the purposes of section 2 of this act, referencing section 2 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, section 2 of this act shall be null and void.

NEW SECTION. Sec. 4. Regular on-site monitoring of foster homes to assure quality care improves care provided to children in family foster care. An on-site monitoring program shall be established by the department to assure quality care and regularly identify problem areas. The department shall report to the legislature by June 1 of each year, beginning with June 1, 1991, the results of the monitoring, including identified problem areas, and make policy recommendations to improve the quality of foster care based on the results of the monitoring. Monitoring shall be done by the department on a random sample basis of no less than ten percent of the total licensed family foster homes licensed by the department on July 1 of each year.

NEW SECTION. Sec. 5. If specific funding for the purposes of section 4 of this act, referencing section 4 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, section 4 of this act shall be null and void.

NEW SECTION. Sec. 6. The legislature finds that regular and ongoing program review of child protective services, child welfare services, and foster care is essential to agencies and the legislature in making informed recommendations and decisions regarding policy in the delivery of services to children and their families. The department of social and health services shall contract, through the request for proposal process, with an independent qualified organization for a comprehensive evaluation of these programs. The evaluation shall be based on findings secured through a generally accepted audit procedure based on a statistically significant state-wide sampling of data. The department shall cooperate with the contractor to meet the requirements of this section.

NEW SECTION. Sec. 7. If specific funding for the purposes of section 6 of this act, referencing section 6 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, section 6 of this act shall be null and void.

NEW SECTION. Sec. 8. The legislature recognizes the need for temporary short-term relief for foster parents who care for children with emotional, mental, or physical handicaps. For purposes of this section, respite care means appropriate, temporary, short-term care for these foster children placed with licensed foster parents. The purpose of this care is to give the foster parents temporary relief from the stresses associated with the care of these foster children. The department shall design a program of respite care that will minimize disruptions to the child and will serve foster parents within these priorities, based on input from foster parents, foster parent associations, and reliable research if available.

NEW SECTION. Sec. 9. If specific funding for the purposes of section 8 of this act, referencing section 8 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, section 8 of this act shall be null and void.

NEW SECTION. Sec. 10. (1) Except as provided in RCW 70.24.105, whenever a child is placed in out-of-home care by the department or a child-placing agency, the department or agency may share information about the child and the child's family with the care provider and may consult with the care provider regarding the child's case plan.

(2) Any person who receives information about a child or a child's family pursuant to this section shall keep the information confidential and shall not further disclose or disseminate the information except as authorized by law.

(3) Nothing in this section shall be construed to limit the authority of the department or child-placing agencies to disclose client information or to maintain client confidentiality as provided by law.

NEW SECTION. Sec. 11. To provide stability to children in out-of-home care, placement selection shall be made with a view toward the fewest possible placements for each child. If possible, the initial placement shall be viewed as the only placement for the child. The use of

short-term interim placements of thirty days or less to protect the child's health or safety while the placement of choice is being arranged is not a violation of this principle.

NEW SECTION. Sec. 12. (1) Whenever a child has been placed in a foster family home by the department or a child-placing agency and the child has thereafter resided in the home for at least ninety consecutive days, the department or child-placing agency shall notify the foster family at least five days prior to moving the child to another placement, unless:

- (a) A court order has been entered requiring an immediate change in placement;
- (b) The child is being returned home;
- (c) The child's safety is in jeopardy; or
- (d) The child is residing in a receiving home or a group home.

(2) If the child has resided in a foster family home for less than ninety days or if, due to one or more of the circumstances in subsection (1) of this section, it is not possible to give five days' notification, the department or child-placing agency shall notify the foster family of proposed placement changes as soon as reasonably possible.

(3) This section is intended solely to assist in minimizing disruption to the child in changing foster care placements. Nothing in this section shall be construed to require that a court hearing be held prior to changing a child's foster care placement nor to create any substantive custody rights in the foster parents.

NEW SECTION. Sec. 13. Adequate foster parent training has been identified as directly associated with increasing the length of time foster parents are willing to provide foster care and reducing the number of placement disruptions for children. Placement disruptions can be harmful to children by denying them consistent and nurturing support. Foster parents have expressed the desire to receive training in addition to the foster parent SCOPE training currently offered. Foster parents who care for more demanding children, such as children with severe emotional, mental, or physical handicaps, would especially benefit from additional training. The department shall develop additional training for foster parents that focuses on skills to assist foster parents in caring for emotionally, mentally, or physically handicapped children.

NEW SECTION. Sec. 14. If specific funding for the purposes of section 13 of this act, referencing section 13 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, section 13 of this act shall be null and void.

NEW SECTION. Sec. 15. The legislature finds that during the fiscal years 1987 to 1989 the number of children in foster care has risen by 14.3 percent. At the same time there has been a 31 percent turnover rate in foster homes because many foster parents have declined to continue to care for foster children. This situation has caused a dangerously critical shortage of foster homes.

The department of social and health services shall develop and implement a project to recruit more foster homes and adoptive homes for special needs children by developing a request for proposal to licensed private foster care, licensed adoption agencies, and other organizations qualified to provide this service.

The project shall consist of one state-wide administrator of recruitment programs, and one or more licensed foster care or adoption agency contracts in each of the six departmental regions. These contracts shall enhance currently provided services and may not replace services currently funded by the agencies. No more than sixty thousand dollars may be spent annually to fund the administrator position.

The agencies shall recruit foster care homes and adoptive homes for children classified as special needs children under chapter 74.08 RCW. The agencies shall utilize their own network of contacts and shall also develop programs similar to those used effectively in other states. The department shall expand the foster-adopt program state-wide to encourage stable placements for foster children for whom permanent out-of-home placement is a likelihood. The department shall carefully consider existing programs to eliminate duplication of services.

The department shall assist the private contractors by providing printing services for informational brochures and other necessary recruitment materials. No more than fifty thousand dollars of the funds provided for this section may be expended annually for recruitment materials.

NEW SECTION. Sec. 16. (1) The department shall establish a state-wide program to manage health services for children in foster care. Services include medical and developmental services already provided subject to current statutes and available resources, and shall provide children in foster care with:

- (a) Health screening, supervision, and continuity of care;
- (b) Developmental screening;
- (c) Illness and emergency care; and
- (d) Child centered management plans designed to address specific therapeutic rehabilitative and preventative needs. Case management shall be used to ensure comprehensiveness and continuity of care.

(2) Strategies for reimbursements shall be developed which utilize prospective payment or capitation formulas.

NEW SECTION. Sec. 17. The department of social and health services shall develop and implement a survey tool to provide information to the legislature regarding the specific reasons foster parents voluntarily or involuntarily terminate their service to the foster parent system. The tool shall be implemented by July 1, 1990. The survey shall cover a period of one year and a final report shall be made to the legislature by December 1991.

NEW SECTION. Sec. 18. If specific funding for the purposes of sections 15 and 17 of this act, referencing sections 15 and 17 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, sections 15 and 17 of this act shall be null and void.

NEW SECTION. Sec. 19. The average basic rate of reimbursement to foster parents for children placed in their care often does not cover the total cost of care. Studies have identified that increasing rates is directly related to increasing the number of available foster homes and positively influences the decision of foster parents to provide care.

NEW SECTION. Sec. 20. If specific funding for the purposes of section 19 of this act, referencing section 19 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, section 19 of this act shall be null and void.

NEW SECTION. Sec. 21. Private child placement agencies offer a valuable service to the state. Caseloads are limited to no more than twenty-five per caseworker allowing the agencies to provide quality services. Child placement agencies are funded by a variety of public and private sources. Over the last several years, administration costs have risen in both public and private agencies.

NEW SECTION. Sec. 22. If specific funding for the purposes of section 21 of this act, referencing section 21 of this act by bill and section number, is not provided by June 30, 1990, in the omnibus appropriations act, section 21 of this act shall be null and void.

NEW SECTION. Sec. 23. Foster parents are responsible for the protection, care, supervision, and nurturing of the child in placement. As an integral part of the foster care team, foster parents shall, if appropriate and they desire to: Participate in the development of the service plan for the child and the child's family; assist in family visitation, including monitoring; and model effective parenting behavior for the natural family.

NEW SECTION. Sec. 24. A new section is added to chapter 13.32A RCW to read as follows:
In an attempt to minimize the inherent intrusion in the lives of families involved in the foster care system and to maintain parental authority where appropriate, the department, absent good cause, shall follow the wishes of the natural parent regarding the placement of the child. Preferences such as family constellation, ethnicity, and religion shall be given consideration when matching children to foster homes. Parental authority is appropriate in areas that are not connected with the abuse or neglect that resulted in the dependency and should be integrated through the foster care team.

NEW SECTION. Sec. 25. A new section is added to chapter 13.34 RCW to read as follows:
In an attempt to minimize the inherent intrusion in the lives of families involved in the foster care system and to maintain parental authority where appropriate, the department, absent good cause, shall follow the wishes of the natural parent regarding the placement of the child. Preferences such as family constellation, ethnicity, and religion shall be given consideration when matching children to foster homes. Parental authority is appropriate in areas that are not connected with the abuse or neglect that resulted in the dependency and should be integrated through the foster care team.

NEW SECTION. Sec. 26. Sections 1, 2, 4, 6, 8, 10 through 13, 15, and 16 of this act are each added to chapter 74.13 RCW.

NEW SECTION. Sec. 27. This act shall take effect July 1, 1990, however the secretary may immediately take any steps necessary to ensure implementation of section 17 of this act on July 1, 1990.

NEW SECTION. Sec. 28. The legislature recognizes the unique liability risks that foster parents face in taking children into their care and that foster parents often cannot obtain liability protection through private insurance carriers. The legislature finds that some potential foster parents are unwilling to subject themselves to such liability without insurance protection. The legislature further finds that to encourage those people to serve as foster parents, it is necessary to increase the liability protection available to foster parents.

Sec. 29. Section 7, chapter 159, Laws of 1963 as last amended by section 4, chapter 419, Laws of 1989 and RCW 4.92.130 are each amended to read as follows:

A liability account in the custody of the treasurer is hereby created as a nonappropriated account to be used solely and exclusively for the payment of liability settlements and judgments against the state under 42 U.S.C. Sec. 1981 et seq. or for the tortious conduct of its officers, employees, ((and)) volunteers, and foster parents licensed under chapter 74.15 RCW.

(1) The purpose of the liability account is to: (a) Expediently pay legal liabilities of the state resulting from tortious conduct; (b) promote risk control through a cost allocation system which recognizes agency loss experience, levels of self-retention, and levels of risk exposure; and (c) establish an actuarially sound system to pay incurred losses, within defined limits.

(2) The liability account shall be used to pay claims for injury and property damages exclusive of legal defense costs and agency-retained expenses otherwise budgeted.

(3) No money shall be paid from the liability account unless all proceeds available to the claimant from any valid and collectible liability insurance shall have been exhausted and unless:

(a) The claim shall have been reduced to final judgment in a court of competent jurisdiction; or

(b) The claim has been approved for payment.

(4) Earnings on the account's assets shall be credited to the account, notwithstanding RCW 43.84.090.

(5) The liability account shall be financed through annual premiums assessed to state agencies, based on sound actuarial principles, and shall be for liability coverage in excess of agency-budgeted self-retention levels.

(6) Annual premium levels shall be determined by the risk manager, with the consultation and advice of the risk management advisory committee and concurrence from the office of financial management. An actuarial study shall be conducted to assist in determining the appropriate level of funding.

(7) Disbursements from the liability account shall be made to the claimant, or to the clerk of the court for judgments, upon written request to the state treasurer from the risk manager.

(8) The director of the office of financial management may direct agencies to transfer moneys from other funds and accounts to the liability account if premiums are delinquent.

(9) The liability account shall not exceed fifty percent of the actuarial value of the outstanding liability, as determined annually by the office of risk management. If the account exceeds the maximum amount specified in this section, premiums may be adjusted by the office of risk management in order to maintain the account balance at the maximum limits. If, after adjustment of premiums, the account balance remains above the limits specified, the excess amount will be prorated back to the appropriate funds.

NEW SECTION. Sec. 30. If specific funding for the purpose of sections 28 and 29 of this act, referencing sections 28 and 29 of this act by bill and section numbers, is not provided by June 30, 1990, in the omnibus appropriations act, sections 28 and 29 of this act shall be null and void."

On page 1, line 1 of the title, after "children;" strike the remainder of the title and insert "amending RCW 4.92.130; adding new sections to chapter 74.13 RCW; adding a new section to chapter 13.32A RCW; adding a new section to chapter 13.34 RCW; creating new sections; and providing an effective date."

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden and Winsley.

Absent: Representative Raiter.

Referred to Committee on Appropriations.

February 22, 1990

E2SSB 6538 Prime Sponsor, Committee on Ways & Means: Pertaining to termination of parental rights. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

"Sec. 1. Section 30, chapter 291, Laws of 1977 ex. sess. as amended by section 2, chapter 524, Laws of 1987 and RCW 13.34.020 are each amended to read as follows:

The legislature declares that the family unit is a fundamental resource of American life which should be nurtured. Toward the continuance of this principle, the legislature declares that the family unit should remain intact unless a child's right to conditions of basic nurture, health, or safety is jeopardized. When the rights of basic nurture, physical and mental health, and safety of the child and the legal rights of the parents are in conflict, the rights and safety of the child should prevail. The right of a child to basic nurturing includes the right to a safe, stable, and permanent home and a speedy resolution of any proceeding under this chapter.

Sec. 2. Section 17, chapter 17, Laws of 1989 1st ex. sess. and RCW 13.34.130 are each amended to read as follows:

If, after a fact-finding hearing pursuant to RCW 13.34.110, as now or hereafter amended, it has been proven by a preponderance of the evidence that the child is dependent within the meaning of RCW 13.34.030(2); after consideration of the predisposition report prepared pursuant to RCW 13.34.110 and after a disposition hearing has been held pursuant to RCW 13.34.110, the court shall enter an order of disposition pursuant to this section.

(1) The court shall order one of the following dispositions of the case:

(a) Order a disposition other than removal of the child from his or her home, which shall provide a program designed to alleviate the immediate danger to the child, to mitigate or cure any damage the child has already suffered, and to aid the parents so that the child will not be endangered in the future. In selecting a program, the court should choose those services

that least interfere with family autonomy, provided that the services are adequate to protect the child.

(b) Order that the child be removed from his or her home and ordered into the custody, control, and care of a relative or the department of social and health services or a licensed child placing agency for placement in a foster family home or group care facility licensed pursuant to chapter 74.15 RCW or in a home not required to be licensed pursuant to chapter 74.15 RCW. Unless there is reasonable cause to believe that the safety or welfare of the child would be jeopardized or that efforts to reunite the parent and child will be hindered, such child shall be placed with a grandparent, brother, sister, stepbrother, stepsister, uncle, aunt, or first cousin with whom the child has a relationship and is comfortable, and who is willing and available to care for the child. An order for out-of-home placement may be made only if the court finds that reasonable efforts have been made to prevent or eliminate the need for removal of the child from the child's home and to make it possible for the child to return home and that:

(i) There is no parent or guardian available to care for such child;

~~(ii) (The child is unwilling to reside in the custody of the child's parent, guardian, or legal custodian;~~

~~(iii))~~ The parent, guardian, or legal custodian is not willing to take custody of the child;

~~((iv))~~ (iii) A manifest danger exists that the child will suffer serious abuse or neglect if the child is not removed from the home and an order under RCW 26.44.063 would not protect the child from danger; or

~~((v))~~ (iv) The extent of the child's disability is such that the parent, guardian, or legal custodian is unable to provide the necessary care for the child and the parent, guardian, or legal custodian has determined that the child would benefit from placement outside of the home.

(2) If the court has ordered a child removed from his or her home pursuant to RCW 13.34.130(1)(b), the court may order that a petition seeking termination of the parent and child relationship be filed if the court finds it is recommended by the supervising agency, that it is in the best interests of the child and that it is not reasonable to provide further services to reunify the family because the existence of aggravated circumstances make it unlikely that services will effectuate the return of the child to the child's parents in the near future. In determining whether aggravated circumstances exist, the court shall consider one or more of the following:

(a) Conviction of the parent of rape of the child in the first, second, or third degree as defined in RCW 9A.44.073, 9A.44.076, and 9A.44.079;

(b) Conviction of the parent of criminal mistreatment of the child in the first or second degree as defined in RCW 9A.42.020 and 9A.42.030;

(c) Conviction of the parent of assault of the child in the first or second degree as defined in RCW 9A.36.011 and 9A.36.021;

(d) Conviction of the parent of murder, manslaughter, or homicide by abuse of the child's other parent, sibling, or another child;

(e) A finding by a court that a parent is a sexually violent predator as defined in section 904, chapter ---, Laws of 1990 (Engrossed Second Substitute Senate Bill No. 6259);

(f) Failure of the parent to complete available treatment ordered under this chapter or the equivalent laws of another state, where such failure has resulted in a prior termination of parental rights to another child and the parent has failed to effect significant change in the interim.

(3) Whenever a child is ordered removed from the child's home, the agency charged with his or her care shall provide the court with:

(a) A permanent plan of care that may include one of the following: Return of the child to the home of the child's parent, adoption, guardianship, or long-term placement with a relative or in foster care with a written agreement.

(b) Unless the court has ordered, pursuant to RCW 13.34.130(2), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to return the child home, and what actions the agency will take to maintain parent-child ties. All aspects of the plan shall include the goal of achieving permanence for the child.

~~((a))~~ (i) The agency plan shall specify what services the parents will be offered in order to enable them to resume custody, what requirements the parents must meet in order to resume custody, and a time limit for each service plan and parental requirement.

~~((b))~~ (ii) The agency shall be required to encourage the maximum parent-child contact possible, including regular visitation and participation by the parents in the care of the child while the child is in placement.

~~((c))~~ (iii) A child shall be placed as close to the child's home as possible, preferably in the child's own neighborhood, unless the court finds that placement at a greater distance is necessary to promote the child's or parents' well-being.

~~((d))~~ (iv) The agency charged with supervising a child in placement shall provide all reasonable services that are available within the agency, or within the community, or those services which the department of social and health services has existing contracts to purchase. It shall report to the court if it is unable to provide such services.

(c) If the court has ordered, pursuant to RCW 13.34.130(2), that a termination petition be filed, a specific plan as to where the child will be placed, what steps will be taken to achieve permanency for the child, services to be offered or provided to the child, and, if visitation would be in the best interests of the child, a recommendation to the court regarding visitation between parent and child pending a fact-finding hearing on the termination petition. The agency shall not be required to develop a plan of services for the parents or provide services to the parents.

~~((3))~~ (4) If there is insufficient information at the time of the disposition hearing upon which to base a determination regarding the suitability of a proposed placement with a relative, the child shall remain in foster care and the court shall direct the supervising agency to conduct necessary background investigations as provided in chapter 74.15 RCW and report the results of such investigation to the court within thirty days. However, if such relative appears otherwise suitable and competent to provide care and treatment, the criminal history background check need not be completed before placement, but as soon as possible after placement. Any placements with relatives, pursuant to this section, shall be contingent upon cooperation by the relative with the agency case plan and compliance with court orders related to the care and supervision of the child including, but not limited to, court orders regarding parent-child contacts and any other conditions imposed by the court. Noncompliance with the case plan or court order shall be grounds for removal of the child from the relative's home, subject to review by the court.

~~((4))~~ (5) The status of all children found to be dependent shall be reviewed by the court at least every six months from the beginning date of the placement episode or the date dependency is established, whichever is first, at a hearing in which it shall be determined whether court supervision should continue. The review shall include findings regarding the agency and parental completion of disposition plan requirements, and if necessary, revised permanency time limits.

(a) A child shall not be returned home at the review hearing unless the court finds that a reason for removal as set forth in this section no longer exists. The parents, guardian, or legal custodian shall report to the court the efforts they have made to correct the conditions which led to removal. If a child is returned, casework supervision shall continue for a period of six months, at which time there shall be a hearing on the need for continued intervention.

(b) If the child is not returned home, the court shall establish in writing:

(i) Whether reasonable services have been provided to or offered to the parties to facilitate reunion;

(ii) Whether the child has been placed in the least-restrictive setting appropriate to the child's needs, including whether consideration has been given to placement with the child's relatives;

(iii) Whether there is a continuing need for placement and whether the placement is appropriate;

(iv) Whether there has been compliance with the case plan by the child, the child's parents, and the agency supervising the placement;

(v) Whether progress has been made toward correcting the problems that necessitated the child's placement in out-of-home care;

(vi) Whether the parents have visited the child and any reasons why visitation has not occurred or has been infrequent;

(vii) Whether additional services are needed to facilitate the return of the child to the child's parents; if so, the court shall order that reasonable services be offered; and

(viii) The projected date by which the child will be returned home or other permanent plan of care will be implemented.

(c) The court at the review hearing may order that a petition seeking termination of the parent and child relationship be filed.

Sec. 3. Section 47, chapter 291, Laws of 1977 ex. sess. as amended by section 48, chapter 155, Laws of 1979 and RCW 13.34.190 are each amended to read as follows:

After hearings pursuant to RCW 13.34.110, the court may enter an order terminating all parental rights to a child if the court finds that:

(1) ~~((a))~~ The allegations contained in the petition as provided in RCW 13.34.180 (1) through (6) are established by clear, cogent, and convincing evidence; or ~~((b))~~

(2) RCW 13.34.180 (3) and (4) may be waived because the allegations under RCW 13.34.180 (1), (2), ~~((4))~~ (5), and (6) are established beyond a reasonable doubt; or (c) the allegation under RCW 13.34.180(7) is established beyond a reasonable doubt. In determining whether RCW 13.34.180 (5) and (6) are established beyond a reasonable doubt, the court shall consider one or more of the following:

(a) Conviction of the parent of rape of the child in the first, second, or third degree as defined in RCW 9A.44.073, 9A.44.076, and 9A.44.079;

(b) Conviction of the parent of criminal mistreatment of the child in the first or second degree as defined in RCW 9A.42.020 or 9A.42.030;

(c) Conviction of the parent of assault of the child in the first or second degree as defined in RCW 9A.36.011 and 9A.36.021;

(d) Conviction of the parent of murder, manslaughter, or homicide by abuse of the child's other parent, sibling, or another child;

(e) A finding by a court that a parent is a sexually violent predator as defined in section 904, chapter ---, Laws of 1990 (Engrossed Second Substitute Senate Bill No. 6259);

(f) Failure of the parent to complete available treatment ordered under this chapter or the equivalent laws of another state, where such failure has resulted in a prior termination of parental rights to another child and the parent has failed to effect significant change in the interim; and

~~((#))~~ (3) Such an order is in the best interests of the child.

NEW SECTION. Sec. 4. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void."

On page 1, line 1 of the title, after "rights;" strike the remainder of the title and insert "amending RCW 13.34.020, 13.34.130, and 13.34.190; and creating a new section."

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Anderson, Brekke, Leonard, Raiter and Winsley.

Voting nay: Representative Padden.

Absent: Representatives Moyer, Ranking Republican Member; and Brekke.

Referred to Committee on Appropriations.

February 22, 1990

SB 6571 Prime Sponsor, Senator Newhouse: Revising provisions for interpreters in legal proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 2, after line 15, insert:

"NEW SECTION. Sec. 2. RCW sections 2.42.200, 2.42.210, 2.42.220, 2.42.230, 2.42.240, 2.42.250, 2.42.260, and 2.42.270 shall be recodified as a new chapter in Title 2 RCW."

On page 1, line 1 of the title, after "proceedings;" strike "and"

On page 1, line 2 of the title after "RCW 2.42.220" insert "; and recodifying RCW 2.42.200, 2.42.210, 2.42.220, 2.42.230, 2.42.240, 2.42.250, 2.42.260, and 2.42.270"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Dellwo, Inslee and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6574 Prime Sponsor, Senator Lee: Changing the definition of housing under the Washington state housing finance commission. Reported by Committee on Capital Facilities & Financing

MAJORITY recommendation: Do pass. Signed by Representatives H. Sommers, Chair; Rasmussen, Vice Chair; Schoon, Ranking Republican Member; Beck, Bowman, Braddock, Fraser, Heavey, Jacobsen, Peery, Rector, Wang and Winsley.

Absent: Representative Betrozoff.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6588 Prime Sponsor, Senator Nelson: Defining when a live performance may be a moral nuisance. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Dellwo and Locke.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6589 Prime Sponsor, Committee on Financial Institutions & Insurance: Changing provisions relating to which county a title insurer may do business. Reported by Committee on Financial Institutions & Insurance

MAJORITY recommendation: Do pass. Signed by Representatives Dellwo, Chair; Zellinsky, Vice Chair; Baugher, Beck, Crane, Day, Dorn, Inslee and Winsley.

Absent: Representatives Chandler, Ranking Republican Member; Anderson, P. King, Nutley, Schmidt and K. Wilson.

Passed to Committee on Rules for second reading.

February 22, 1990

ESSB 6608 Prime Sponsor, Committee on Law & Justice: Pertaining to enforcement of traffic violations. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Brough, Dellwo, Hargrove, Inslee, P. King, R. Meyers, H. Myers, Schmidt, Scott, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Padden, Ranking Republican Member; Forner, Moyer and D. Sommers.

Absent: Representatives Belcher and Locke.

Passed to Committee on Rules for second reading.

February 22, 1990

E2SSB 6610 Prime Sponsor, Committee on Ways & Means: Revising provisions for at-risk youth. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. It is the intent of the legislature to:

- (1) Preserve, strengthen, and reconcile families experiencing problems with at-risk youth;
- (2) Provide a legal process by which parents who are experiencing problems with at-risk youth can request and receive assistance from juvenile courts in providing appropriate care, treatment, and supervision to such youth; and
- (3) Assess the effectiveness of the family reconciliation services program.

The legislature does not intend by this enactment to grant any parent the right to file an at-risk youth petition or receive juvenile court assistance in dealing with an at-risk youth. The purpose of this enactment is to create a process by which a parent of an at-risk youth may request and receive assistance subject to the availability of juvenile court services and resources. Recognizing that these services and resources are limited, the legislature intends that counties have the authority to impose reasonable limits on the utilization of juvenile court services and resources in matters related to at-risk youth. Any responsibilities imposed upon the department under this act shall be contingent upon the availability of funds specifically appropriated by the legislature for such purpose.

Sec. 2. Section 16, chapter 155, Laws of 1979 and RCW 13.32A.020 are each amended to read as follows:

This chapter shall be known and may be cited as the (~~Procedures for Families in Conflict~~) Family Reconciliation Act.

Sec. 3. Section 17, chapter 155, Laws of 1979 as amended by section 6, chapter 257, Laws of 1985 and RCW 13.32A.030 are each amended to read as follows:

As used in this chapter the following terms have the meanings indicated unless the context clearly requires otherwise:

- (1) 'Department' means the department of social and health services;
- (2) 'Child,' 'juvenile,' and 'youth' mean any individual who is under the chronological age of eighteen years;

(3) 'Parent' means the legal custodian(s) or guardian(s) of a child;

(4) 'Semi-secure facility' means any facility, including but not limited to crisis residential centers or specialized foster family homes, operated in a manner to reasonably assure that youth placed there will not run away; PROVIDED, That such facility shall not be a secure institution or facility as defined by the federal juvenile justice and delinquency prevention act of 1974 (P.L. 93-415; 42 U.S.C. Sec. 5634 et seq.) and regulations and clarifying instructions promulgated thereunder. Pursuant to rules established by the department, the facility administrator shall establish reasonable hours for residents to come and go from the facility such that no residents are free to come and go at all hours of the day and night. To prevent residents from taking unreasonable actions, the facility administrator, where appropriate, may condition a resident's leaving the facility upon the resident being accompanied by the administrator or the

administrator's designee and the resident may be required to notify the administrator or the administrator's designee of any intent to leave, his or her intended destination, and the probable time of his or her return to the center. The facility administrator shall notify a parent and the appropriate law enforcement agency within four hours of all unauthorized leaves;

(5) 'At-risk youth' means an individual under the chronological age of eighteen years who:

(a) Is absent from home for more than seventy-two consecutive hours without consent of his or her parent;

(b) Is beyond the control of his or her parent such that the child's behavior substantially endangers the health, safety, or welfare of the child or any other person; or

(c) Has a serious substance abuse problem for which there are no pending criminal charges related to the substance abuse.

Sec. 4. Section 18, chapter 155, Laws of 1979 as amended by section 1, chapter 298, Laws of 1981 and RCW 13.32A.040 are each amended to read as follows:

Families who are in conflict or who are experiencing problems with at-risk youth may request family reconciliation services from the department. Such services shall be provided to alleviate personal or family situations which present a serious and imminent threat to the health or stability of the child or family and to maintain families intact wherever possible. Family reconciliation services shall be designed to develop skills and supports within families to resolve problems related to at-risk youth or family conflicts and may include but are not limited to referral to services for suicide prevention, psychiatric or other medical care, or psychological, welfare, legal, educational, or other social services, as appropriate to the needs of the child and the family.

Sec. 5. Section 19, chapter 155, Laws of 1979 as last amended by section 1, chapter 288, Laws of 1986 and RCW 13.32A.050 are each amended to read as follows:

A law enforcement officer shall take a child into custody:

(1) If a law enforcement agency has been contacted by the parent of the child that the child is absent from parental custody without consent; or

(2) If a law enforcement officer reasonably believes, considering the child's age, the location, and the time of day, that a child is in circumstances which constitute a danger to the child's safety; or

(3) If an agency legally charged with the supervision of a child has notified a law enforcement agency that the child has run away from placement; or

(4) If a law enforcement agency has been notified by the juvenile court that the court finds probable cause exists to believe that the child has violated a court placement order issued pursuant to chapter 13.32A RCW or that the court has issued an order for law enforcement pick-up of the child under this chapter.

Law enforcement custody shall not extend beyond the amount of time reasonably necessary to transport the child to a destination authorized by law and to place the child at that destination.

An officer who takes a child into custody under this section and places the child in a designated crisis residential center shall inform the department of such placement within twenty-four hours.

(5) Nothing in this section affects the authority of any political subdivision to make regulations concerning the conduct of minors in public places by ordinance or other local law.

Sec. 6. Section 23, chapter 155, Laws of 1979 as amended by section 7, chapter 298, Laws of 1981 and RCW 13.32A.090 are each amended to read as follows:

(1) The person in charge of a designated crisis residential center or the department pursuant to RCW 13.32A.070 shall perform the duties under subsection (2) of this section:

(a) Upon admitting a child who has been brought to the center by a law enforcement officer under RCW 13.32A.060;

(b) Upon admitting a child who has run away from home or has requested admittance to the center;

(c) Upon learning from a person under RCW 13.32A.080 ~~((2))~~ (3) that the person is providing shelter to a child absent from home; or

(d) Upon learning that a child has been placed with a responsible adult pursuant to RCW 13.32A.070.

(2) When any of the circumstances under subsection (1) of this section are present, the person in charge of a center shall perform the following duties:

(a) Immediately notify the child's parent of the child's whereabouts, physical and emotional condition, and the circumstances surrounding his or her placement;

(b) Initially notify the parent that it is the paramount concern of the family reconciliation service personnel to achieve a reconciliation between the parent and child to reunify the family and inform the parent as to the procedures to be followed under this chapter;

(c) Inform the parent whether a referral to children's protective services has been made and, if so, inform the parent of the standard pursuant to RCW 26.44.020(12) governing child abuse and neglect in this state;

(d) Arrange transportation for the child to the residence of the parent, as soon as practicable, at the latter's expense to the extent of his or her ability to pay, with any unmet transportation expenses to be assumed by the department, when the child and his or her parent agrees to the child's return home or when the parent produces a copy of a court order entered under this chapter requiring the child to reside in the parent's home;

(e) Arrange transportation for the child to an alternative residential placement which may include a licensed group care facility or foster family when agreed to by the child and parent at the latter's expense to the extent of his or her ability to pay, with any unmet transportation expenses assumed by the department.

Sec. 7. Section 26, chapter 155, Laws of 1979 and RCW 13.32A.120 are each amended to read as follows:

(1) Where either a child or the child's parent or the person or facility currently providing shelter to the child notifies the center that such individual or individuals cannot agree to the continuation of an alternative residential placement arrived at pursuant to RCW 13.32A.090(2)(e), the center shall immediately contact the remaining party or parties to the agreement and shall attempt to bring about the child's return home or to an alternative living arrangement agreeable to the child and the parent as soon as practicable.

(2) If a child and his or her parent cannot agree to an alternative residential placement under RCW 13.32A.090(2)(e), either the child or parent may file with the juvenile court a petition to approve an alternative residential placement or the parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth under this chapter.

(3) If a child and his or her parent cannot agree to the continuation of an alternative residential placement arrived at under RCW 13.32A.090(2)(e), either the child or parent may file with the juvenile court a petition to approve an alternative residential placement or the parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth under this chapter.

Sec. 8. Section 27, chapter 155, Laws of 1979 as last amended by section 9, chapter 257, Laws of 1985 and RCW 13.32A.130 are each amended to read as follows:

A child admitted to a crisis residential center under this chapter who is not returned to the home of his or her parent or who is not placed in an alternative residential placement under an agreement between the parent and child, shall, except as provided for by RCW 13.32A.140 and 13.32A.160(2), reside in such placement under the rules and regulations established for the center for a period not to exceed seventy-two hours, excluding Saturdays, Sundays, and holidays, from the time of intake, except as otherwise provided by this chapter. Crisis residential center staff shall make a concerted effort to achieve a reconciliation of the family. If a reconciliation and voluntary return of the child has not been achieved within forty-eight hours, excluding Saturdays, Sundays and holidays, from the time of intake, and if the person in charge of the center does not consider it likely that reconciliation will be achieved within the seventy-two hour period, then the person in charge shall inform the parent and child of (1) the availability of counseling services; (2) the right to file a petition for an alternative residential placement ((and)), the right of a parent to file an at-risk youth petition, and the right of the parent and child to obtain assistance in filing the petition; and (3) the right to request a review of ((such a) any alternative residential placement: PROVIDED, That at no time shall information regarding a parent's or child's rights be withheld if requested: PROVIDED FURTHER, That the department shall develop and distribute to all law enforcement agencies and to each crisis residential center administrator a written statement delineating such services and rights. Every officer taking a child into custody shall provide the child and his or her parent(s) or responsible adult with whom the child is placed with a copy of such statement. In addition, the administrator of the facility or his or her designee shall provide every resident and parent with a copy of such statement.

Sec. 9. Section 28, chapter 155, Laws of 1979 as amended by section 10, chapter 298, Laws of 1981 and RCW 13.32A.140 are each amended to read as follows:

The department shall file a petition to approve an alternative residential placement on behalf of a child under any of the following sets of circumstances:

(1) The child has been admitted to a crisis residential center or has been placed with a responsible person other than his or her parent, and:

(a) The parent has been notified that the child was so admitted or placed;

(b) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such notification;

(c) No agreement between the parent and the child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or parent or legal custodian; ((and))

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

(2) The child has been admitted to a crisis residential center and:

(a) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such placement;

(b) The staff, after searching with due diligence, have been unable to contact the parent of such child; and

(c) The child has no suitable place to live other than the home of his or her parent.

(3) An agreement between parent and child made pursuant to RCW 13.32A.090(2)(e) or pursuant to RCW 13.32A.120(1) is no longer acceptable to parent or child, and:

(a) The party to whom the arrangement is no longer acceptable has so notified the department;

(b) Seventy-two hours, including Saturdays, Sundays, and holidays, have passed since such notification;

(c) No new agreement between parent and child as to where the child shall live has been reached;

(d) No petition requesting approval of an alternative residential placement has been filed by either the child or the parent: ~~((and))~~

(e) The parent has not filed an at-risk youth petition; and

(f) The child has no suitable place to live other than the home of his or her parent.

Under the circumstances of subsections (1), (2), or (3) of this section, the child shall remain in a licensed child care facility, including but not limited to a crisis residential center, or in any other suitable residence to be determined by the department until an alternative residential placement petition filed by the department on behalf of the child is reviewed by the juvenile court and is resolved by such court. The department may authorize emergency medical or dental care for a child placed under this section. The state, when the department files a petition for alternative residential placement under this section, shall be represented as provided for in RCW 13.04.093.

Sec. 10. Section 29, chapter 155, Laws of 1979 as last amended by section 1, chapter 269, Laws of 1989 and RCW 13.32A.150 are each amended to read as follows:

(1) Except as otherwise provided in this section the juvenile court shall not accept the filing of an alternative residential placement petition by the child or the parents or the filing of an at-risk youth petition by the parent, unless verification is provided that a family assessment has been completed by the department. The family assessment shall be aimed at family reconciliation and avoidance of the out-of-home placement of the child. If the department is unable to complete an assessment within two working days following a request for assessment the child or the parents may proceed under subsection (2) of this section or the parent may proceed under subsection (3) of this section.

(2) A child or a child's parent may file with the juvenile court a petition to approve an alternative residential placement for the child outside the parent's home. The department shall, when requested, assist either a parent or child in the filing of the petition. The petition shall only ask that the placement of a child outside the home of his or her parent be approved. The filing of a petition to approve such placement is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent, and confers upon the court a special jurisdiction to approve or disapprove an alternative residential placement.

(3) A child's parent may file with the juvenile court a petition in the interest of a child alleged to be an at-risk youth. The department shall, when requested, assist the parent in filing the petition. The petition shall be filed in the county where the petitioning parent resides. The petition shall set forth the name, age, and residence of the child and the names and residence of the child's parents and shall allege that:

(a) The child is an at-risk youth as defined in this chapter;

(b) The petitioning parent has the right to legal custody of the child;

(c) Court intervention and supervision are necessary to assist the parent to maintain the care, custody, and control of the child; and

(d) Alternatives to court intervention have been attempted or there is good cause why such alternatives have not been attempted.

The petition shall set forth facts that support the allegations in this subsection and shall generally request relief available under this chapter. The petition need not specify any proposed disposition following adjudication of the petition. The filing of an at-risk youth petition is not dependent upon the court's having obtained any prior jurisdiction over the child or his or her parent and confers upon the court the special jurisdiction to assist the parent in maintaining parental authority and responsibility for the child. An at-risk youth petition may not be filed if the court has approved an alternative residential placement petition regarding the child or if the child is the subject of a proceeding under chapter 13.34 RCW. A petition may be accepted for filing only if alternatives to court intervention have been attempted or if there is good cause why they were not attempted. Juvenile court personnel may screen all at-risk youth petitions and may refuse to allow the filing of any petition that lacks merit, fails to comply with the requirements of this section, or fails to allege sufficient facts in support of allegations in the petition.

Sec. 11. Section 30, chapter 155, Laws of 1979 as amended by section 2, chapter 269, Laws of 1989 and RCW 13.32A.160 are each amended to read as follows:

(1) When a proper petition to approve an alternative residential placement is filed under RCW 13.32A.120, 13.32A.140, or 13.32A.150 the juvenile court shall: (a) Schedule a date for a

fact-finding hearing; notify the parent, child, and the department of such date; (b) notify the parent of the right to be represented by counsel and, if indigent, to have counsel appointed for him or her by the court; (c) appoint legal counsel for the child; (d) inform the child and his or her parent of the legal consequences of the court approving or disapproving an alternative residential placement petition; and (e) notify all parties, including the department, of their right to present evidence at the fact-finding hearing.

(2) Upon filing of an alternative residential placement petition, the child may be placed, if not already placed, by the department in a crisis residential center, foster family home, group home facility licensed under chapter 74.15 RCW, or any other suitable residence to be determined by the department.

(3) If the child has been placed in a foster family home or group care facility under chapter 74.15 RCW, the child shall remain there, or in any other suitable residence as determined by the department, pending resolution of the alternative residential placement petition by the court. Any placement may be reviewed by the court within three court days upon the request of the juvenile or the juvenile's parent.

NEW SECTION, Sec. 12. (1) When a proper at-risk youth petition is filed by a child's parent under RCW 13.32A.120 or 13.32A.150, the juvenile court shall:

- (a) Schedule a fact-finding hearing and notify the parent and the child of such date;
- (b) Notify the parent of the right to be represented by counsel at the parent's own expense;
- (c) Appoint legal counsel for the child;
- (d) Inform the child and his or her parent of the legal consequences of the court finding the child to be an at-risk youth; and
- (e) Notify the parent and the child of their rights to present evidence at the fact-finding hearing.

(2) Unless out-of-home placement of the child is otherwise authorized or required by law, the child shall reside in the home of his or her parent or in an alternative residential placement approved by the parent. Upon request by the parent, the court may enter a court order requiring the child to reside in the home of his or her parent or an alternative residential placement approved by the parent.

(3) If upon sworn written or oral declaration of the petitioning parent, the court has reason to believe that a child has willfully and knowingly violated a court order issued pursuant to subsection (2) of this section, the court may issue an order directing law enforcement to take the child into custody and place the child in a juvenile detention facility or in a crisis residential center licensed by the department and established pursuant to chapter 74.13 RCW. If the child is placed in detention, a review shall be held as provided in RCW 13.32A.065.

(4) If both an alternative residential placement petition and an at-risk youth petition have been filed with regard to the same child, the proceedings shall be consolidated for purposes of fact-finding. Pending a fact-finding hearing regarding the petition, the child may be placed, if not already placed, in an alternative residential placement as provided in RCW 13.32A.160 unless the court has previously entered an order requiring the child to reside in the home of his or her parent. The child or the parent may request a review of the child's placement including a review of any court order requiring the child to reside in the parent's home. At the review the court, in its discretion, may order the child placed in the parent's home or in an alternative residential placement pending the hearing.

NEW SECTION, Sec. 13. (1) The court shall hold a fact-finding hearing to consider a proper at-risk youth petition. The court may grant the petition and enter an order finding the child to be an at-risk youth if the allegations in the petition are established by a preponderance of the evidence. The court shall not enter such an order if the court has approved an alternative residential placement petition regarding the child or if the child is the subject of a proceeding under chapter 13.34 RCW. If the petition is granted, the court shall enter an order requiring the child to reside in the home of his or her parent or in an alternative residential placement approved by the parent.

(2) The court may order the department to submit a dispositional plan if such a plan would assist the court in ordering a suitable disposition in the case. If the court orders the department to prepare a plan, the department shall provide copies of the plan to the parent, the child, and the court. If the parties or the court desire the department to be involved in any future proceedings or case plan development, the department shall be provided timely notification of all court hearings.

(3) A dispositional hearing shall be held no later than fourteen days after the court has granted an at-risk youth petition. Each party shall be notified of the time and date of the hearing.

(4) If the court grants or denies an at-risk youth petition, a statement of the written reasons shall be entered into the records. If the court denies an at-risk youth petition, the court shall verbally advise the parties that the child is required to remain within the care, custody, and control of his or her parent.

NEW SECTION, Sec. 14. (1) At the dispositional hearing regarding an adjudicated at-risk youth, the court shall consider the recommendations of the parties and the recommendations of any dispositional plan submitted by the department. The court may enter a dispositional order

that will assist the parent in maintaining the care, custody, and control of the child and assist the family to resolve family conflicts or problems.

(2) The court may set conditions of supervision for the child that include:

(a) Regular school attendance;

(b) Counseling;

(c) Participation in a substance abuse treatment program;

(d) Reporting on a regular basis to the department or any other designated person or agency; and

(e) Any other condition the court deems an appropriate condition of supervision.

(3) The court may order the parent to participate in counseling services or any other services for the child requiring parental participation. The parent shall cooperate with the court-ordered case plan and shall take necessary steps to help implement the case plan. The parent shall be financially responsible for costs related to the court-ordered plan; however, this requirement shall not affect the eligibility of the parent or child for public assistance or other benefits to which the parent or child may otherwise be entitled. The parent may request dismissal of an at-risk youth proceeding at any time and upon such a request, the court shall dismiss the matter and cease court supervision of the child unless a contempt action is pending in the case. The court may retain jurisdiction over the matter for the purpose of concluding any pending contempt proceedings, including the full satisfaction of any penalties imposed as a result of a contempt finding.

(4) The court may order the department to monitor compliance with the dispositional order, assist in coordinating the provision of court-ordered services, and submit reports at subsequent review hearings regarding the status of the case.

NEW SECTION. Sec. 15. (1) Upon making a disposition regarding an adjudicated at-risk youth, the court shall schedule the matter on the calendar for review within three months, advise the parties of the date thereof, appoint legal counsel for the child, advise the parent of the right to be represented by legal counsel at the review hearing at the parent's own expense, and notify the parties of their rights to present evidence at the hearing.

(2) At the review hearing, the court shall approve or disapprove the continuation of court supervision in accordance with the goal of assisting the parent to maintain the care, custody, and control of the child. The court shall determine whether the parent and child are complying with the dispositional plan. If court supervision is continued, the court may modify the dispositional plan.

(3) Court supervision of the child may not be continued past one hundred eighty days from the day the review hearing commenced unless the court finds, and the parent agrees, that there are compelling reasons for an extension of supervision. Any extension granted pursuant to this subsection shall not exceed ninety days.

(4) The court may dismiss an at-risk youth proceeding at any time if the court finds good cause to believe that continuation of court supervision would serve no useful purpose or that the parent is not cooperating with the court-ordered case plan. The court shall dismiss an at-risk youth proceeding if the child is the subject of a proceeding under chapter 13.34 RCW.

Sec. 16. Section 14, chapter 298, Laws of 1981 as amended by section 4, chapter 269, Laws of 1989 and by section 16, chapter 373, Laws of 1989 and RCW 13.32A.250 are each reenacted and amended to read as follows:

(1) In all alternative residential placement proceedings and at-risk youth proceedings, the court shall verbally notify the parents and the child of the possibility of a finding of contempt for failure to comply with the terms of ~~((an alternative residential placement order))~~ a court order entered pursuant to this chapter. The court shall treat the parents and the child equally for the purposes of applying contempt of court processes and penalties under this section.

(2) Failure by a party to comply with an order entered under this chapter is a contempt of court as provided in chapter 7.21 RCW, subject to the limitations of subsection (2) of this section.

(3) The court may impose a fine of up to one hundred dollars and imprisonment for up to seven days, or both for contempt of court under this section.

(4) A child imprisoned for contempt under this section shall be imprisoned only in a secure juvenile detention facility operated by or pursuant to a contract with a county.

(5) A motion for contempt may be made by a parent, a child, juvenile court personnel, or by any public agency, organization, or person having custody of the child under a court order adopted pursuant to this chapter.

NEW SECTION. Sec. 17. The department shall conduct a research study of the family reconciliation services program. The research study shall include the following information:

(1) A description of services offered in phase I and phase II and the effectiveness of these services;

(2) The number of youth and families served in family reconciliation services phase I and phase II and outcome of services provided to each youth and family;

(3) Nonclient parent and youth awareness of the family reconciliation services program and their perception of its effectiveness;

(4) The number of referrals to family reconciliation services from law enforcement, juvenile courts, schools, and community agencies and their perception of its effectiveness;

(5) Follow-up contact with a random sample of youth and families receiving family reconciliation services assistance and their perception of the effectiveness of family reconciliation services;

(6) The number of youth referred again after services were terminated and outcome of services provided;

(7) The number of youth and families offered services who refused them and the reason, if known;

(8) The number of youth and families who requested services but were denied based on: (a) Ineligibility or (b) services not available, including a list of those services requested but not available; and

(9) Recommendations for improving services to at-risk youth and families.

The department shall submit a preliminary report by January 1, 1991, and the full research study report by January 1, 1992, to the senate children and family services committee, and the house of representatives human services committee.

NEW SECTION, Sec. 18. Sections 12 through 15 of this act are each added to chapter 13.32A RCW.

NEW SECTION, Sec. 19. If any part of this act is found to be in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state, the conflicting part of this act is inoperative solely to the extent of the conflict and with respect to the agencies directly affected, and this finding does not affect the operation of the remainder of this act in its application to the agencies concerned. The rules under this act shall meet federal requirements that are a necessary condition to the receipt of federal funds by the state.

NEW SECTION, Sec. 20. 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. 21. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void."

On page 1, line 1 of the title, after "youth;" strike the remainder of the title and insert "amending RCW 13.32A.020, 13.32A.030, 13.32A.040, 13.32A.050, 13.32A.090, 13.32A.120, 13.32A.130, 13.32A.140, 13.32A.150, and 13.32A.160; reenacting and amending RCW 13.32A.250; adding new sections to chapter 13.32A RCW; and creating new sections."

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6611 Prime Sponsor, Committee on Energy & Utilities: Requiring notice of fee and charge increases by disposal facilities. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert:

NEW SECTION, Sec. 1. A new section is added to chapter 70.95 RCW to read as follows:

A city, county, or person establishing solid waste disposal fees shall provide written notice to the commission, and the appropriate solid waste collection entities, of any change in solid waste disposal fees. Any increase or decrease in disposal fees shall take effect no sooner than ninety days after the notice has been filed with the commission, unless an agreement is reached to implement a change in fees sooner than ninety days by a person or entity establishing solid waste disposal fees and the appropriate solid waste collection entity."

Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprengle, Van Luven and Walker.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6625 Prime Sponsor, Committee on Higher Education: Prohibiting young men from receiving financial aid unless they have registered with selective service. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass with the following amendments:

On page 1, line 4, after "Sec. 1," strike all material through "section." on line 17 and insert "The legislature finds that many individuals in the state of Washington have attended college and received an associate of arts degree, or its equivalent, but are placebound.

The legislature further finds that there exists in some public and private institutions of the state of Washington unused capacity which would be available to accommodate these students. The legislature finds that there will be a substantial saving to the state to use existing capacity in lieu of adding capacity to a branch campus or constructing additional public higher education facilities in the central Puget Sound, Tri-Cities, Spokane, southwest Washington, or Yakima areas.

The legislature intends to establish an educational opportunity grant program for placebound students who have completed an associate of arts degree, or its equivalent, in an effort to increase their participation in and completion of upper-division programs. The legislature finds that the use of existing capacity for placebound students at the public and private institutions of higher education will achieve a substantial savings and enable placebound students to complete their upper-division educational programs.

NEW SECTION. Sec. 2. The educational opportunity grant program is hereby created as a demonstration project to serve placebound financially needy students by assisting them to obtain a baccalaureate degree at public and private institutions of higher education which have the capacity to accommodate such students within existing educational programs and facilities.

NEW SECTION. Sec. 3. (1) For the purposes of this chapter, 'placebound' means unable to relocate to complete a college program because of family or employment commitments, health concerns, monetary inability, or other similar factors.

(2) To be eligible for an educational opportunity grant, applicants must be placebound residents of the state of Washington who are needy students as defined in RCW 28B.10.802(3) and who have completed the associate of arts degree or its equivalent. A placebound resident is one who may be influenced by the receipt of an enhanced student financial aid award to attend an institution that has existing unused capacity rather than attend a branch campus established pursuant to chapter 28B.45 RCW. An eligible placebound applicant is further defined as a person whose residence is located in an area served by a branch campus who, because of family or employment commitments, health concerns, monetary need, or other similar factors, would be unable to complete an upper-division course of study but for receipt of an educational opportunity grant.

NEW SECTION. Sec. 4. The higher education coordinating board shall develop and administer the educational opportunity grant program. The board shall adopt necessary rules and guidelines and develop criteria and procedures to select eligible participants in the program. Payment shall be made directly to the eligible participant periodically upon verification of enrollment and satisfactory progress towards degree completion.

NEW SECTION. Sec. 5. Grants may be used by eligible participants to attend any public or private college or university in the state of Washington that has an existing unused capacity. Grants shall not be used to attend any branch campus or educational program established under chapter 28B.45 RCW. The participant shall not be eligible for a grant if it will be used for any programs that include religious worship, exercise, or instruction or to pursue a degree in theology. Each participating student may receive up to two thousand five hundred dollars per academic year, not to exceed the student's demonstrated financial need for the course of study.

NEW SECTION. Sec. 6. Sections 1 through 5 of this act shall constitute a new chapter in Title 28B RCW.

NEW SECTION. Sec. 7. The following acts or parts of acts are each repealed:

(1) Section 12, chapter 7, Laws of 1989 1st ex. sess. and RCW 28B.80.530; and

(2) Section 13, chapter 7, Laws of 1989 1st ex. sess. and RCW 28B.80.540.

Renumber the sections consecutively and correct internal references accordingly.

On page 1, line 1 of the title, after "education;" strike "and adding a new section to chapter 28B.10 RCW." and insert "adding a new chapter to Title 28B RCW; and repealing RCW 28B.80.530 and 28B.80.540."

On page 1, line 4, after "Sec. 1." strike all material through "section." on line 17 and insert "It is the intent of the legislature:

(1) To protect the health, safety, and welfare of foreign students studying in Washington;

(2) To promote quality education and living experiences for foreign students living in Washington;

(3) To promote international awareness among Washington residents, by encouraging Washington residents to interact with foreign students;

(4) To encourage public confidence in foreign student placement agencies; and

(5) To encourage and assist with compliance with federal immigration regulations, United States information agency regulations, and nationally established guidelines.

NEW SECTION. Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

(1) 'Exchange student placement agency' means a foreign student placement agency.

(2) 'Foreign student placement agency' means a person, partnership, corporation, or other entity that provides services to foreign students under the age of twenty-one for the purpose, in

whole or in part, of allowing the students an opportunity to study in the United States, but does not include:

(a) Any nonprofit organization that does not charge an agency administrative fee for the foreign student services and that makes a suitable placement in the home of a member of the nonprofit organization or in a home well known to and recommended by the president of the nonprofit organization;

(b) Any institution of higher education as defined in RCW 28B.10.016;

(c) Any postsecondary private institution which awards an associate of arts or bachelor of arts degree;

(d) Any school which is a component of the Washington common school system; and

(e) Any private school, authorized by law to issue a high school diploma.

(3) 'Department' means the department of licensing.

(4) 'Director' means the director of the department of licensing.

(5) 'Suitable placement' means placement of a foreign student with a host family or a school operated dormitory which provides a healthful and safe living environment, which provides adequate living space and an adequate diet for the student, which supports the educational goals of the student, and which does not require the student to provide services in exchange for the placement.

(6) 'Student' means a foreign student instructed at a postsecondary education institution in Washington for one academic quarter or more; or a foreign student instructed at public or private secondary schools in Washington for one-half an academic year or more.

(7) 'Academic quarter' means fall, winter, spring, or summer academic quarters or terms.

NEW SECTION. Sec. 3. It shall be unlawful for any person or other entity to operate in this state as a foreign student placement agency, unless the agency is licensed pursuant to the provisions of this chapter.

NEW SECTION. Sec. 4. (1) Each foreign student placement agency shall have the following obligations and shall keep records in Washington of services rendered to host families and students. The records and obligations shall include:

(a) The name, home address, and telephone number of the student to whom services are provided or promised;

(b) A statement that in the judgment of the placement agency each student placed in a publicly supported educational institution has sufficient English language capabilities to benefit from the educational program;

(c) The name, address, and phone number of the host family with whom the student is placed, which shall be on file at least seven days prior to the student's arrival in the state of Washington;

(d) The amount of the foreign student placement agency's fee or fees charged to a student by the American and the international organization and an itemization of the services attributable to individual portions of the fee or fees;

(e) A complete copy of any written agreements entered into between the agency and students and the host families which must include a signed agreement from the host family to provide a suitable placement;

(f) Proof of health and accident insurance policies which are in force in the state of Washington for the appropriate period for each student; and

(g) Copies of visas and other federal documents required for the students to remain in the United States.

(2) Unless otherwise provided by the rules adopted by the director, the records shall be maintained for a period of one year from the date on which the student arrives in the state. For purposes of investigating a complaint or otherwise assuring compliance with this chapter and rules adopted thereunder, the records shall be subject to inspection by the department at the place at which they are kept, upon at least three days written notice.

NEW SECTION. Sec. 5. A foreign student placement agency shall provide each student and host family with an informational document regarding the agency services, in English, which shall have printed on it or attached to it a copy of this chapter and shall contain at a minimum the following:

(1) The name, address, and telephone number of the foreign student placement agency, including an emergency telephone hot-line available twenty-four hours a day, which is regularly answered by agency staff or representatives, or a live answering service, which can page agency staff twenty-four hours a day, and the telephone number of the appropriate division within the department of licensing;

(2) Trade name of the foreign student placement agency, if any;

(3) The amount of the fee to be charged the student, and an itemization of the services attributable to individual portions of the fee or the method of computation of the fee, and the time and method of payments;

(4) The name and address of the financial institution in which the trust account required in section 11 of this act will be deposited;

(5) The name, address, and phone number of the carriers providing insurance coverage as provided in section 4(1)(f) of this act; and

(6) The name, address, and phone number of the agency representative located nearest to the host family.

NEW SECTION. Sec. 6. (1) The director shall administer this chapter and shall adopt rules for enforcing and carrying out this chapter.

(2) The director shall appoint an advisory committee composed of representatives from foreign student placement agencies, United States immigration and naturalization service, office of the superintendent of public instruction, host parents, foreign students, resident students, representatives of public and private high schools and institutions of postsecondary education. These individuals shall advise the director on implementation of this chapter, including development of rules. The members shall serve at the discretion of the director.

(3) The director shall have supervisory and investigative authority over all foreign student placement agencies.

(4) The director may investigate the individuals responsible for screening and selecting host families and determining suitable placement in terms of their suitability and competence to perform these duties.

(5) The director shall have the power to compel the attendance of witnesses and the production of documents by the issuance of subpoenas, to administer oaths, and to take testimony and proofs concerning all matters pertaining to the administration of this chapter.

(6) Upon receipt of a complaint, the director may investigate the living conditions and circumstances of the student. Persons authorized to conduct the investigation must be determined by the department to be competent to conduct such investigation. The investigation may include a criminal background check.

(7) All records and other information received or compiled by the department in the investigation of a complaint, including the complaint itself, shall be exempt from public inspection and copying, pursuant to RCW 42.17.310(1) (d) and (e).

NEW SECTION. Sec. 7. (1) Every applicant for a foreign student placement agency license shall file with the director a written application stating:

- (a) The name, address, and phone numbers of the applicant;
 - (b) The street and number of the building in which the business of the agency is to be conducted;
 - (c) The name and phone number of the person who is to have the general management of the agency;
 - (d) The name under which the business of the agency is to be carried on;
 - (e) The name, address, phone number, and occupation or employer of anyone holding over twenty percent interest in the agency;
 - (f) The name, address, and phone numbers and occupation or employer of the officers, partners, or members of the board of directors of the agency, which shall be signed and sworn to by the president and secretary of the corporation;
 - (g) Business relationships with organizations in which officers, board members, or agency employees have a financial interest;
 - (h) A unified business identifier number;
 - (i) The type or types of immigration visas used to bring students to the United States;
 - (j) A student orientation procedure;
 - (k) The names and addresses of all partners of the business, which shall be signed and sworn to by all of them, and which shall also state whether or not the applicant is, at the time of making the application, or has at any previous time been, engaged in or interested in or employed by anyone engaged in the business of a foreign student placement agency;
 - (l) The applicant accepts responsibility for assuring suitable placements for all students;
 - (m) The applicant accepts responsibility for meeting the responsibilities to students that are advertised in agency brochures or other advertisements;
 - (n) The applicant accepts responsibility for arranging suitable assistance to students upon their arrival and departure from the state;
 - (o) The applicant has in place a dispute resolution mechanism that allows for both students and host families to express their views to the placement agency as it makes decisions about the suitability of placement of a student;
 - (p) The name, address, and qualifications of the individuals responsible for screening host families and determining suitable placement; and
 - (q) The address at which the records required by section 4 of this act are or will be kept.
- The application shall be signed by the applicant and sworn to before a notary public.
- (2) The director shall establish a renewal procedure whereby the licensee shall only be required to update information provided in the original license application.
- (3) The application shall require disclosure of any officer, manager, or holder of more than twenty percent interest in the business who has been convicted of a crime involving moral turpitude, dishonesty, or corruption relating to the conduct of a foreign student placement agency or has had any judgment entered against such person in any civil action involving fraud, misrepresentation, or conversion.
- (4) The application shall contain a copy of the articles of incorporation or partnership agreement covering the agency.

(5) All applications for foreign student placement agency licenses shall be accompanied by a copy of the form of any agreement and fee schedule to be used between the agency and students or host families.

(6) All applications shall be accompanied by representative samples of all promotional materials and advertisements used in recruiting students.

(7) An organization which sets standards for high quality international educational travel and monitors compliance with those standards may be authorized by an agency to submit a license application on behalf of the agency. However, the agency on whose behalf a license is sought shall certify in writing the accuracy of the information submitted on its behalf. The director shall develop rules for considering the eligibility of such organizations for this application procedure.

NEW SECTION. Sec. 8. A foreign student placement agency license shall expire December 31st of each year. A license shall not be issued upon application for reinstatement until all fees and penalties previously accrued under this chapter have been paid.

NEW SECTION. Sec. 9. A license granted under this chapter is not transferable. A foreign student placement agency shall not permit any person not mentioned in the license application under section 7(1)(e) and (f) of this act to hold a position identified in section 7(1)(e) and (f) of this act without notifying the director and modifying the license application.

NEW SECTION. Sec. 10. The director shall determine the fee to be charged for original applications, renewals, and late renewals. The fees shall be set at a level sufficient to recover the costs of administering this chapter. The director may establish a sliding fee scale based on the number of students placed in Washington.

NEW SECTION. Sec. 11. A separate trust account shall be established and maintained by each license applicant or licensee for all funds to be disbursed to students or host families. The director shall have the authority to examine financial records in such trust accounts. The trust account shall be established and administered pursuant to rules promulgated by the director.

NEW SECTION. Sec. 12. In accordance with chapter 34.05 RCW, the director may by order deny, suspend, or revoke the license of any foreign student placement agency if he or she finds that the applicant or licensee or any director or officer or individual managing a program in Washington:

(1) Was previously the holder of a license issued under this chapter, which was revoked for cause and never reissued by the director, or which license was suspended for cause and the terms of the suspension have not been fulfilled;

(2) Has been found guilty of any crime involving moral turpitude, dishonesty, or corruption relating to the conduct of a foreign student placement agency or has had any judgment entered against such person in any civil action involving fraud, misrepresentation, or conversion. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence is suspended or deferred. Nothing in this section abrogates rights granted under chapter 9.96A RCW;

(3) Has made a false statement of a material fact in his or her application or in any data attached to the application;

(4) Fails to provide a suitable placement for a foreign student with whom the agency has contracted for services unless the contract is terminated pursuant to the contractual agreement of the student and agency;

(5) Has violated any provisions of this chapter, or failed to comply with any rule or regulation issued by the director pursuant to this chapter;

(6) Has violated any requirement of federal law pertaining to students, including but not limited to immigration requirements;

(7) Fails to provide a promised or agreed upon airline ticket for the student's return to his or her home country;

(8) Has failed to make a good faith effort to assure the student's safe and timely departure from the United States; or

(9) Fails to maintain records as required in section 4 of this act.

NEW SECTION. Sec. 13. (1) The director may refer evidence as may be available to the director concerning violations of this chapter or of any rule adopted under this chapter to the attorney general or the prosecuting attorney of the county in which the alleged violation arose. The attorney general or prosecuting attorney may, in his or her discretion, with or without the reference and in addition to any other action that might be commenced, bring an action in the name of the state against any person to restrain the doing of any act or practice prohibited by this chapter. This chapter shall be considered in conjunction with chapters 9.04 and 19.86 RCW and the powers and duties of the attorney general and the prosecuting attorney as provided in chapters 9.04 and 19.86 RCW shall apply against all persons subject to this chapter.

(2) In the enforcement of this chapter, the attorney general or prosecuting attorney may accept an assurance of discontinuance from a person deemed in violation of this chapter. The assurance shall be in writing and shall be filed with and subject to the approval of the superior court of the county in which the alleged violator resides or has the principal place of business, or in Thurston county.

(3) Any person who violates the terms of any court order or temporary or permanent injunction issued under this chapter, shall be subject to a civil penalty of not more than two thousand dollars per violation. For the purpose of this section, the superior court issuing an injunction shall retain continuing jurisdiction and the attorney general or the prosecuting attorney acting in the name of the state may petition for the recovery of civil penalties.

(4) The director may refer evidence as may be available to the director concerning violations of this chapter or of any rule adopted under this chapter to the United States immigration and naturalization service, the United States internal revenue service, or other federal law enforcement agencies.

NEW SECTION. Sec. 14. The director shall reassign students from an agency whose license is suspended or revoked prior to a student's departure from Washington. The director shall reassign students to an appropriate licensed agency, subject to the agreement of the receiving agency.

NEW SECTION. Sec. 15. (1) A foreign student placement agency may not bring or maintain a cause of action in any court of this state for compensation for, or seeking equitable relief in regard to, services rendered to students or host families unless the agency alleges and proves that at the time of rendering the services or contracting for the services, it was validly licensed under this chapter.

(2) Any person who gives consideration of any kind to any foreign student placement agency for the placement of foreign students in this state when the agency is not validly licensed under this chapter shall have a cause of action against the agency. Any court having jurisdiction may enter judgment for treble the amount of the consideration paid, plus reasonable attorneys' fees and costs.

NEW SECTION. Sec. 16. The legislature finds and declares that any violation of this chapter substantially affects the public interest and is an unfair and deceptive act or practice and unfair method of competition in the conduct of trade or commerce as set forth in RCW 19.86.020.

NEW SECTION. Sec. 17. It is a gross misdemeanor for any person to operate a foreign student placement agency in this state unless he or she is licensed as required by this chapter.

Sec. 18. Section 2, chapter 172, Laws of 1967 as last amended by section 912, chapter 176, Laws of 1988 and RCW 74.15.020 are each amended to read as follows:

For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless otherwise clearly indicated by the context thereof, the following terms shall mean:

(1) 'Department' means the state department of social and health services;

(2) 'Secretary' means the secretary of social and health services;

(3) 'Agency' means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers or persons with developmental disabilities for services rendered:

(a) 'Group-care facility' means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(b) 'Child-placing agency' means an agency which places a child or children for temporary care, continued care, or for adoption;

(c) 'Maternity service' means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(d) 'Day-care center' means an agency which regularly provides care for a group of children for periods of less than twenty-four hours;

(e) 'Foster-family home' means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) 'Crisis residential center' means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036.

(4) 'Agency' shall not include the following:

(a) Persons related by blood or marriage to the child, expectant mother, or persons with developmental disabilities in the following degrees: Parent, grandparent, brother, sister, step-parent, stepbrother, stepsister, uncle, aunt, and/or first cousin;

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person does not engage in such activity on a regular basis, or where parents on a mutually cooperative basis exchange care of one another's children, or persons who have the care of an exchange student in their own home;

(d) A person, partnership, corporation or other entity that provides services to foreign students under the age of twenty-one for the purpose, in whole or in part, of allowing the students an opportunity to study in the United States;

(e) Nursery schools or kindergartens which are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

((e)) (f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

((f)) (g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

((g)) (h) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and boarding homes licensed under chapter 18.20 RCW;

((h)) (i) Licensed physicians or lawyers;

((i)) (j) Facilities providing care to children for periods of less than twenty-four hours whose parents remain on the premises to participate in activities other than employment;

((j)) (k) Facilities approved and certified under chapter 71A.22 RCW;

((k)) (l) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

((l)) (m) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a preplacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

((m)) (n) An agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

((n)) (o) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter.

(5) 'Requirement' means any rule, regulation or standard of care to be maintained by an agency.

NEW SECTION. Sec. 19. Sections 1 through 17 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 20. This act shall take effect January 1, 1991.*

Renumber the sections consecutively and correct internal references accordingly.

On page 1, line 1 of the title, after "education;" strike "and adding a new section to chapter 28B.10 RCW." and insert "amending RCW 74.15.020; adding a new chapter to Title 19 RCW; prescribing penalties; and providing an effective date."

Signed by Representatives Jacobsen, Chair; Spanel, Vice Chair; Basich, Bennett, Fraser, Heavey, Jesernig and Rector.

MINORITY recommendation: Do not pass. Signed by Representatives Van Luven, Ranking Republican Member; Doty, Miller and Wood.

Voting nay: Representatives Van Luven, Ranking Republican Member; Doty, Miller, Prince and Wood.

Referred to Committee on Appropriations.

February 23, 1990

SSB 6664 Prime Sponsor, Committee on Economic Development & Labor:
Amending the business license center act. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representatives Kirby and Tate.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6667 Prime Sponsor, Committee on Ways & Means: Transferring power and duty to enforce cigarette and tobacco laws to the liquor control board. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that there is a large amount of potential cigarette and tobacco tax revenue that the state is failing to collect. The legislature also finds that the reasons for the failure to collect these revenues are varied and complex. Furthermore, the legislature is cognizant of the importance of stability in the structure of state government and its agencies. Therefore, the legislature finds that it is necessary to study the effect of transferring the responsibility for collecting cigarette taxes from the department of revenue to the liquor control board. This study will be conducted in order to ascertain the potential increase in revenue to the state versus the potential costs, including: The cost of enforcement, the cost of litigation, and the cost in terms of the relationship between the state of Washington and the Indian tribes of the state.

NEW SECTION. Sec. 2. The cigarette and tobacco tax task force is created to conduct a study to determine which agency is best suited to collect and enforce the cigarette and tobacco tax. The task force shall:

(1) Be comprised of seven members, two of whom shall be senators, representing the majority and the minority caucuses, appointed by the president of the senate; two of whom shall be representatives, representing the majority and the minority caucuses, appointed by the speaker of the house of representatives; one of whom shall be a representative of the department of revenue, to be appointed by the director of the department; one of whom shall be a representative of the liquor control board, to be appointed by the chair of the board; and one of whom shall be a representative of the governor, to be appointed by the governor;

(2) Consider at least the following factors in determining which agency is best suited to collect and enforce the cigarette and tobacco tax: (a) Whether one agency will be better able than the other to collect and enforce the tax; (b) whether the costs of enforcement and any attendant litigation will outweigh or greatly reduce the benefit to be derived from any increase in revenue; (c) whether it would be appropriate to transfer responsibilities from one agency to another; and (d) whether increased enforcement of the cigarette and tobacco tax on Indian reservations would be in the best interest of the state of Washington;

(3) Create an advisory committee, including at least two representatives from Indian tribes and two representatives from the tobacco industry, to assist the task force in its study; and

(4) Report its findings and recommendations to the house of representatives commerce and labor committee and to the senate economic development and labor committee no later than January 10, 1991."

On page 1, line 1 of the title, after "statutes;" strike the remainder of the title and insert "and creating new sections."

Signed by Representatives Vekich, Chair; Smith, Ranking Republican Member; Forner, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representatives Cole, Vice Chair and Jones.

Absent: Representative Forner.

Referred to Committee on Revenue.

February 22, 1990

SSB 6668 Prime Sponsor, Committee on Ways & Means: Amending crime victims' compensation provisions. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Brough, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Absent: Representative Locke.

Referred to Committee on Appropriations.

February 23, 1990

SB 6669 Prime Sponsor, Senator Lee: Revising provisions for industrial insurance coverage of maritime occupations. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representative Forner.

Passed to Committee on Rules for second reading.

February 22, 1990

SB 6672 Prime Sponsor, Senator Nelson: Limiting liability of the parks and recreation commission for unintentional injuries on lands administered for winter recreation purposes. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:
On page 1, line 28, after "whether" strike "by" and insert "the lands are administered by"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Hargrove, Insee, P. King, R. Meyers, Moyer, H. Myers, Scott, D. Sommers, Tate and Wineberry.

Absent: Representatives Belcher, Locke and Schmidt.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6698 Prime Sponsor, Committee on Environment & Natural Resources: Imposing a fee on the sale of solid fuel burning devices. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 6, chapter 405, Laws of 1987 and RCW 70.94.473 are each amended to read as follows:

(1) Any person in a residence or commercial establishment which has an adequate source of heat without burning wood shall:

((+)) (a) Not burn wood in any solid fuel ((heating)) burning device whenever the department has determined under RCW 70.94.715 that any air pollution episode exists in that area:

((#)) (b) Not burn wood in any solid fuel ((heating)) burning device(;) except ((wood stoves)) those which meet the standards set forth in RCW 70.94.457, or a pellet stove either certified or issued an exemption certificate by the United States environmental protection agency in accordance with title 40, Part 60 of the code of federal regulations, in the geographical area and for the period of time that a first stage of impaired air quality has been determined, by the department or any authority, for that area. ((For the purposes of this section, impaired air quality shall mean air contaminant concentrations nearing unhealthful levels concurrent with meteorological conditions that are conducive to an accumulation of air contamination. If, after July 1, 1990, the department determines that there is quantitative evidence that wood stoves meeting the requirements of RCW 70.94.457 are contributing to impaired air quality, the department or any authority may prohibit burning of all solid fuel burning devices as provided by this section including those meeting the requirements of RCW 70.94.457-)) A first stage of impaired air quality is reached when a particulate level that is ten microns and smaller in diameter (PM-10) is at an ambient level of seventy-five micrograms per cubic meter measured on a twenty-four hour average or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume (ppm) measured on an eight-hour average, and

(c) Not burn wood in any solid fuel burning device, including those which meet the standards set forth in RCW 70.94.457, in a geographical area and for the period of time that a second stage of impaired air quality has been determined by the department or any authority, for that area. A second stage of impaired air quality is reached when a particulate level that is ten microns and smaller in diameter (PM-10) is at an ambient level of one hundred five micrograms per cubic meter measured on a twenty-four hour average.

(2) When a local air authority exercises the limitation on solid fuel burning devices specified under RCW 70.94.477(2), a single stage of impaired air quality applies in the geographical area defined by the authority in accordance with RCW 70.94.477(2) and is reached when a particulate level that is ten microns and smaller in diameter (PM-10) is at the ambient level of ninety micrograms per cubic meter measured on a twenty-four hour average or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume (ppm) measured on an eight-hour average.

When this single stage of impaired air quality is reached, no person in a residence or commercial establishment which has an adequate source of heat without burning wood shall burn wood in any solid fuel burning device, including those which meet the standards set forth in RCW 70.94.457.

Sec. 2. Section 9, chapter 405, Laws of 1987 and RCW 70.94.477 are each amended to read as follows:

(1) Unless allowed by rule, under chapter 34.05 RCW, a person shall not cause or allow any of the following materials to be burned in any residential solid fuel burning device:

- ~~((+))~~ (a) Garbage;
- ~~((2))~~ (b) Treated wood;
- ~~((3))~~ (c) Plastics;
- ~~((4))~~ (d) Rubber products;
- ~~((5))~~ (e) Animals;
- ~~((6))~~ (f) Asphaltic products;
- ~~((7))~~ (g) Waste petroleum products;
- ~~((8))~~ (h) Paints; or
- ~~((9))~~ (i) Any substance, other than properly seasoned fuel wood, which normally emits dense smoke or obnoxious odors.

(2) On or after July 1, 1995, a local authority may geographically limit the use of solid fuel burning devices, except fireplaces as defined in RCW 70.94.453(3), wood stoves meeting the standards set forth in RCW 70.94.457 or pellet stoves issued an exemption certificate by the United States environmental protection agency in accordance with Title 40, part 60 of the code of federal regulations. An authority shall allow an exemption from this subsection for low-income persons who reside in a geographical area affected by this subsection. In the exercise of this limitation, a local authority shall consider the following factors:

(a) The contribution of solid fuel burning devices that do not meet the standards set forth in RCW 70.94.457 to nonattainment of national ambient air quality standards;

(b) The population density of geographical areas within the local authority's jurisdiction giving greater consideration to urbanized areas; and

(c) The public health effects of use of solid fuel burning devices which do not meet the standards set forth in RCW 70.94.457.

Sec. 3. Section 2, chapter 194, Laws of 1971 ex. sess. and RCW 70.94.715 are each amended to read as follows:

The department of ecology is hereby authorized to develop an episode avoidance plan providing for the phased reduction of emissions wherever and whenever an air pollution episode is forecast. Such an episode avoidance plan shall conform with any applicable federal standards and shall be effective state-wide. The episode avoidance plan may be implemented on an area basis in accordance with the occurrence of air pollution episodes in any given area.

The department of ecology may delegate authority to adopt source emission reduction plans and authority to implement all stages of occurrence up to and including the warning stage, and all intermediate stages up to the warning stage, in any area of the state, to the air pollution control authority with jurisdiction therein.

The episode avoidance plan, which shall be established by regulation in accordance with chapter 34.05 RCW, shall include, but not be limited to the following:

(1) The designation of episode criteria and stages, the occurrence of which will require the carrying out of preplanned episode avoidance procedures. The stages of occurrence shall be (a) forecast, (b) alert, (c) warning, (d) emergency, and such intermediate stages as the department shall designate. 'Forecast' means the presence of meteorological conditions that are conducive to accumulation of air contaminants and is the first stage of an episode. The department shall not call a forecast episode prior to the department or an authority calling a first stage impaired air quality condition as provided by RCW 70.94.473(1)(b) or calling a single-stage impaired air quality condition as provided by RCW 70.94.473(2). 'Alert' means concentration of air contaminants at levels at which short-term health effects may occur, and is the second stage of an episode. 'Warning' means concentrations are continuing to degrade, contaminant concentrations have reached a level which, if maintained, can result in damage to health, and additional control actions are needed and is the third level of an episode. 'Emergency' means the air quality is posing an imminent and substantial endangerment to public health and is the fourth level of an episode;

(2) The requirement that persons responsible for the operation of air contaminant sources prepare and obtain approval from the director of source emission reduction plans, consistent with good operating practice and safe operating procedures, for reducing emissions during designated episode stages;

(3) Provision for the director of the department of ecology or his authorized representative, or the air pollution control officer if implementation has been delegated, on the satisfaction of applicable criteria, to declare and terminate the forecast, alert, warning and all intermediate stages, up to the warning episode stage, such declarations constituting orders for action in accordance with applicable source emission reduction plans;

(4) Provision for the governor to declare and terminate the emergency stage and all intermediate stages above the warning episode stage, such declarations constituting orders in accordance with applicable source emission reduction plans;

(5) Provisions for enforcement by state and local police, personnel of the departments of ecology and social and health services, and personnel of local air pollution control agencies; and

(6) Provisions for reduction or discontinuance of emissions immediately, consistent with good operating practice and safe operating procedures, under an air pollution emergency as provided in RCW 70.94.720.

Source emission reduction plans shall be considered orders of the department and shall be subject to appeal to the pollution control hearings board according to the procedure in chapter 43.21B RCW.

Sec. 4. Section 10, chapter 405, Laws of 1987 and RCW 70.94.483 are each amended to read as follows:

(1) The wood stove education and enforcement account is hereby created in the general fund. Money placed in the account shall include all money received under subsection (2) of this section and any other money appropriated by the legislature. Money in the account shall be spent for the purposes of the wood stove education program established under RCW 70.94.480 and for enforcement of the wood stove program, and shall be subject to legislative appropriation.

(2) The department of ecology, with the advice of the advisory committee, shall set a flat fee, not to exceed ~~((five))~~ fifteen dollars, on the retail sale, as defined in RCW 82.04.050, of each solid fuel burning device, excepting masonry fireplaces, after January 1, 1988. The fee shall be imposed upon the consumer and shall not be subject to the retail sales tax provisions of chapters 82.08 and 82.12 RCW. The fee may be adjusted annually above ~~((five))~~ fifteen dollars according to changes in the consumer price index after January 1, 1989. The fee shall be collected by the department of revenue in conjunction with the retail sales tax under chapter 82.08 RCW. If the seller fails to collect the fee herein imposed or fails to remit the fee to the department of revenue in the manner prescribed in chapter 82.08 RCW, the seller shall be personally liable to the state for the amount of the fee. The collection provisions of chapter 82.32 RCW shall apply. The department of revenue shall transmit ten dollars of each fifteen-dollar fee collected to each local authority established under this chapter for solid fuel burning devices sold in the counties where such authority has air quality jurisdiction. The department of revenue shall transmit the remaining moneys to the wood stove education and enforcement account.

Sec. 5. Section 3, chapter 405, Laws of 1987 and RCW 70.94.480 are each amended to read as follows:

(1) The department of ecology shall establish a program to educate wood stove dealers and the public about:

~~((1))~~ (a) The effects of wood stove emissions on health and air quality;

~~((2))~~ (b) Methods of achieving better efficiency and emission performance from wood stoves;

~~((3))~~ (c) Wood stoves that have been approved by the department;

~~((4))~~ (d) The benefits of replacing inefficient wood stoves with stoves approved under RCW 70.94.457.

(2) Persons selling new wood stoves shall distribute and verbally explain educational materials describing when a stove can and cannot be legally used to customers purchasing new wood stoves."

On page 1, line 5 of the title, after "devices;" strike the remainder of the title and insert "and amending RCW 70.94.473, 70.94.477, 70.94.715, 70.94.483, and 70.94.480."

Signed by Representatives Rust, Chair; Valle, Vice Chair; D. Sommers, Ranking Republican Member; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprengle, Van Luven and Walker.

Referred to Committee on Revenue.

February 23, 1990

ESSB 6700 Prime Sponsor, Committee on Transportation: Regulating trucking of recovered materials. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 81.80 RCW to read as follows:

(1) It is unlawful for a motor vehicle transporting recovered materials to perform a transportation service for compensation upon the public highways of this state without first having received a permit from the commission. The permits shall be granted upon a finding that the motor carrier is fit, willing, and able to provide transportation of recovered materials, and upon payment of the appropriate filing fee authorized by this chapter for other applications for operating authority, including payment of the annual regulatory fee imposed by RCW 81.80.320. The carriers are subject to the safety of operations and insurance requirements of the commission, but are not subject to rate regulation by the commission.

(2) The provisions of this section apply to motor vehicles when:

- (a) Transporting recovered materials from a site generating more than fifty cubic yards of recovered material per month to a reprocessing facility or an end-use manufacturing site;
- (b) Transporting recovered materials from a reprocessing facility to an end-use manufacturing site; and

(c) Transporting recovered mixed waste paper from a reprocessing facility to an energy recovery facility.

(3) For the purposes of this section, the following definitions shall apply:

(a) 'Recovered materials' means those commodities collected for recycling or reuse, such as papers, glass, plastics, used wood, metals, yard waste, used oil, and tires, that if not collected for recycling would otherwise be destined for disposal or incineration. 'Recovered materials' shall not include any wood waste or wood byproduct generated from a logging, milling, or chipping activity;

(b) 'Reprocessing facility' means a facility accepting or purchasing recovered materials and preparing those materials for resale;

(c) 'Mixed waste paper' means assorted low-value grades of paper that have not been separated into individual grades of paper at the point of collection; and

(d) 'Energy recovery facility' means a facility designed to burn mixed waste paper as a fuel, except that such term does not include mass burn incinerators.

NEW SECTION. Sec. 2. (1) The department of trade and economic development, in conjunction with the utilities and transportation commission and the department of ecology, shall evaluate the effect of exempting motor vehicles transporting recovered materials from rate regulation as provided under section 1 of this act. The evaluation shall, at a minimum, describe the effect of such exemption on:

(a) The cost and timeliness of transporting recovered materials within the state;

(b) The volume of recovered materials transported within the state;

(c) The number of safety violations and traffic accidents related to transporting recovered materials within the state; and

(d) The availability of service related to transporting recovered materials from rural areas of the state.

(2) The department shall report the results of its evaluation to the appropriate standing committees of the legislature by October 1, 1993.

(3) The commission, after consulting with the department of ecology, shall adopt rules requiring persons transporting recovered materials to submit information as may be required by the commission to determine the type, volume, and destination of the recovered materials. In adopting such rules, the commission shall include procedures to ensure the confidentiality of proprietary information."

In line 2 of the title, after "materials;" strike the remainder of the title and insert "adding a new section to chapter 81.80 RCW; and creating a new section."

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Fraser, Phillips, Pruitt, Schoon, Sprenkle, Van Luven and Walker.

Absent: Representative D. Sommers, Ranking Republican Member.

Passed to Committee on Rules for second reading.

February 22, 1990

SSB 6729 Prime Sponsor, Committee on Law & Justice: Providing for DNA identification. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 8, after "43.43.758," insert "The rules shall prohibit the use of DNA identification data for any research or other purpose that is not related to a criminal investigation or to improving the operation of the system authorized by RCW 43.43.752 through 43.43.758."

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Belcher, Dellwo, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Brough and Forner.

Absent: Representatives Dellwo and Locke.

Passed to Committee on Rules for second reading.

February 23, 1990

ESB 6740 Prime Sponsor, Senator Matson: Regulating medical treatment under the industrial insurance retrospective rating program. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. (1) The department of labor and industries shall develop and evaluate proposals that would permit employers participating in retrospective rating programs to request, in consultation with the department, medical examinations for their injured workers. The evaluation shall include the factors that the department deems appropriate, including:

(a) Whether legislation and/or departmental rules are needed to establish the criteria for determining whether an employer will be permitted to request medical examinations;

(b) Whether the physician or physicians conducting the examinations must be approved by the department;

(c) The number of examinations to which a worker may be required to submit within specified time limits; and

(d) The penalties that may be imposed if a worker fails to attend a scheduled medical examination or if a physician fails to conduct the examination on the scheduled date, including (i) any notice requirements for the worker, (ii) provisions for statutory good cause for failure to attend an examination, (iii) provisions for compensating the worker for actual expenses resulting from the cancellation of an examination through no fault of the worker, and (iv) any reimbursements to the employer as a result of the expenses of the cancelled examination.

(2) The department shall report the results of its evaluation to the house commerce and labor committee and the senate economic development and labor committee by December 1, 1990.*

On page 1, line 2 of the title, after "program," strike the remainder of the title and insert "and creating a new section."

Signed by Representatives Vekich, Chair; Smith, Ranking Republican Member; R. King, Leonard, O'Brien and Prentice.

MINORITY recommendation: Do not pass. Signed by Representatives Cole, Vice Chair; Forner, Jones, Walker and Wolfe.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6741 Prime Sponsor, Senator Amondson: Modifying permit requirements for substantial developments on shorelines as they relate to utility extensions. Reported by Committee on Environmental Affairs

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

***NEW SECTION.** Sec. 1. The legislature finds that delays in substantial development permit review for the extension of vital utility services to existing and lawful uses within the shorelines of the state have caused hardship upon existing residents without serving any of the purposes and policies of the shoreline management act. It is the intent of this act to provide a more expeditious permit review process for that limited category of utility extension activities only, while fully preserving safeguards of public review and appeal rights regarding permit applications and decisions.

Sec. 2. Section 14, chapter 286, Laws of 1971 ex. sess. as last amended by section 1, chapter 22, Laws of 1988 and RCW 90.58.140 are each amended to read as follows:

(1) A development shall not be undertaken on the shorelines of the state unless it is consistent with the policy of this chapter and, after adoption or approval, as appropriate, the applicable guidelines, rules, or master program.

(2) A substantial development shall not be undertaken on shorelines of the state without first obtaining a permit from the government entity having administrative jurisdiction under this chapter.

A permit shall be granted:

(a) From June 1, 1971, until such time as an applicable master program has become effective, only when the development proposed is consistent with: (i) The policy of RCW 90.58.020; and (ii) after their adoption, the guidelines and rules of the department; and (iii) so far as can be ascertained, the master program being developed for the area;

(b) After adoption or approval, as appropriate, by the department of an applicable master program, only when the development proposed is consistent with the applicable master program and the provisions of chapter 90.58 RCW.

(3) The local government shall establish a program, consistent with rules adopted by the department, for the administration and enforcement of the permit system provided in this section. The administration of the system so established shall be performed exclusively by the local government.

(4) Except as otherwise specifically provided in subsection (13) of this section, the local government shall require notification of the public of all applications for permits governed by any permit system established pursuant to subsection (3) of this section by ensuring that:

(a) A notice of such an application is published at least once a week on the same day of the week for two consecutive weeks in a legal newspaper of general circulation within the area in which the development is proposed; and

(b) Additional notice of such an application is given by at least one of the following methods:

(i) Mailing of the notice to the latest recorded real property owners as shown by the records of the county assessor within at least three hundred feet of the boundary of the property upon which the substantial development is proposed;

(ii) Posting of the notice in a conspicuous manner on the property upon which the project is to be constructed; or

(iii) Any other manner deemed appropriate by local authorities to accomplish the objectives of reasonable notice to adjacent landowners and the public.

The notices shall include a statement that any person desiring to submit written comments concerning an application, or desiring to receive a copy of the final order concerning an application as expeditiously as possible after the issuance of the order, may submit the comments or requests for orders to the local government within thirty days of the last date the notice is to be published pursuant to subsection (a) of this subsection. The local government shall forward, in a timely manner following the issuance of an order, a copy of the order to each person who submits a request for the order.

If a hearing is to be held on an application, notices of such a hearing shall include a statement that any person may submit oral or written comments on an application at the hearing.

(5) The system shall include provisions to assure that construction pursuant to a permit will not begin or be authorized until thirty days from the date the final order was filed as provided in subsection (6) of this section, or until all review proceedings are terminated if the proceedings were initiated within thirty days from the date of filing as defined in subsection (6) of this section except as follows:

(a) In the case of any permit issued to the state of Washington, department of transportation, for the construction and modification of SR 90 (I-90) on or adjacent to Lake Washington, the construction may begin after thirty days from the date of filing, and the permits are valid until December 31, 1995;

(b) If a permit is granted by the local government and (i) the granting of the permit is appealed to the shorelines hearings board within thirty days of the date of filing, (ii) the hearings board approves the granting of the permit by the local government or approves a portion of the substantial development for which the local government issued the permit, and (iii) an appeal for judicial review of the hearings board decision is filed pursuant to chapter 34.05 RCW, the permittee may request, within ten days of the filing of the appeal with the court, a hearing before the court to determine whether construction may begin pursuant to the permit approved by the hearings board or to a revised permit issued pursuant to the order of the hearings board. If, at the conclusion of the hearing, the court finds that construction pursuant to such a permit would not involve a significant, irreversible damaging of the environment, the court may allow the permittee to begin the construction pursuant to the approved or revised permit as the court deems appropriate. The court may require the permittee to post bonds, in the name of the local government that issued the permit, sufficient to remove the substantial development or to restore the environment if the permit is ultimately disapproved by the courts, or to alter the substantial development if the alteration is ultimately ordered by the courts. Construction pursuant to a permit revised at the direction of the hearings board may begin only on that portion of the substantial development for which the local government had originally issued the permit, and construction pursuant to such a revised permit on other portions of the substantial development may not begin until after all review proceedings are terminated. In such a hearing before the court, the burden of proving whether the construction may involve significant irreversible damage to the environment and demonstrating whether such construction would or would not be appropriate is on the appellant;

(c) If a permit is granted by the local government and the granting of the permit is appealed directly to the superior court for judicial review pursuant to the proviso in RCW 90.58.180(1), the permittee may request the court to remand the appeal to the shorelines hearings board, in which case the appeal shall be so remanded and construction pursuant to such a permit shall be governed by the provisions of subsection (b) of this subsection or may otherwise begin after review proceedings before the hearings board are terminated if judicial review is not thereafter requested pursuant to chapter 34.05 RCW;

(d) If the permit is for a substantial development meeting the requirements of subsection (13) of this section, construction pursuant to that permit may not begin or be authorized until thirty days from the date the final order was filed as provided in subsection (6) of this section.

If a permittee begins construction pursuant to subsections (a), (b), ~~((c))~~ (c), or (d) of this subsection, the construction is begun at the permittee's own risk. If, as a result of judicial review, the courts order the removal of any portion of the construction or the restoration of any portion of the environment involved or require the alteration of any portion of a substantial

development constructed pursuant to a permit, the permittee is barred from recovering damages or costs involved in adhering to such requirements from the local government that granted the permit, the hearings board, or any appellant or intervener.

(6) Any ruling on an application for a permit under the authority of this section, whether it is an approval or a denial, shall, concurrently with the transmittal of the ruling to the applicant, be filed with the department and the attorney general. With regard to a permit other than a permit governed by subsection (12) of this section, 'date of filing' as used herein means the date of actual receipt by the department. With regard to a permit for a variance or a conditional use, 'date of filing' means the date a decision of the department rendered on the permit pursuant to subsection (12) of this section is transmitted by the department to the local government. The department shall notify in writing the local government and the applicant of the date of filing.

(7) Applicants for permits under this section have the burden of proving that a proposed substantial development is consistent with the criteria that must be met before a permit is granted. In any review of the granting or denial of an application for a permit as provided in RCW 90.58.180 (1) and (2), the person requesting the review has the burden of proof.

(8) Any permit may, after a hearing with adequate notice to the permittee and the public, be rescinded by the issuing authority upon the finding that a permittee has not complied with conditions of a permit. If the department is of the opinion that noncompliance exists, the department shall provide written notice to the local government and the permittee. If the department is of the opinion that the noncompliance continues to exist thirty days after the date of the notice, and the local government has taken no action to rescind the permit, the department may petition the hearings board for a rescission of the permit upon written notice of the petition to the local government and the permittee if the request by the department is made to the hearings board within fifteen days of the termination of the thirty-day notice to the local government.

(9) The holder of a certification from the governor pursuant to chapter 80.50 RCW shall not be required to obtain a permit under this section.

(10) A permit shall not be required for any development on shorelines of the state included within a preliminary or final plat approved by the applicable state agency or local government before April 1, 1971, if:

(a) The final plat was approved after April 13, 1961, or the preliminary plat was approved after April 30, 1969; and

(b) The development is completed within two years after June 1, 1971.

(11) The applicable state agency or local government is authorized to approve a final plat with respect to shorelines of the state included within a preliminary plat approved after April 30, 1969, and before April 1, 1971: PROVIDED, That any substantial development within the platted shorelines of the state is authorized by a permit granted pursuant to this section, or does not require a permit as provided in subsection (10) of this section, or does not require a permit because of substantial development occurred before June 1, 1971.

(12) Any permit for a variance or a conditional use by local government under approved master programs must be submitted to the department for its approval or disapproval.

(13)(a) An application for a substantial development permit for a limited utility extension shall be subject to the following procedures:

(i) The public comment period under subsection (4) of this section shall be twenty days. The notice provided under subsection (4) of this section shall state the manner in which the public may obtain a copy of the local government decision on the application no later than two days following its issuance;

(ii) The local government shall issue its decision to grant or deny the permit within twenty-one days of the last day of the comment period specified in (i) of this subsection; and

(iii) If there is an appeal of the decision to grant or deny the permit to the local government legislative authority, the appeal shall be finally determined by the legislative authority within thirty days.

(b) For purposes of this section, a limited utility extension means the extension of a utility service that:

(i) Is categorically exempt under chapter 43.21C RCW for one or more of the following: Natural gas, electricity, telephone, water, or sewer;

(b) Will serve an existing use in compliance with this chapter; and

(c) Will not extend more than twenty-five hundred linear feet within the shorelines of the state."

On page 1, line 2 of the title, after "extensions;" strike the remainder of the title and insert "amending RCW 90.58.140; and creating a new section."

Signed by Representatives Rust, Chair; Valle, Vice Chair; Brekke, G. Fisher, Fraser, Phillips, Schoon, Sprengle, Van Luven and Walker.

Absent: Representative D. Sommers, Ranking Republican Member.

Passed to Committee on Rules for second reading.

February 22, 1990

ESB 6746 Prime Sponsor, Senator Patrick: Simplifying disposal of abandoned junk vehicles. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Jones, Prentice, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representatives Betrozoff, Gallagher, Heavey, Nelson, Prince and S. Wilson.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6761 Prime Sponsor, Senator Newhouse: Revising the implementation date for voluntary combined reporting for agricultural employers. Reported by Committee on Commerce & Labor

MAJORITY recommendation: Do pass. Signed by Representatives Vekich, Chair; Cole, Vice Chair; Smith, Ranking Republican Member; Forner, Jones, R. King, Leonard, O'Brien, Prentice, Walker and Wolfe.

Absent: Representatives Forner, R. King and O'Brien.

Passed to Committee on Rules for second reading.

February 22, 1990

E2SSB 6767 Prime Sponsor, Committee on Ways & Means: Creating a juvenile justice review commission. Reported by Committee on Human Services

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. In 1977, the legislature created an innovative and comprehensive juvenile system to establish special sanctions and procedures for juveniles who engage in criminal activity, while at the same time recognizing the existence and unique needs of dependent children and families in conflict. During the past thirteen years, the legislature has amended the juvenile justice act numerous times to improve its effectiveness in providing punishment and rehabilitation for juveniles who commit criminal acts, and also to improve the procedures and programs for assisting dependent children and families in conflict. While such amendments have generally improved the operation of the juvenile justice system, often the amendments did not address the juvenile justice system in a comprehensive manner to provide accountability, treatment, and rehabilitation.

The legislature finds and declares that it has been thirteen years since the enactment of the juvenile justice act, and it is appropriate and timely that a comprehensive study be conducted to review the sanctions, programs, and operation of the act in light of the changing needs of juveniles and society. The legislature finds that a commission should be created consisting of persons with experience and expertise in juvenile justice issues to ensure that the state of Washington continues to have a progressive and effective juvenile justice statute.

NEW SECTION, Sec. 2. (1) A juvenile justice act review commission is created. It shall consist of:

(a) Four legislators who shall serve on the executive committee, one from each of the two largest caucuses in the house of representatives and the senate. The members shall be selected by the president of the senate and the speaker of the house of representatives;

(b) One superior court judge, who shall have experience in juvenile court proceedings. The member shall be selected by the Washington state superior court judges association;

(c) One prosecuting attorney, or his or her designee, selected by the Washington association of prosecuting attorneys;

(d) Two members, selected by the executive committee, one of whom shall represent cities and one of whom shall represent counties;

(e) One member, selected by the secretary of corrections, to represent the department of corrections, who shall be familiar with confinement and treatment of criminal offenders;

(f) One member, selected by the secretary of social and health services, to represent the department of social and health services, who has experience and training with the confinement and treatment services offered by the division of juvenile rehabilitation;

(g) One juvenile court administrator, selected by the juvenile court administrators' association;

(h) One mental health specialist, selected by the executive committee, who shall be familiar with mental health issues commonly affecting juvenile offenders;

(i) Two attorneys, selected by the Washington state bar association. At least one member shall be an attorney who represents a public defender organization;

(j) Two members, selected by the governor, to represent the governor, who shall serve on the executive committee;

(k) One member appointed by the governor's juvenile justice advisory committee;

(l) One member appointed by the attorney general;

(m) One member who currently serves as a sheriff, appointed by the executive committee;

(n) One member who currently serves as a police chief, appointed by the executive committee;

(o) Three citizen members appointed by the executive committee;

(p) Two members representing private youth serving agencies appointed by the alliance for children, youth, and families; and

(q) Three members representing parents' groups.

(2) The legislative members shall select a chair from the membership of the commission.

(3) The commission shall be staffed by the department of social and health services.

(4) The commission members shall receive no compensation, but shall, to the extent funds are available, be reimbursed for their expenses while attending any meetings in the same manner as legislators engaged in interim committee business as specified in RCW 44.04.120.

(5) The commission may receive appropriations, grants, gifts, and other payments from any governmental or other public or private entity or person and such funds may be used to defray the costs of its operations or to contract for technical services, with the approval of the senate committee on facilities and operations and the house of representatives executive rules committee.

NEW SECTION. Sec. 3. (1) The juvenile justice act review commission shall conduct a comprehensive review of the juvenile justice act of 1977, chapter 13.32A RCW, and dependency provisions in chapter 13.34 RCW. In reviewing services for juvenile offenders, the commission shall give particular attention to disposition alternatives, including but not limited to emphasis on early intervention, rehabilitation, community resources, and providing for special sanctions and programs for violent offenders who are sixteen and seventeen years of age. The commission shall review the existing system of services for runaway youth and families in conflict and shall assess the adequacy of existing resources and statutory procedures in place for serving this population.

(2) The legislature hereby reaffirms its intent that the overall goals and policies of the juvenile justice act of 1977 will continue to be followed and that any disposition alternatives or dependency provisions proposed by the commission will adhere to the following purposes:

(a) Protect the citizenry from criminal behavior;

(b) Make the juvenile offender accountable for his or her criminal behavior;

(c) Provide punishment commensurate with the age, maturity level, crime, criminal history of the juvenile offender, and any other relevant considerations;

(d) Provide necessary treatment, supervision, and custody for juvenile offenders;

(e) Provide for the handling of juvenile offenders by communities whenever consistent with public safety;

(f) Provide for restitution to victims of crime; and

(g) Provide for a clear policy to determine what types of offenders shall receive punishment, treatment, or both.

NEW SECTION. Sec. 4. This act shall expire June 30, 1992.

NEW SECTION. Sec. 5. If specific funding for the purposes of this act, referencing this act by bill number, is not provided by June 30, 1990, in the omnibus appropriations act, this act shall be null and void."

On page 1, line 1 of the title, after "justice," strike the remainder of the title and insert "creating new sections; and providing an expiration date."

Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Hargrove, Leonard, Padden, Raiter and Winsley.

Absent: Representatives Moyer, Ranking Republican Member; and Brekke.

Referred to Committee on Appropriations.

February 22, 1990

SSB 6776 Prime Sponsor, Committee on Law & Justice: Revising the Washington condominium act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Belcher, Brough, Forner, Hargrove, Inslee, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Padden, Ranking Republican Member.

Absent: Representatives Dellwo, Inslee and Locke.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6779 Prime Sponsor, Committee on Ways & Means: Providing for regional water resource planning. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*Sec. 1. Section 1, chapter 225, Laws of 1971 ex. sess. and RCW 90.54.010 are each amended to read as follows:

(1) The legislature finds that:

(a) Proper utilization of the water resources of this state is necessary to the promotion of public health and the economic well-being of the state and the preservation of its natural resources and aesthetic values. ~~((The legislature further finds that the availability of waters of the state is being evaluated by interests who desire to remove portions thereof from the state in a manner inconsistent with the public interest of people of the state.))~~ Although water is a renewable resource, its supply and availability are becoming increasingly limited, particularly during summer and fall months and dry years when demand is greatest. Growth and prosperity have significantly increased the competition for this limited resource. Adequate water supplies are essential to meet the needs of the state's growing population and economy. At the same time instream resources and values must be preserved and protected so that future generations can continue to enjoy them.

(b) All citizens of Washington share an interest in the proper stewardship of our invaluable water resources. To ensure that available water supplies are managed to best meet both instream and offstream needs, a comprehensive planning process is essential. The people of the state have the unique opportunity to work together to plan and manage our water. Through a comprehensive planning process that includes the state, Indian tribes, local governments, and interested parties, it is possible to make better use of available water supplies through conservation, water use efficiency, cooperation and coordination among water suppliers, and better management of water resources. Comprehensive planning can also help to restore and enhance fishery resources and other instream values. Through comprehensive planning, conflicts among water users and interests can be reduced or resolved. It is in the best interests of the state that comprehensive water resource planning be given a high priority so that water resources and associated values can be utilized and enjoyed today and protected for tomorrow.

(c) Diverse hydrologic, climatic, cultural, and socioeconomic conditions exist throughout the regions of the state. Water resource issues vary significantly across regions. Comprehensive water resource planning is best accomplished through a regional planning process sensitive to the unique characteristics and issues of each region.

(d) Comprehensive water resource planning must provide interested parties adequate opportunity to participate. Water resource issues are best addressed through cooperation and coordination among the state, Indian tribes, local governments, and interested parties.

(e) The long-term needs of the state require ongoing assessment of water availability, use, and demand. A thorough inventory of available resources is essential to water resource management. Current state water resource data and data management is inadequate to meet changing needs and respond to competing water demands. Therefore, a state water resource data program is needed to support an effective water resource management program. Efforts should be made to coordinate and consolidate into one resource data system all relevant information developed by the department of ecology and other agencies relating to the use, protection, and management of the state's water resources.

(2) It is the purpose of this chapter to set forth fundamentals of water resource policy for the state to insure that waters of the state are protected and fully utilized for the greatest benefit to the people of the state of Washington and, in relation thereto, to provide direction to the department of ecology ((and)), other state agencies and officials, and local government in carrying out water and related resources programs. It is the intent of the legislature to work closely with the executive branch, Indian tribes, local government, and interested parties to ensure that water resources of the state are wisely managed.

Sec. 2. Section 3, chapter 225, Laws of 1971 ex. sess. as amended by section 4, chapter 47, Laws of 1988 and RCW 90.54.030 are each amended to read as follows:

For the purpose of ~~((insuring))~~ ensuring that the department is fully advised in relation to the performance of the water resources program provided in RCW 90.54.040, and to provide information and support to ~~((the fact-finding service and))~~ the joint select committee established in RCW ~~((90.54.022 and))~~ 90.54.024, the department is directed to become informed with

regard to all phases of water and related resources of the state. To accomplish this objective the department shall:

(1) Develop a comprehensive water resource data program that provides the information necessary for effective planning and management on a regional and state-wide basis. The data program shall include an information management plan describing the data requirements for effective water resource planning, and a system for collecting and providing access to water resource data on a regional and state-wide basis. The water resource data program shall also include a resource inventory and needs assessment under subsection (5) of this section:

(2) Collect, organize and catalog existing information and studies available to it from all sources, both public and private, pertaining to water and related resources of the state;

~~((2))~~ (3) Develop such additional data and studies pertaining to water and related resources as are necessary to accomplish the objectives of this chapter;

~~((3) Determine existing and foreseeable uses of, and needs for, such waters and related resources:))~~

(4) Develop alternate courses of action to solve existing and foreseeable problems of water and related resources and include therein, to the extent feasible, the economic and social consequences of each such course, and the impact on the natural environment;

(5) Establish a water resources data management task force to evaluate data management needs, advise the legislature and the department in developing an information management plan, and conduct a water resource inventory and needs assessment. The task force shall include representatives of appropriate state agencies, Indian tribes, local governments, and interested parties. The task force shall include expertise in both water resources and resource data management. The task force shall make recommendations to the department on developing a data base for water resource planning throughout the state. In conducting the water resource inventory and needs assessment, the task force shall oversee the inventory of existing data and determine what additional data is needed for effective water resource planning and management. The task force shall otherwise provide continuing guidance to the legislature and the department in developing and maintaining an effective information management plan. The department shall coordinate the water resource data program to provide water resource information that meets the needs of the comprehensive water resources program and planning process provided for in RCW 90.54.040:

(6) Prior to September 1, 1990, provide a report to the chairs of the appropriate legislative committees based on the preliminary findings and recommendations of the water resources data management task force. The report shall document the current information flows and data collection processes for state water resources data, and shall include an analysis of task force recommendations for developing additional information to meet water resource data needs. The report shall further include an estimate of funding requirements to implement the water resources data program for consideration in future biennial budget decisions;

(7) Prior to implementation of any preliminary findings and recommendations under subsection (6) of this section, and contingent on legislative appropriation, develop a five-year plan for data collection and information management approved by the department of information services. Commencing July 1, 1991, the department shall provide annual reports to the chairs of the appropriate legislative committees on the development and implementation of the five-year plan and progress toward completion of the water resource inventory and needs assessment; and

(8) Establish pursuant to task force recommendations a process to resolve technical issues in the development and implementation of the water resource inventory and needs assessment.

All the foregoing shall be included in a 'water resources ~~((archive))~~ information system' established and maintained by the department. The department shall develop a system of cataloging, storing and retrieving the information and studies of the ~~((archive))~~ information system so that they may be made readily available to and effectively used not only by the department but by the public generally.

NEW SECTION, Sec. 3. A new section is added to chapter 90.54 RCW to read as follows:

(1) In the development and implementation of the comprehensive state water resources program required in RCW 90.54.040(1), the process shall involve participation of appropriate state agencies, Indian tribes, local governments, and interested parties, and shall be applied on a regional basis pursuant to subsection (2) of this section.

(2) Prior to January 1, 1991, the department, with advice from appropriate state agencies, Indian tribes, local government, and interested parties, shall identify regions and establish regional boundaries for water resource planning and shall designate two regions in which the process shall be initiated on a pilot basis. One region shall encompass an area within the Puget Sound basin in which critical water resource issues exist. A concurrent pilot process may encompass a region east of the Cascade mountains.

(3) The department shall report to the chairs of the appropriate legislative committees prior to July 1st each year summarizing the progress of the pilot process in the two regions. The

pilot process in each region shall be completed and shall produce a regional water plan by December 31, 1993.

(4) Appropriate state agencies, Indian tribes, local governments, and interested parties in regions not selected for the pilot program are strongly encouraged to commence water resource planning within their regions.

NEW SECTION, Sec. 4. 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 shall take effect immediately."

On page 1, line 1 of the title, after "planning;" strike the remainder of the title and insert "amending RCW 90.54.010 and 90.54.030; adding a new section to chapter 90.54 RCW; and declaring an emergency."

Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Referred to Committee on Appropriations.

February 21, 1990

SSB 6792 Prime Sponsor, Committee on Economic Development & Labor: Creating the community diversification program. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass with the following amendments

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The legislature finds that defense spending, defense-related industries, and military bases are important to the state's economy; that economic activity in defense-related industries can fluctuate severely when defense spending changes; and that the state, especially those communities dependent on defense-related industries or bases, have suffered in the past when federal spending changed and may suffer again because of limits on federal spending.

The legislature further finds that the state has an interest in helping defense-dependent communities, private firms, and labor organizations and employees cope with changes in the defense budget, and that economic diversification from defense-related to nondefense-related industries is a logical way to avoid the economic troubles such changes often cause.

The legislature further finds that economic diversification is different from economic development in ways not adequately addressed by existing economic development programs and requires a specialized program.

NEW SECTION, Sec. 2. Unless the context clearly requires otherwise, the definitions in this section apply throughout sections 1 through 4 of this act.

(1) 'Civilian products and services' means all products and services that can be sold to nonmilitary buyers without substantial changes in those products or services, and for which there is a market other than the military.

(2) 'Advisory committee' means the Washington state advisory committee on economic diversification created in section 3 of this act.

(3) 'Department' means the department of community development.

(4) 'Defense-dependent community' means a municipality or geographical area within the state in which the sum of salaries, wages, and procurement spending by the department of defense or defense-related spending by the department of energy or the national aeronautics and space administration is equal to at least five percent of personal income in that municipality or area during any quarter of the previous twenty-four months.

(5) 'Defense-dependent firm' means a firm, partnership, corporation, trust, association, or other form of private business organization that derived at least twenty-five percent of its gross sales during the previous twelve months from spending by the department of defense or defense-related spending by the department of energy or the national aeronautics and space administration.

(6) 'Economic diversification effort' means an effort by a defense-dependent firm or community or a labor organization in such a firm or community to change its economic activities in ways that are likely to remove the firm or community from the definition of 'defense-dependent community' or 'defense-dependent firm' set forth in subsections (4) and (5) of this section.

(7) 'Conversion' means one of several possible strategies for economic diversification and refers specifically to efforts to convert a production enterprise or military base facility from a defense-related activity to a nondefense activity.

(8) 'Industry' includes the provision of services as well as the production of goods.

(9) 'Local development organization' means a nonprofit organization intended to operate within a local area, committed to an economic diversification program, and reflecting a broad cross-section of the community, including business and labor.

(10) 'Military products and services' means products and services that cannot be sold to anyone but the military without substantial changes in the products and services, or for which there is no market except the military.

NEW SECTION. Sec. 3. There is created in the department of community development the Washington state advisory committee on economic diversification, which shall consist of fourteen members. The governor shall appoint the members, except for the legislative members. The committee shall include two members from the business community, one of whom shall be a representative of a defense-dependent firm; two representatives of labor organizations, one of whom shall represent employees of a defense-dependent firm; two members from community organizations active in economic diversification efforts; two members from local governments of communities dependent on defense expenditures; one member representing military leadership in the state; one member shall be a professional with expertise in the area of economic diversification; four members shall be from the legislature, one from each political caucus of the senate to be appointed by the president of the senate, and one from each political caucus of the house of representatives to be appointed by the speaker of the house of representatives. The governor shall designate the chairperson of the advisory committee from among the fourteen advisory committee members. The director of the department of community development, the director of the department of trade and economic development, and the director of the employment security department shall serve as nonvoting advisory members of the advisory committee.

(1) Members of the advisory committee shall serve for two-year terms. Vacancies shall be filled in the same way as the original appointments.

(2) Members of the advisory committee shall receive no compensation, but shall be reimbursed for travel expenses under RCW 43.03.050 and 43.03.060.

(3) The advisory committee shall be staffed by the department of community development.

NEW SECTION. Sec. 4. The department with the assistance of the advisory committee shall conduct a program that promotes diversification from defense-related to nondefense-related industries and local economies. The program shall include but not be limited to the following duties:

(1) Promote and encourage economic diversification as a logical response to the problems engendered by economic dependence on defense spending, take a leading role in promoting dialogue about cuts in defense spending and in educating the public about problems associated with economic dependence on defense spending, and economic diversification responses to those problems. The activities of the department with the assistance of the advisory committee in satisfaction of this mandate may include, without limitation, public conferences, public meetings, press conferences, public speaking by department or advisory committee members or others at the department's or advisory committee's request, consulting with anyone undertaking an economic diversification effort, making fact-finding tours at members' personal expense, studying economic diversification or conversion efforts within Washington state and elsewhere in the nation and abroad, and helping and promoting one or more pilot economic diversification projects.

(2) Monitor possible shifts in defense contracts and programs, and promptly provide information about such shifts to affected firms, affected communities, labor organizations, and organizations interested in economic diversification.

(3) Research and write reports about the likely effect upon firms and communities of expected or likely shifts in defense contracts and programs.

(4) Research and write a yearly report to be issued every January, beginning in 1991, to the governor, the trade and economic development committee of the house of representatives, the economic development and labor committee of the senate, and to organizations interested in economic diversification, upon their request. The report shall review economic diversification efforts in firms and communities, review the activities of the department and the advisory committee under sections 1 through 4 of this act, review the effect on Washington firms and communities of shifts in defense contracts and programs during its previous year, identify expected and likely shifts in defense contracts and programs that may affect firms and communities in Washington, discuss the possible consequences of such shifts, identify firms and communities at risk from such shifts, and recommend possible diversification efforts and strategies to deal with shifts in defense contracts and programs.

(5) Identify defense-dependent firms and communities, review the nature and extent of that dependence, and provide information on that dependence to affected firms, communities, labor unions, local development organizations, and other affected groups.

(6) Help firms, communities, labor organizations, and local development organizations to undertake economic diversification efforts by helping them to get technical and financial help, including but not limited to help from federal, state, local, and private sources in the following areas:

(a) Training people in new skills and services;

(b) Product development;

(c) Marketing;

(d) Modifying or replacing production facilities to produce civilian goods and services;

(e) Raising money from federal, state, local, and private sources to finance economic diversification efforts, including but not limited to loans, investments, and grants.

(7) Coordinate with other state programs that assist businesses and communities, particularly regarding business turnaround efforts or product or market diversification efforts including those in the department of trade and economic development, the department of community development, and the employment security department.

(8) Formulate a state plan for diversification in defense-dependent communities in collaboration with the department of trade and economic development, the department of community development, and the employment security department. The plan shall use the information made available through the department's other actions under this section.

NEW SECTION. Sec. 5. Sections 1 through 4 of this act are each added to chapter 43.63A RCW.

NEW SECTION. Sec. 6. 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."

On page 1, line 1 of the title, after "program," strike the remainder of the title and insert "and adding new sections to chapter 43.63A RCW."

Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Kirby, Kremen, Rasmussen, Rector and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Doty, Ranking Republican Member; Moyer, Schoon and Youngsman.

Absent: Representatives Raiter.

Referred to Committee on Appropriations.

February 23, 1990

ESB 6797 Prime Sponsor, Senator Benitz: Creating the fisheries 2000 council. Reported by Committee on Fisheries & Wildlife

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. LEGISLATIVE FINDINGS. The legislature finds that the marine waters of Washington state are capable of supporting many forms of aquaculture, including the culturing of salmon, mussels, seaweed, oysters, and other marine species. However, in order to protect existing biological systems, protect public enhancement opportunities, and reduce conflicts with existing water uses, it is critical that aquaculture projects be appropriately sited, designed, and operated.

The legislature further finds that considerable controversy has occurred when marine fin fish net pen projects have been proposed, and that it is in the best interest of the state to find ways to minimize this conflict, reduce adverse impacts on the marine environment, and reduce adverse impacts on other uses and activities. The legislature further finds that actions are needed to increase predictability and consistency, and expedite the decision-making process for marine net pen projects.

NEW SECTION. Sec. 2. COUNCIL CREATED—SCOPE. The fisheries 2000 council on floating marine fin fish is hereby created. The council shall be coordinated by the department of natural resources to provide the legislature, state agencies, and local jurisdictions with recommendations on siting fin fish net pen projects in marine waters of the state, while minimizing or eliminating adverse biological effects and conflicts with other uses and activities.

NEW SECTION. Sec. 3. COUNCIL MEMBERSHIP. (1) The council shall include one representative from the following interests, governmental agencies, and organizations: Department of natural resources, department of ecology, department of fisheries, department of agriculture, University of Washington college of ocean and fisheries science, counties, marine fin fish growers, environmentalists, shoreline property owners, Indian tribes, marine sport anglers, and the commercial fishing industry.

(2) The agencies listed in subsection (1) of this section shall work with recognized organizations and associations that represent the interests listed in subsection (1) of this section in the selection of representatives. Every attempt shall be made to encourage recognized organizations and associations to appoint their own representative. If these organizations and associations have not identified a representative within twenty days of the effective date of this act, or if more than one representative is nominated, the department of natural resources and the other agencies listed in subsection (1) of this section will jointly make appointments within thirty days of the effective date of this act.

(3) The council shall be coordinated and chaired by the department of natural resources. The department shall use a collaborative process that is fair to all interests, and shall attempt to reach outcomes that are supported by all participants.

NEW SECTION. Sec. 4. COUNCIL RESPONSIBILITIES. (1) The council shall prepare an action plan that will include recommended changes in law, rule, policy, and procedures. The action

plan's objective shall be the development of a consistent, predictable framework for the appropriate siting, regulation, and monitoring of floating fin fish net pens, and the clarification of roles and responsibilities of federal, state, and local decision makers. In preparing this action plan, the council shall:

(a) Identify biological impacts and use conflicts associated with marine fin fish net pens as documented in available sources of information;

(b) Review existing federal, state, and local policies, procedures, rules, and statutes regarding marine fin fish net pens in Washington state;

(c) Review existing policies, procedures, rules, and statutes regarding marine fin fish net pens in other states and nations;

(d) Review the economic costs and benefits of marine fin fish net pens to the state and its citizens; and

(e) Address siting of net pens for enhancement of the state's public fishery resource, and resolution of possible siting conflicts with private net pen projects.

(2) In carrying out its responsibilities, the council shall provide opportunities for public participation. At a minimum, the council shall conduct public meetings during its initial fact-finding phase, and after a draft action plan is developed.

NEW SECTION, Sec. 5. FINAL REPORT AND ACTION PLAN. The council shall present the action plan required in section 4 of this act to the legislature, governor, state agency directors, and local governments by November 15, 1990.

NEW SECTION, Sec. 6. TERMINATION OF COUNCIL. The council shall cease to exist on June 30, 1991.

NEW SECTION, Sec. 7. CAPTIONS NOT LAW. Section headings as used in this act do not constitute any part of the law."

On page 1, line 1 of the title, after "council," strike the remainder of the title and insert "and creating new sections."

Signed by Representatives Morris, Vice Chair; S. Wilson, Ranking Republican Member; Cole, Haugen, Smith and Spanel.

MINORITY recommendation: Without recommendation. Signed by Representatives Basich and Bowman.

Absent: Representatives R. King, Chair; Brooks and Vekich.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6802 Prime Sponsor, Senator Sellar: Changing provisions relating to reduced utility rates for low income disabled citizens. Reported by Committee on Energy & Utilities

MAJORITY recommendation: Do pass. Signed by Representatives Nelson, Chair; H. Myers, Vice Chair; Hankins, Ranking Republican Member; Bennett, Brooks, Cooper, Gallagher, Jacobsen, May, Miller and S. Wilson.

Absent: Representatives Jesernig and R. Meyers.

Passed to Committee on Rules for second reading.

February 21, 1990

SSB 6814 Prime Sponsor, Committee on Children & Family Services: Concerning dependency proceedings and termination of parental rights. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Brekke, Leonard and Winsley.

MINORITY recommendation: Without recommendation. Signed by Representatives Hargrove and Padden.

Absent: Representative Raiter.

Passed to Committee on Rules for second reading.

February 22, 1990

2SSB 6832 Prime Sponsor, Committee on Ways & Means: Authorizing a study of the state's juvenile rehabilitation system. Reported by Committee on Human Services

MAJORITY recommendation: Do pass. Signed by Representatives Sayan, Chair; Scott, Vice Chair; Moyer, Ranking Republican Member; Tate, Assistant Ranking Republican Member; Anderson, Leonard, Raiter and Winsley.

MINORITY recommendation: Do not pass. Signed by Representative Brekke.

Absent: Representatives Hargrove and Padden.

Referred to Committee on Appropriations.

February 22, 1990

ESB 6834 Prime Sponsor, Senator Sellar: Establishing a basic health care plan for small business employees. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Braddock, Chair; Day, Vice Chair; Brooks, Ranking Republican Member; Cantwell, Morris, Prentice, D. Sommers and Wolfe.

MINORITY recommendation: Do not pass. Signed by Representative Vekich.

Absent: Representatives Chandler, Morris and Sprengle.

Passed to Committee on Rules for second reading.

February 23, 1990

ESB 6839 Prime Sponsor, Senator Barr: Providing for protection of the Kettle River. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 24 after "comment," insert "The state parks and recreation commission shall review and provide comments on the program no later than March 31, 1991. After receiving comments from the commission, the counties shall adopt a final management program no later than June 30, 1991."

Signed by Representatives Belcher, Chair; K. Wilson, Vice Chair; Beck, Ranking Republican Member; Brumsickle, Dellwo, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

Referred to Committee on Appropriations.

February 23, 1990

SSB 6859 Prime Sponsor, Committee on Ways & Means: Clarifying the tax status of computer software. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION, Sec. 1. (1) The legislature finds that:

(a) Computer software development is a rapidly changing and complex field;

(b) There are substantial public policy questions regarding valuation and taxation of computer software;

(c) Fairness and equity require consistent tax treatment of computer software by all county assessors;

(d) Thorough study of computer software taxation is necessary before a permanent tax policy can be adopted; and

(e) Any inequities that might result from temporarily restricting the ability of county assessors to list and assess computer software are more than offset by avoidance of unfair and inconsistent tax treatment of computer software.

(2) The intent of this act is to delay any significant change in the manner or extent of taxation of computer software until uniform definitions and standards of taxation can be developed and enacted by the legislature.

NEW SECTION, Sec. 2. For property taxes due in 1991, a county assessor shall list and assess computer software in the same manner and to the same extent as computer software was listed and assessed for taxes due in 1989. If the assessor adds an item of computer software to the assessment list for any taxpayer for 1991 taxes, and that item was not listed and assessed for 1989 taxes for that taxpayer, the assessor shall have the burden of proving the item of computer software is taxable within the intent of this act.

NEW SECTION, Sec. 3. (1) The department of revenue shall conduct a study of the taxation of computer software. The study shall focus primarily on the policy implications involved in developing clear definitions of software that should be taxable and software that should be exempt. The study shall include an examination of:

(a) The implementation of section 1 of this act by assessors in each county;

(b) Definitions of computer software and its meaning in property taxation;

(c) The appropriate application of property taxation to computer software;

(d) Taxation of computer software by other states;

(e) Alternatives to property taxation of computer software; and

(f) The advantages or disadvantages of any change, revision, or alternative to tax treatment of computer software.

(2) To perform the study, the department shall form a study committee with balanced representation from different segments of government and industry. The study committee may include, but need not be limited to, persons representing the department, computer software development companies, computer hardware development companies, tax law specialists, county assessors, small businesses that use computer software, and large businesses that use computer software.

(3) The department shall provide staff for the study committee.

(4) The department shall report the findings of the study to the committees of the legislature that deal with revenue matters no later than November 30, 1990.

NEW SECTION. Sec. 4. 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 shall take effect immediately."

On page 1, line 1 of the title, after "software;" strike the remainder of the title and insert "creating new sections; and declaring an emergency."

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member, Appelwick, Basich, Brumsickle, Fraser, Fuhrman, Grant, Haugen, Morris, Phillips, Rust, Silver, H. Sommers and Van Luven.

Absent: Representatives Basich and Van Luven.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6861 Prime Sponsor, Senator Bailey: Monitoring the impact of certain substances upon the dairy industry. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass with the following amendments:

On page 2, line 11, insert:

"NEW SECTION. Sec. 3. Sections 1 and 2 of this act shall expire June 30, 1992."

On page 1, line 2 of the title, after "RCW;" strike "and prescribing penalties" and insert "prescribing penalties; and providing an expiration date"

Signed by Representatives Rayburn, Chair; Kremen, Vice Chair; Nealey, Ranking Republican Member; Baugher, Chandler, Doty, Grant, Jesernig, Kirby, Rasmussen and Youngsman.

MINORITY recommendation: Do not pass. Signed by Representative McLean.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6862 Prime Sponsor, Senator McMullen: Creating the Washington hardwoods commission. Reported by Committee on Trade & Economic Development

MAJORITY recommendation: Do pass. Signed by Representatives Cantwell, Chair; Wineberry, Vice Chair; Doty, Ranking Republican Member; G. Fisher, Kirby, Kremen, Moyer, Raiter, Rasmussen, Rector, Schoon, Tate and Youngsman.

Absent: Representatives Kremen, Rasmussen and Tate.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6866 Prime Sponsor, Senator Barr: Changing fee amount for research for field and turf grass seed production. Reported by Committee on Agriculture & Rural Development

MAJORITY recommendation: Do pass. Signed by Representatives Rayburn, Chair; Nealey, Ranking Republican Member; Chandler, Doty, Grant, Jesernig, Kirby, McLean, Rasmussen and Youngsman.

Absent: Representatives Kremen, Vice Chair; Baugher and Youngsman.

Passed to Committee on Rules for second reading.

February 22, 1990

ESSB 6868 Prime Sponsor, Committee on Children & Family Services: Modifying guardianship provisions regarding incapacitated persons. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendments:

On page 6, line 15 after "and, if so" strike "shall explain"

On page 6, line 16 after "the parties, and" strike "shall explain"

On page 7, line 8 after "capital letters" strike "and"

On page 7, line 9 after "double-spaced" insert "and in a type size of not less than ten characters per inch"

On page 10, line 7 after "substantial hardship" insert "to the individual"

On page 11, line 33 after "A summary of the" insert "relevant"

On page 17, line 20 strike "RCW 11.88.090(3)(b)" and insert "((RCW 11.88.090(3)(b) RCW 11.88.090(5)(e))"

On page 18, line 22 after "condition, and" strike "need" and insert "needs"

On page 19, after line 10 insert the following subsection:

"(5) If a court determines that the person is incapacitated and that a guardian or limited guardian should be appointed, the court shall determine whether the incapacity is a result of a developmental disability as defined by RCW 71A.10.020, and if so, determine whether the incapacity due to the developmental disability can be expected to continue indefinitely."

On page 32, after line 9 insert the following subsection:

"(3) If the court has made a finding as provided in section 9(5) of this 1990 act, that the person is incapacitated as a result of a developmental disability that is expected to continue indefinitely and the incapacitated person's estate has a value, exclusive of real property, of not more than twice the homestead exemption, the court, in its discretion, may allow reports at intervals up to thirty-six months and may modify or waive certain reporting requirements in subsection (2) of this section that the court considers unduly burdensome or inapplicable. The court may not waive the requirement that the guardian or limited guardian report any substantial change in the incapacitated person's income or assets."

Renumber the remaining subsections consecutively and correct internal references accordingly.

On page 35, after line 30, insert the following:

"(4) If the court has made a finding as provided in section 9(5) of this 1990 act, that the person is incapacitated as a result of a developmental disability that is expected to continue indefinitely, the court in its discretion, may allow reports at intervals up to thirty-six months and may modify or waive certain reporting requirements in subsection (2) of this section, that the court considers inapplicable or unduly burdensome. The court may not waive the requirement that the guardian or limited guardian report any substantial change in the incapacitated person's condition."

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 40, line 11 strike "Pursuant to RCW 11.92.180(4), a" and insert "A"

On page 47, strike lines 12 through 14

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Brough, Dellwo, Forner, Hargrove, Inslie, P. King, R. Meyers, Moyer, H. Myers, Schmidt, Scott, D. Sommers, Tate and Wineberry.

Voting nay: Representative Schmidt.

Absent: Representatives Belcher and Locke.

Passed to Committee on Rules for second reading.

February 23, 1990

SJM 8023 Prime Sponsor, Senator Amondson: Pertaining to forest lands. Reported by Committee on Natural Resources & Parks

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 4, after "CONGRESS ASSEMBLED:" strike the remaining material and insert the following:

"We, your Memorialists, the Senate and House of Representatives of the State of Washington, in legislative session assembled, respectfully represent and petition as follows:

WHEREAS, There are over 17,700,000 acres of commercial forest land in Washington state; and

WHEREAS, Nearly fifty-one percent or more than 8.8 million acres of this is publicly owned with 5.2 million acres owned by the federal government; and

WHEREAS, 2,337,000 acres of this commercial forest land base managed by agencies of the United States Government, has been withdrawn from timber management activities as follows:

	<u>Commercial Forest Land</u>
Olympic National Park	800,000 acres
North Cascades National Park	274,000 acres
Mt. Rainier National Park	106,000 acres
Ross Lake National Recreation Area	70,000 acres
Lake Chelan National Recreation Area	40,000 acres
Glacier Peak Wilderness (1964, 1968, 1984)	165,500 acres
Pasaytan Wilderness (1968, 1984)	262,200 acres
Alpine Lakes Wilderness (1976)	66,400 acres
Goat Rocks Wilderness (1976, 1984)	62,100 acres
Mount St. Helens National Volcanic Monument (1982)	57,000 acres

Whereas, The additional following areas of commercial forest land were withdrawn for the first time by the Washington Wilderness Act of 1984:

	<u>Commercial Forest Land</u>
Boulder River Wilderness	25,600 acres
Clearwater Wilderness	10,300 acres
Henry M. Jackson Wilderness	41,600 acres
Mt. Baker Wilderness	34,400 acres
Noisy - Diobsud Wilderness	8,300 acres
Norse Peak Wilderness	29,200 acres
Lake Chelan - Sawtooth Wilderness	46,400 acres
William O. Douglas Wilderness	128,200 acres
Glacier View Wilderness	2,700 acres
Tatoosh Wilderness	9,000 acres
Mt. Adams Wilderness	17,400 acres
Indian Heaven Wilderness	12,900 acres
Trapper Creek Wilderness	4,900 acres
Buckhorn Wilderness	12,000 acres
Colonel Bob Wilderness	9,200 acres
Mt. Skokomish Wilderness	6,400 acres
The Brothers Wilderness	8,700 acres
Wonder Mountain Wilderness	1,700 acres
Salmo Priest Wilderness	25,000 acres

WHEREAS, The Forest Service has demonstrated throughout the National Forest Management Act planning process that the national forests in Washington have the capability of providing, on a sustained yield, multiple-use basis, a benchmark volume of 1.5 billion board feet of timber annually while meeting all obligations and requirements of law, including stringent measures to protect water, wildlife, fish, air, and soil; and

WHEREAS, The Forest Service planning process has treated timber production and the communities dependent upon that production as only a residual value of the federal forest lands in Washington; and

WHEREAS, The historical average timber sale volume from Washington national forests for the past five years prior to 1989 is 1.2 billion board feet, or 300 million board feet less than the benchmark volume; and

WHEREAS, National Forest Management Act plans now being finalized for Washington national forests propose a further thirty-three percent reduction in harvest levels from the remaining national forest lands; and

WHEREAS, Proposals to or before the Congress call for withdrawal of up to an additional forty percent of federal harvestable lands; and

WHEREAS, These withdrawals, some of which come from the Grays Harbor Federal Sustained Yield Unit, are inconsistent with fifty-year old promises made to communities who based their livelihoods upon such promises; and

WHEREAS, The reduction of available timber cannot be made up from the sale of additional timber above sustained yield levels from private lands and state trust lands; and

WHEREAS, Approximately 180,000 Washington citizens are directly or indirectly dependent on the forest products industry for their livelihoods, it being the state's second largest employer; and

WHEREAS, The office of the governor of the state of Washington has estimated that a forty-three percent decline in the Forest Service harvest level could result in a worst-case, one-time, job loss impact of over 18,000 jobs; and

WHEREAS, The social and economic infrastructures of many rural counties and communities in Washington state are highly dependent on the forest products industry; and

WHEREAS, Timber from federal forest lands has historically contributed more than twenty percent of the raw material for the state's forest products industry and, in many communities, federal forests supply the majority of the raw material; and

WHEREAS, The reduction in federal timber harvest will significantly reduce revenues to the state of Washington from virtually all of its major revenue sources: Sales taxes, business and occupation taxes, and timber harvest excise taxes, and will reduce revenues that support schools and county government from their share of federal stumpage receipts and reduces the property tax base; and

WHEREAS, Federal, not state, decisions have and will drastically affect the timber industry and all those jobs associated with it; and

WHEREAS, The United States Forest Service has been unable to ensure stability in timber supply or stable, long-term management of our nation's forests;

NOW, THEREFORE, Your Memorialists respectfully pray that:

(1) Congress recognize its historic commitment to the timber processing communities of the state of Washington to maintain a harvestable national forest acreage base that will sustain traditional, predictable, and historical average annual sales levels;

(2) Congress directs its attention to providing funds and direction to the United States Forest Service to achieve silviculturally sound management of those lands left for timber production to fully utilize those lands to produce the wood for our nation's many wood product uses;

(3) Congress recognize the investment that communities have made based on the belief that the Forest Service lands will produce a relatively stable timber sales level and that deviations from historical sales levels can cause a community economic and social distress;

(4) Congress appropriate funds to assist local communities affected by the reduction in historic timber sales level to be used for economic diversification, modernizing mills, and encouragement of additional manufacturing in Washington;

(5) Congress include in its commitment to protecting some lands from timber harvesting a commitment to practice innovative forest management on lands not suited to traditional timber harvesting and to use timber management practices on the remaining forest land base which will produce the highest possible timber yields consistent with prudent land management;

(6) Congress amend the National Forest Management Act planning process to recognize the economic needs of people, communities, and consumers and grant them equal status and consideration with the needs of environmental protection; and

(7) Congress enact capital gains and other tax legislation which will encourage rather than discourage investment in timber production on private lands; and

BE IT RESOLVED, That copies of this Memorial be immediately transmitted to the Honorable George Bush, President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington."

Signed by Representatives Beck, Ranking Republican Member; Brumsickle, Ferguson, Fuhrman, Hargrove, H. Myers, Raiter and Sayan.

MINORITY recommendation: Do not pass. Signed by Representative Belcher, Chair.

Voting nay: Representatives Belcher, Chair; K. Wilson, Vice Chair; and Dellwo.

Passed to Committee on Rules for second reading.

February 22, 1990

SJR 8231 Prime Sponsor, Senator Wojahn: Allowing video testimony of children under ten years of age who are sexual abuse victims. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass with the following amendment:

On page 1, line 18, after "outside" strike everything through "courtroom" on line 19 and insert "the presence of the accused in the event that the victim cannot reasonably communicate at trial in the presence of the accused"

Signed by Representatives Appelwick, Chair; Crane, Vice Chair; Padden, Ranking Republican Member; Forner, Inslee, P. King, Moyer, H. Myers, Schmidt, Scott, and Tate.

MINORITY recommendation: Do not pass. Signed by Representatives Brough, Hargrove, R. Meyers, D. Sommers and Wineberry.

Absent: Representatives Belcher, Dellwo and Locke.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Ebersole, the bills, memorial and resolution listed on today's supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

MOTION

On motion of Mr. Ebersole, the House adjourned until 10:00 a.m., Monday, February 26, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk

FIFTIETH DAY

MORNING SESSION

House Chamber, Olympia, Monday, February 26, 1990

The House was called to order at 10:00 a.m. by the Speaker (Mr. O'Brien presiding). The Clerk called the roll and all members were present except Representatives Chandler and P. King. On motion of Ms. Cole, Representative P. King was excused. On motion of Ms. Bowman, Representative Chandler was excused.

The flag was escorted to the rostrum by a Sergeant at Arms Color Guard. Pages Nicholas Bacon and Winsome Young. Prayer was offered by the Reverend Daniel Secrist, Minister of Faith Assembly Church of Lacey.

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

MESSAGES FROM THE SENATE

February 23, 1990

Mr. Speaker:

The Senate has passed:

SECOND SUBSTITUTE SENATE BILL NO. 6202,
SECOND SUBSTITUTE SENATE BILL NO. 6219,
SECOND SUBSTITUTE SENATE BILL NO. 6419,
SECOND SUBSTITUTE SENATE BILL NO. 6492,
SUBSTITUTE SENATE CONCURRENT RESOLUTION NO. 8433,
ENGROSSED HOUSE BILL NO. 1491,
HOUSE BILL NO. 2262,

and the same are herewith transmitted.

W. D. Naismith, Assistant Secretary.

February 23, 1990

Mr. Speaker:

The Senate has adopted the report of the Free Conference Committee on ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 6259, and has passed the bill as amended by the Free Conference Committee.

W. D. Naismith, Assistant Secretary.

INTRODUCTIONS AND FIRST READING

2SSB 6202 by Committee on Ways & Means (originally sponsored by Senators Lee, Talmadge, Bluechel and Conner)

Establishing an international trade office in Toronto.

Referred to Committees on Trade & Economic Development/ Appropriations.

2SSB 6219 by Committee on Ways & Means (originally sponsored by Senators Thorsness, Gaspard, Bailey, Rinehart, Bender, Madsen, Metcalf, Murray, Talmadge, Lee, Craswell, Bluechel, Warnke, Patrick, Bauer and Stratton; by request of Superintendent of Public Instruction)

Providing for the implementation of a state-wide video telecommunications system for public schools.

Referred to Committees on State Government/ Appropriations.

2SSB 6419 by Committee on Ways & Means (originally sponsored by Senators Thorsness, Talmadge, McCaslin, Niemi, Patrick and Moore; by request of Governor)

Creating a jail standards incentive board.

Referred to Committee on Capital Facilities & Financing.

2SSB 6492 by Committee on Ways & Means (originally sponsored by Senators Smith, Conner, Stratton and Bailey)

Establishing the adoption support reconsideration program.

Referred to Committees on Human Services/Appropriations.

SSCR 8433 by Committee on Law & Justice (originally sponsored by Senators Benitz and West)

Creating a joint select committee on violence prevention.

Referred to Committee on Health Care.

The Speaker (Mr. O'Brien presiding) referred the bills and resolution listed on today's introduction sheet under the fourth order of business to the committee so designated.

REPORTS OF STANDING COMMITTEES

February 24, 1990

HB 2674 Prime Sponsor, Representative G. Fisher: Creating the Air Transportation Commission. Reported by Committee on Appropriations

MAJORITY recommendation: The substitute bill by Committee on Transportation be substituted therefor and the substitute bill do pass with the following amendment by Committee on Appropriations:

On page 3, line 26, after "transportation fund" strike "or the general fund"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; and Bowman.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman and Nealey.

Absent: Representatives H. Sommers, Vice Chair; Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

SB 5354 Prime Sponsor, Senator McDonald: Providing for caseload forecasting in the office of financial management. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

ESSB 5450 Prime Sponsor, Committee on Education: Providing for education in Pacific Rim languages. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on Higher Education (For committee amendments, see Journal, 43rd Day, February 19, 1990.) as amended with the following amendments by Committee on Appropriations:

On page 1, beginning on line 7 of the Higher Education Committee amendment strike all material through page 3, line 18

Renumber the remaining sections consecutively and correct internal references accordingly.

On page 5, beginning on line 9 strike all material through line 16

On page 5, beginning on line 20 strike the title amendment and insert "On page 1, line 1 of the title, after "languages;" strike the remainder of the title and insert "and amending RCW 28A.67.020."

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Brekke, Brough, Dorn, Ebersole, Hine, Inslee, May, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Ferguson, McLean and Nealey.

Absent: Representatives Appelwick, Braddock, Brough, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

3SSB 5550 Prime Sponsor, Committee on Ways & Means: Providing a procedure for the classification and valuation of property devoted primarily to low-income housing. Reported by Committee on Revenue

MAJORITY recommendation: Do pass as amended by Committee on Housing. (For committee amendments, see Journal, 46th Day, February 22, 1990.) Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Appelwick, Basich, Fraser, Grant, Morris, Phillips, Rust, Silver and H. Sommers.

Absent: Representatives Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Fuhrman and Haugen.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSB 5845 Prime Sponsor, Committee on Ways & Means: Increasing steelhead trout production. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Fisheries & Wildlife. (For committee amendment, see Journal, 43rd Day, February 19, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Doty, Holland and Padden.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSB 5993 Prime Sponsor, Committee on Energy & Utilities: Promoting the use of one thousand acres leased on the Hanford reservation. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Brekke, Brough, Doty, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Spanel, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Dorn, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

ESB 6164 Prime Sponsor, Senator Newhouse: Revising provisions for the transportation of food products. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Rural Development. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Brough, Dorn, Doty, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Braddock, Ebersole, Holland, Padden, Sprenkle and Wineberry.

Passed to Committee on Rules for second reading.

February 24, 1990

SB 6213 Prime Sponsor, Senator West: Revising provisions for reimbursement to department of social and health services employees for costs related to assaults. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Appelwick, Braddock, Doty, Ebersole, Hine, Holland, Padden, Peery and Wang.

Passed to Committee on Rules for second reading.

February 24, 1990

E2SSB 6216 Prime Sponsor, Committee on Ways & Means: Creating the Washington community college exceptional faculty awards program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Brekke, Brough, Dorn, Ferguson, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Appelwick, Belcher, Bowman, Braddock, Ebersole, Hine, Holland and Padden.

Passed to Committee on Rules for second reading.

February 24, 1990

ESB 6252 Prime Sponsor, Senator Patterson: Enacting a moratorium on siting of hazardous waste disposal facilities. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Environmental Affairs. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; S. Sommers, Vice Chair; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; and Youngsman, Assistant Ranking Republican Member.

Absent: Representatives Appelwick, Braddock, Holland and Padden.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6290 Prime Sponsor, Committee on Energy & Utilities: Revising provisions for telecommunications devices for the hearing impaired and speech impaired and repealing the expiration date. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Energy & Utilities. (For committee amendments, see Journal, 40th Day, February 16, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Dorn, Doty, Hine, Holland, May, McLean, Nealey, Padden, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Brekke, Brough, Ebersole, Hine, Peery and Wang.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6305 Prime Sponsor, Committee on Higher Education: Changing exemptions for tuition and services and activities fees. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Brekke, Brough, Dorn, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Bowman, Braddock, Doty, Ebersole, Hine, Holland and Padden.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSB 6310 Prime Sponsor, Committee on Ways & Means: Providing a funding mechanism for regional fisheries enhancement groups. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Fisheries & Wildlife. (For committee amendments, see Journal, 45th Day, February 21, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; and Nealey.

Absent: Representatives Appelwick, Braddock, Brough, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6326 Prime Sponsor, Committee on Ways & Means: Authorizing a southern Puget Sound water quality program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Doty, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Ebersole, Holland, Padden, Peery and Valle.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6407 Prime Sponsor, Committee on Ways & Means: Adopting the supplemental operating budget. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendments:
Strike everything after the enacting clause and insert the following:

*INDEX

Accountancy Board, sec. 123
 Administrator for the Courts, sec. 108
 Agriculture Department, sec. 310
 Attorney General, sec. 114
 Basic Health Plan, sec. 229
 Belated Claims, sec. 705
 Central Washington University, secs. 601, 606
 Community College Education Board, secs. 601, 602
 Community Development Department, secs. 222, 223
 Corrections Department, secs. 227, 228
 Court of Appeals, sec. 106
 Criminal Justice Training Commission, sec. 224
 Eastern Washington University, secs. 601, 605
 Ecology Department, sec. 302
 Employment Security Department, sec. 230
 Energy Office, sec. 301
 Environmental Hearings Office, sec. 304
 Financial Management Office, sec. 127
 Fisheries Department, sec. 306
 General Administration Department, sec. 120
 Governor, secs. 703, 704, 707, 708
 Compensation, Salary, and Insurance Benefits, sec. 708
 Emergency Fund, sec. 707
 Self-Insurance Fund Premiums, sec. 703
 Tort Claims Revolving Fund, sec. 704
 Health Care Authority, sec. 221
 Health Department, sec. 220
 Higher Education Coordinating Board, secs. 601, 609, 610
 House of Representatives, sec. 101
 Indian Affairs, Governor's Office, sec. 112
 Information Services Department, sec. 121
 Institute of Applied Technology, sec. 611
 Insurance Commissioner, sec. 122
 Investment Board, sec. 117
 Judicial Conduct Commission, sec. 107
 Labor and Industries Department, sec. 225
 Licensing Department, secs. 402, 403
 Lieutenant Governor, sec. 109
 Liquor Control Board, sec. 124
 Minority and Women's Business Enterprises Office, Sec. 119
 Natural Resources Department, secs. 308, 309
 Parks and Recreation Commission, sec. 303
 Personnel Department, sec. 115
 Pollution Liability Insurance Program, sec. 312
 Public Disclosure Commission, sec. 110
 Redistricting Commission, sec. 103
 Retirement Contributions, secs. 709, 710
 Retirement Systems Department, sec. 116
 Revenue Department, sec. 118
 Secretary of State, sec. 111
 Senate, sec. 102
 Social and Health Services Department, secs. 201-219
 Administration and Supporting Services, sec. 219
 Alcohol and Drug Support, secs. 212, 213, 228
 Children and Family Services, secs. 202-204
 Community Services Administration, sec. 217
 Community Social Services, sec. 211
 Developmental Disabilities Program, secs. 207, 208
 General Vendor Rate Increases, sec. 201
 Income Assistance Program, sec. 210

- Juvenile Rehabilitation Program, sec. 205
- Long-Term Care Services, sec. 209
- Medical Assistance Program, sec. 214
- Mental Health Program, sec. 206
- Payments to Other Agencies, sec. 219
- Public Health Program, sec. 215
- Revenue Collections Program, sec. 218
- State Actuary, sec. 104
- State Auditor, sec. 113
- State Capitol Historical Association, sec. 613
- State Convention and Trade Center, sec. 311
- State Library, sec. 612
- State Patrol, sec. 401
- State Treasurer, secs. 701, 702, 711
 - Federal Revenues for Distribution, sec. 702
 - State Revenues for Distribution, sec. 701
 - Transfers, sec. 711
- Sundry Claims, sec. 706
- Superintendent of Public Instruction, secs. 501-517
 - Educational Clinics, sec. 517
 - Employee Compensation, secs. 503-505
 - General Apportionment, sec. 502
 - Handicapped Education, sec. 509
 - Highly Capable Students Programs, sec. 512
 - Institutional Education Programs, sec. 511
 - Learning Assistance Program, sec. 516
 - Local Effort Assistance, sec. 510
 - Pupil Transportation, sec. 506
 - School District Support, sec. 513
 - School Food Service Programs, sec. 508
 - Special and Pilot Programs, sec. 514
 - State Administration, sec. 501
 - Transitional Bilingual Programs, sec. 515
 - Vocational-Technical Institutes, sec. 507
- Supreme Court, sec. 105
- The Evergreen State College, secs. 601, 607
- Trade and Economic Development Department, sec. 305
- University of Washington, secs. 601, 603
- Utilities and Transportation Commission, sec. 125
- Veterans Affairs Department, sec. 226
- Volunteer Fire Fighters' Board, sec. 126
- Washington State University, secs. 601, 604
- Western Washington University, secs. 601, 608
- Wildlife Department, sec. 307

PART I
GENERAL GOVERNMENT

Sec. 101. Section 101, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HOUSE OF REPRESENTATIVES

General Fund Appropriation	\$	((49,300,000))
		<u>49,620,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$150,000 is provided solely to contract for an evaluation of Seattle public schools.
- (2) \$250,000 of the general fund appropriation is provided solely for acquisition and implementation of necessary redistricting data processing systems in conjunction with the senate and the secretary of state.
- (3) \$163,000 is provided solely for the fellows program of the Washington state institute for public policy.

Sec. 102. Section 102, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SENATE

General Fund Appropriation	\$	36,751,000
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The appropriation in this section is subject to the following conditions and limitations:

- (1) \$250,000 is provided solely for acquisition and implementation of necessary redistricting data processing systems in conjunction with the house of representatives and the secretary of state.
- (2) \$163,000 is provided solely for the fellows program of the Washington state institute for public policy.

(3) The senate select committee on Washington 2000 shall develop a plan and make recommendations for the implementation of an executive and legislative strategic planning process for the adoption of public policy and the funding of state programs. The plan shall address the role of the executive and legislative branches in strategic planning, as well as how to provide citizen input, and make recommendations on the structures and processes used by the executive branch and by the legislature, including the budget-setting process, to adopt and implement such a strategic plan. The committee shall submit a preliminary report of findings and recommendations to the 1991 legislature.

NEW SECTION. Sec. 103. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

FOR THE REDISTRICTING COMMISSION

General Fund Appropriation \$ 221,000

Sec. 104. Section 105, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF THE STATE ACTUARY

Department of Retirement Systems Expense Fund Appropriation \$ ~~((1,090,000))~~
1,235,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The office shall provide all necessary services for the department of retirement systems within the funds appropriated in this section.

(2) \$100,000 is provided solely for implementation of the employee benefits communication project by the joint committee on pension policy.

Sec. 105. Section 108, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPREME COURT

General Fund Appropriation \$ ~~((13,404,000))~~
13,527,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$30,000 is provided solely for replacement of lighting fixtures in the Temple of Justice; and

(2) \$5,013,000 is provided solely for the indigent appeals program.

Sec. 106. Section 110, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COURT OF APPEALS

General Fund Appropriation \$ ~~((13,765,000))~~
13,932,000

The appropriation in this section is subject to the following conditions and limitations: \$354,000 is provided solely for an additional judgeship in division I of the court of appeals. ~~((If neither Senate Bill No. 5109 nor House Bill No. 1802 is enacted by June 30, 1989, this amount of the appropriation shall lapse.))~~

Sec. 107. Section 111, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE COMMISSION ON JUDICIAL CONDUCT

General Fund Appropriation \$ ~~((594,000))~~
769,000

The appropriation in this section is subject to the following conditions and limitations: \$75,000 is provided solely for the purpose of implementing Engrossed Substitute Senate Joint Resolution No. 8202.

Sec. 108. Section 112, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ADMINISTRATOR FOR THE COURTS

General Fund Appropriation \$ ~~((26,401,000))~~
27,707,000

Public Safety and Education Account Appropriation \$ ~~((22,850,000))~~
24,430,000

Total Appropriation \$ ~~((49,331,000))~~
52,137,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Within the appropriations provided in this section, the administrator for the courts, in conjunction with the indigent defense task force, shall review the feasibility of implementing an indigent defense cost recovery program in order to recover state expenses for the indigent appeals program. The administrator for the courts also shall prepare recommendations regarding standards for indigency to be applied uniformly among courts throughout the state. Recommendations regarding a cost recovery program and indigency standards shall be submitted to the house of representatives appropriations and the senate ways and means committees by December 1, 1989.

(2) \$4,712,000 of the general fund appropriation is provided solely for the continuation of treatment-alternatives-to-street-crimes (TASC) programs in Pierce, Snohomish, Clark, King,

Spokane, and Yakima counties. In administering TASC program contracts, the administrator for the courts shall monitor program expenditures, conduct program audits, and develop corrective action plans as necessary for contract compliance.

(3) ~~\$(+5,555,000)~~ 16,681,000 of the general fund appropriation is provided solely for the superior court judges program.

(4) \$50,000 of the public safety and education account appropriation is provided solely for the continuation of the indigent defense task force as provided in Substitute Senate Bill No. 5960 (indigent defense services); ~~((if the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(5) \$200,000 of the public safety and education account appropriation is provided solely for implementing Substitute Senate Bill No. 5474 or Substitute House Bill No. 1119 (court interpreters); ~~((if neither bill is enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(6) \$500,000 of the general fund appropriation is provided solely for a foster care review pilot project. In designing the project, the administrator for the courts shall: (a) Establish control groups, one with foster care review and one without, and (b) document the comparative impacts on court costs and foster care length-of-stay.

(7) \$5,758,000 of the public safety and education account appropriation is provided solely to implement the conversion of the district court information system (DISCIS) to a subsystem compatible with the other subsystems within the judicial information system. The amount provided in this subsection is intended to convert twenty-eight existing DISCIS sites and establish eight new sites. When providing equipment upgrades to an existing site, an equal amount of local matching funds shall be provided by the local jurisdiction. The administrator for the courts shall report to the legislature by January 15, 1990, on the reasonableness and feasibility of installing more DISCIS sites during the 1989-91 biennium.

(8) \$3,000,000 of the public safety and education account appropriation shall be held in reserve by the administrator for the courts until July 1, 1990.

(9) The administrator for the courts shall prepare a five-year plan for the judicial information system in conformance with the guidelines of the department of information services. The administrator for the courts shall submit the plan to the house of representatives committee on appropriations and the senate committee on ways and means by January 15, 1990. The five-year plan shall include but not be limited to the following items: Long range goals, objectives, and priorities; estimated equipment and software acquisition costs; an equipment acquisition schedule; estimated operating costs by fiscal year; a cost/benefit analysis of planned system modifications; an analysis of the revenue impact of implementing accounts receivable modules; current and projected debt service costs; descriptions of the services provided to each court jurisdiction; and a plan for requiring local matching funds.

(10) \$100,000 of the general fund appropriation is provided solely for the purpose of developing a court facility and security standards project.

(11) \$130,000 of the public safety and education account appropriation is provided solely to implement recommendations from the gender and justice task force. Of this amount: (a) \$55,000 is provided solely for creation of a task force on domestic violence issues. The task force shall undertake a study of domestic violence issues in the criminal justice system, and make recommendations for domestic violence reform; (b) \$30,000 is provided solely for the office of the administrator for the courts to initiate measures to educate and train judges, attorneys, and court personnel on domestic violence issues; and (c) \$45,000 is provided solely for a joint study of spousal maintenance and property division issues by the legislature and the superior court judges' association. By January 1, 1991, the study shall recommend changes to achieve greater economic equity among family members following dissolution of a marriage.

(12) \$200,000 of the public safety and education account appropriation is provided solely for the minority and justice task force program. Of this amount: (a) \$150,000 is provided solely for the Washington state minority justice commission created in Substitute House Bill No. 3006; and (b) \$50,000 is provided solely for the office of the administrator for the courts to develop standards for a minority employment and recruitment program to increase minority representation in the courts. If Substitute House Bill No. 3006 is not enacted by June 30, 1990, \$150,000 of the public safety and education account appropriation contained in this subsection shall lapse.

(13) \$1,000,000 of the public safety and education account appropriation is provided solely for the purpose of implementing Engrossed Substitute House Bill No. 1237. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(14) \$250,000 of the public safety and education account appropriation is provided solely for development of trial court demonstration projects. These funds are to be matched by an equal amount from federal funds. By January 1, 1990, the office shall report to the house of representatives appropriations committee and the senate ways and means committee on development of these projects.

Sec. 109, Section 114, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIEUTENANT GOVERNOR

General Fund Appropriation	\$	((492,000)) 542,000
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The appropriations in this section are subject to the following conditions and limitations: \$50,000 of the general fund appropriation is provided solely to establish an information clearinghouse to encourage and promote public/private partnerships.

Sec. 110. Section 115, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE PUBLIC DISCLOSURE COMMISSION

General Fund Appropriation	\$	((1,289,000)) 1,341,000
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Sec. 111. Section 116, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SECRETARY OF STATE

General Fund Appropriation	\$	8,042,000
Archives and Records Management Account Appropriation	\$	((2,571,000)) 2,659,000
Department of Personnel Service Fund Appropriation	\$	447,000
Total Appropriation	\$	((1,060,000)) 11,148,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$200,000 of the general fund appropriation is provided solely for acquisition and implementation of necessary redistricting data processing systems in conjunction with the house of representatives and the senate.

(2) \$1,074,000 of the general fund appropriation is provided solely to reimburse counties for the state's share of primary and general election costs and the costs of conducting mandatory recounts on state measures.

(3) \$2,542,000 of the general fund appropriation is provided solely for the verification of initiative and referendum petitions and the maintenance of related voter registration records, legal advertising of state measures, and the publication and distribution of the voters and candidates pamphlet.

(4) \$123,000 of the general fund appropriation is provided solely for expansion of the oral history program recently instituted by the archives and records management division.

Sec. 112. Section 117, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR'S OFFICE OF INDIAN AFFAIRS

General Fund Appropriation	\$	((290,000)) 299,000
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Sec. 113. Section 120, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE AUDITOR

General Fund Appropriation	\$	902,000
Motor Vehicle Fund Appropriation	\$	225,000
Municipal Revolving Fund Appropriation	\$	((16,262,000)) 16,567,000
Auditing Services Revolving Fund Appropriation	\$	((10,338,000)) 10,395,000
Total Appropriation	\$	((27,727,000)) 28,089,000

The appropriations in this section are subject to the following conditions and limitations: \$305,000 of the municipal revolving fund appropriation is provided solely for the increased workload associated with examining municipal insurance pools.

Sec. 114. Section 122, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ATTORNEY GENERAL

General Fund Appropriation—State	\$	6,188,000
General Fund Appropriation—Federal	\$	1,664,000
Legal Services Revolving Fund Appropriation	\$	((70,713,000)) 73,166,000
Motor Vehicle Fund Appropriation	\$	761,000
New Motor Vehicle Arbitration Account Appropriation	\$	1,716,000
Total Appropriation	\$	((81,042,000)) 83,495,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$761,000 of the motor vehicle fund appropriation is provided solely to pursue highway bid-rigging anti-trust litigation and shall be expended only after the office of financial management approves plans for any expenditures.

(2) No part of the appropriations provided in this section may be used to move any attorney co-located with an agency for which the attorney provides legal services away from the agency without prior approval of the agency and the office of financial management.

(3) \$181,000 of the general fund—state appropriation is provided solely for expanding the computerized homicide information and tracking system. The attorney general shall report to the legislature, no later than January 14, 1991, on the homicide information and tracking system, as well as on the feasibility of expanding the system to include the violent crimes of rape, robbery, and arson. The report shall include a local agency financial participation analysis, a systems analysis that includes use of the incident-based reporting system (IBR) of the Washington association of sheriffs and police chiefs and of the criminal information system of the Washington state patrol, and a full-cost purchase analysis. The attorney general shall coordinate the preparation of this report with the office of financial management, the Washington association of sheriffs and police chiefs, and the Washington state patrol.

(4) The attorney general shall prepare an expenditure report describing actual expenditures from the legal services revolving fund for each agency receiving legal services. The report shall cover expenditures for fiscal year 1990. For each agency, the report shall describe: (a) Estimated and actual expenditures, including expenditures authorized through interagency agreements; (b) estimated and actual staffing levels; (c) services provided; and (d) current and future legal issues facing the agency. The report shall be submitted to the office of financial management and the fiscal committees of the house of representatives and senate by September 1, 1990.

(5) The attorney general shall notify the fiscal committees of the house of representatives and senate of any proposed interagency agreement for legal services. Notification shall be provided concurrently with the initial submittal of information on the proposed agreement to the office of financial management. Notification shall describe the purpose of the agreement, the cost of the legal services, and the need, if any, for continuation of these legal services beyond the period covered under the agreement.

Sec. 115, Section 125, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF PERSONNEL

Department of Personnel Service Fund Appropriation \$ ~~((14,490,000))~~
16,141,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$80,000 of this amount is provided solely for the establishment of the new leadership fellowship program with Hyogo prefecture in Japan.

(2) ~~((5670,000 is provided solely for implementation of Engrossed House Bill No. 1360, House Bill No. 2236, or the career executive management program portion of Substitute Senate Bill No. 5140. If none of these bills is enacted by June 30, 1989, the amount provided in this subsection shall lapse))~~ \$125,000 of the appropriation is provided solely for implementation of those portions of Engrossed House Bill No. 2567 or Senate Bill No. 6444 relating to the career executive program. If neither of these bills is enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(3) The department of personnel shall survey the compensation practices of comparable in-state and out-of-state law enforcement agencies. The survey shall consider the degree to which duties, skills, and working conditions are shared by classifications such as wildlife agents, fisheries agents, and members of the Washington state patrol, all of whom have full police powers. The department shall report on the survey findings to the legislature by January 1, 1990.

(4) \$169,000 is provided solely for the establishment and coordination of a state employee benefits communication program including, but not limited to, a combined benefits handbook and a combined benefits newsletter. The editorial policy for the benefits communication program shall be established by a board consisting of representatives of the office of the state actuary, the office of financial management, the department of personnel, the department of retirement systems, and the Washington state health care authority. The department shall report to the appropriate committees of the legislature on the progress of the benefits communication program by January 15, 1991.

(5) \$65,000 is provided solely for an additional staffperson with expertise in compensation policy.

Sec. 116, Section 130, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—OPERATIONS

Department of Retirement Systems Expense Fund Appropriation \$ ~~((22,301,000))~~
22,683,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$908,000 is provided solely for information systems projects named in this section for which work will commence or continue in this biennium. Authority to expend these funds is conditioned upon compliance with section 802 of this act. For the purposes of this subsection, 'information systems projects' means the projects known by the following names or successor

names: Transmittals, member account ledgers, account receivables, billing, and disbursements.

(2) \$871,000 is provided solely for reduction of the agency's backlogs.

(3) \$184,000 is provided solely for development of data security and program library management.

(4) \$50,000 is provided solely for the preparation of information on disability benefit for members of the retirement systems. In preparing this information, the department shall coordinate with the joint committee on pension policy regarding the committee's employee communications project.

(5) The department shall be divided into three program areas of administration, data processing, and retirement operations.

(6) \$250,000 is provided solely for preparation and distribution of educational and informational material on retirement for the members of the state's retirement systems. The material shall include, but not be limited to: Updating of the plan statements of the state's retirement systems in a readily understandable form; development of easily understood explanations of specific retirement benefits and procedures for obtaining such benefits; and orientation information on retirement.

(7) \$52,000 of the appropriation is provided solely to reimburse the department of personnel for costs incurred by the department of personnel related to production of a combined benefits handbook and a combined benefits newsletter.

Sec. 117. Section 131, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE INVESTMENT BOARD

State Investment Board Expense Account Appropriation	\$	((2,015,000))
		2,121,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$142,000 is provided solely for the information systems project known as the 'state-wide investment management system.'

(2) \$10,000 is provided solely to cover travel expenses for beneficiary members of the board to travel to conferences for board-related investment discussions and training.

Sec. 118. Section 132, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF REVENUE

General Fund Appropriation	\$	((75,729,000))
		77,973,000
Timber Tax Distribution Account Appropriation	\$	((3,382,000))
		3,396,000
State Toxics Control Account Appropriation	\$	100,000
Solid Waste Management Account Appropriation	\$	92,000
Pollution Liability Reinsurance Trust Account Appropriation	\$	286,000
Vehicle Tire Recycling Account Appropriation	\$	122,000
Total Appropriation	\$	((79,711,000))
		81,969,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$286,000 of the pollution liability reinsurance trust account appropriation is provided solely for implementation of Second Substitute House Bill No. 1180. If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.

(2) \$122,000 of the vehicle tire recycling account appropriation is provided solely for implementation of Engrossed Substitute House Bill No. 1671. ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(3) \$92,000 of the solid waste management account appropriation is provided solely for implementing the provisions of Engrossed Substitute House Bill No. 1671. ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(4) \$1,936,000 of the general fund appropriation is provided solely for the cost of litigation involving the railroad revitalization and regulatory reform act.

Sec. 119. Section 136, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF MINORITY AND WOMEN'S BUSINESS ENTERPRISES

General Fund Appropriation	\$	((2,076,000))
		2,191,000

Sec. 120. Section 137, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF GENERAL ADMINISTRATION

General Fund Appropriation—State	\$	((8,576,000))
		9,518,000
General Fund Appropriation—Federal	\$	1,715,000
General Fund Appropriation—Private/Local	\$	99,000

Motor Vehicle Fund Appropriation	\$	((330,000)) 368,000
Resource Management Cost Account Appropriation	\$	2,000
State Wildlife Account Appropriation	\$	4,000
Accident Fund Appropriation	\$	1,000
State Patrol Highway Account Appropriation	\$	228,000
Motor Transport Account Appropriation	\$	((10,712,000)) 10,745,000
General Administration Facilities and Services Revolving Fund Appropriation	\$	((21,498,000)) 22,998,000
Total Appropriation	\$	((43,158,000)) 45,678,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The motor vehicle fund appropriation (~~and~~), state patrol highway account appropriation, resource management cost account appropriation, state wildlife account appropriation, and accident account appropriation are provided solely for risk management activities related to (~~the motor vehicle fund and the state patrol highway account~~) those specific funds and accounts.

(2) \$471,000 of the motor transport account appropriation is provided solely to establish the office of motor vehicle services as provided in chapter 57, Laws of 1989.

(3) \$120,000 of the general fund—state appropriation is provided solely to fund the provisions of House Bill No. 2802. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

Sec. 121. Section 138, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF INFORMATION SERVICES

Data Processing Revolving Fund Appropriation	\$	2,392,000
General Fund Appropriation	\$	209,000
Total Appropriation	\$	2,601,000

The appropriations in this section are subject to the following conditions and limitations: The entire general fund appropriation is provided solely to develop a plan for a state-wide video telecommunications system. The plan shall: (1) Provide for an incremental and coordinated approach to development of a state-wide video telecommunications system; (2) consider the long-term video telecommunications needs of school districts, vocational-technical institutes, community colleges, universities, and state agencies; (3) provide options for resolving access and governance issues; (4) seek to efficiently utilize existing resources and equipment; (5) estimate future budget needs; and (6) assess available funding options. The department shall submit the plan to the legislature by December 1, 1990.

Sec. 122. Section 139, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE INSURANCE COMMISSIONER

Insurance Commissioner's Regulatory Account Appropriation	\$	((12,126,000)) 12,471,000
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The appropriations in this section are subject to the following conditions and limitations:

(1) \$455,000 of the insurance commissioner's regulatory account appropriation is provided solely for the senior health insurance benefits advisors programs.

(2) The insurance commissioner shall report to the appropriate committees of the legislature by December 1, 1990, on the availability and cost of property insurance for businesses and residences located in inner city areas. The report shall analyze options for increasing the availability and reducing the cost of such insurance.

Sec. 123. Section 140, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD OF ACCOUNTANCY

General Fund Appropriation	\$	((443,000)) 461,000
Certified Public Accountant Examination Account Appropriation	\$	655,000
Total Appropriation	\$	((1,098,000)) 1,116,000

Sec. 124. Section 144, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE LIQUOR CONTROL BOARD

Liquor Revolving Fund Appropriation	\$	((95,098,000)) 95,148,000
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The appropriation in this section is subject to the following conditions and limitations: \$50,000 is provided solely for the board to develop and implement a bailment inventory program.

Sec. 125. Section 146, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UTILITIES AND TRANSPORTATION COMMISSION

Public Service Revolving Fund Appropriation	\$	((26,245,000))
		<u>26,522,000</u>
Grade Crossing Protective Fund Appropriation	\$	320,000
Total Appropriation	\$	((26,565,000))
		<u>26,842,000</u>

The appropriations in this section are subject to the following conditions and limitations: ~~\$(~~(347,000))~~ 277,000 of the public service revolving fund appropriation is ((contingent on the enactment)) provided solely for implementation of Engrossed Substitute House Bill No. 1671. ((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

Sec. 126. Section 147, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE BOARD FOR VOLUNTEER ~~((FIREMEN))~~ FIREFIGHTERS

Volunteer ((Firefighter's)) Firefighters' Relief and Pension Administrative Fund Appropriation	\$	((315,000))
		<u>328,000</u>

Sec. 127. Section 123, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT

General Fund Appropriation	\$	((22,519,000))
		<u>23,369,000</u>
Hospital Commission Account Appropriation	\$	844,000
Motor Vehicle Fund Appropriation	\$	101,000
Total Appropriation	\$	((23,464,000))
		<u>24,314,000</u>

The appropriations in this section are subject to the following conditions and limitations: ~~(((2)))~~ (1) \$845,000 of the general fund appropriation and \$844,000 of the hospital commission account appropriation are provided solely for fiscal year 1991 and are subject to the following conditions:

(a) If, by June 30, 1989, Substitute Senate Bill No. 5385 (hospital data collection) is enacted and a department of health is created, the amounts provided in this subsection shall be transferred to the department of health solely for the purposes of Substitute Senate Bill No. 5385.

(b) If, by June 30, 1989, Substitute Senate Bill No. 5385 is not enacted and a department of health is created, the amounts provided in this subsection shall be transferred to the department of health solely for the purposes of data collection previously performed by the hospital commission.

(c) If, by June 30, 1989, Substitute Senate Bill No. 5385 is not enacted and a department of health is not created, the amounts provided in this subsection shall be retained by the office of financial management solely for the purposes of data collection previously performed by the hospital commission.

~~(((7)))~~ (2) The office of financial management shall study the effect on county revenues resulting from the designation of timber for processing within the state as specified under section 2 of Substitute Senate Bill No. 5911. The study shall determine the magnitude of revenue changes and shall include recommendations on methods to determine whether county forest board revenues declined, the amount of any decline, and possible methods to compensate counties for any decrease in revenue. The office shall report its findings to the appropriate committees of the senate and house of representatives by December 1, 1990.

(3) Within the appropriations provided in this section, the office of financial management shall study the state's program for the school for the blind and the school for the deaf. The study shall determine the management organization and fiscal practices necessary for maximum operational and financial efficiency of the school. The office shall report its findings to the appropriate committees of the senate and house of representatives by December 1, 1990.

(4) Within the appropriations provided in this section, the Washington state commission for efficiency and accountability shall develop a plan for the department of labor and industries to encourage voluntary compliance with employment standards by providing information to employers, auditing employers, and investigating alleged violations of the standards. The plan shall include a system of reporting the department's enforcement workload. The plan shall propose particular strategies for ensuring compliance with laws governing child labor, overtime compensation, and prevailing wages. The commission shall provide to the 1991 legislature a range of options to recover the costs of enforcement of each regulatory program. The legislature intends that businesses complying with employment standards not suffer a competitive disadvantage due to the noncompliance of other businesses.

(5) \$750,000 of the general fund appropriation is provided solely for a study of Washington employment training needs, and for an evaluation of current employment training providers and systems, as part of the human capital investment program described in Engrossed Second

Substitute House Bill No. 2348. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(6) \$100,000 of the general fund appropriation is provided solely for the office to support development of a coordinated state approach to timber supply issues. This allocation is intended as a one-time contribution only.

(7) The Washington state commission for efficiency and accountability in government shall develop a plan and make recommendations for a structure, process, and methodologies to evaluate program effectiveness. The plan shall address general evaluation research techniques, data requirements, and cost estimates of various methods to evaluate the effectiveness of state-funded programs. The plan shall identify alternatives to current program evaluation that are based on the evaluation of expected programmatic outcomes. The commission shall submit a preliminary report of findings and recommendations to the appropriate legislative committees no later than January 1, 1991.

PART II
HUMAN SERVICES

Sec. 201. Section 202, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

GENERAL VENDOR RATE INCREASES

In granting the vendor rate increases that specifically reference this section and that are funded by appropriations in sections 201 through 219 of this act (~~which reference this section~~), the department may vary percentage increases among vendor groups. In order to determine the percentage increases for each vendor group, the department may consider the gap between the vendor group's costs or market rates and department rates, and the extent to which a disproportionate share of the vendor group's revenue or activity is dependent on department clients. The department shall ensure that the overall average rate increase on January 1, 1990, does not exceed three percent and that the average overall increase on January 1, 1991, does not exceed two percent. The department may transfer funds among appropriations for the purposes of this section. In no case may transfers out of a section exceed the amounts appropriated for the purposes of this section. This section does not apply to rates for hospitals and nursing homes reimbursed under chapter 74.46 RCW.

Sec. 202. Section 203, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—CHILDREN AND FAMILY SERVICES PROGRAM

General Fund Appropriation—State	\$	((262,488,000)) 279,894,000
General Fund Appropriation—Federal	\$	((161,172,000)) 171,502,000
Public Safety and Education Account Appropriation	\$	400,000
Drug Enforcement and Education Account—State Appropriation	\$	2,000,000
Total Appropriation	\$	((424,660,000)) 453,796,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,152,000 of the general fund—state appropriation and \$293,000 of the general fund—federal appropriation are provided solely for reduction of the average caseloads for child protective and child welfare casework staff to a standard of thirty-two cases per staff.

(2) \$5,812,000 of the general fund—state appropriation is provided solely to expand services to families to reduce the need for family or group foster care. Of the amount provided in this subsection, \$2,560,000 is provided solely for additional homemakers; \$982,000 is provided solely for family reconciliation services (level II); \$1,000,000 is provided solely for home-based services or treatment for families receiving child protective services; and \$1,270,000 is provided solely for increased child care services.

(3) \$400,000 of the public safety and education account appropriation is provided solely to continue training programs under chapter 70.125 RCW for medical personnel regarding victims of sexual abuse. Training provided under this subsection shall be designed to develop regional expertise on identification, verification, and retention of evidence in cases of child sexual abuse.

(4) \$5,090,000 of the general fund—state appropriation and \$591,000 of the general fund—federal appropriation are provided solely to increase rates and services as follows: \$3,210,000 of the general fund—state appropriation and \$591,000 of the general fund—federal appropriation are provided solely for increased treatment and rates for family foster care and child placement agencies; \$500,000 of the general fund—state appropriation is provided solely for increased grants to domestic violence shelter programs; \$200,000 of the general fund—state appropriation is provided solely for increased grants to victims of sexual assault programs; and \$1,180,000 of the general fund—state appropriation is provided solely for increased rates for therapeutic child care.

(5) \$3,926,000 of the general fund—state appropriation is provided solely to increase the number of children served in the employment child care subsidy program.

- (6) \$694,000 of the general fund—state appropriation is provided solely for expansion of the homebuilders program in Thurston, King, Skagit, and Jefferson counties.
- (7) \$300,000 of the general fund—state appropriation is provided solely for grants for the operation of community-based family support centers. Grants shall be administered and evaluated by the council for prevention of child abuse and neglect. Grantees shall be part of a community interagency team that provides support to families, which support may include, but is not limited to, parenting education and support groups, child development assessments, and information and referral services. As a condition of receiving a grant, grantees shall provide twenty-five percent of the funding for family support centers.
- (8) Any federal funds not anticipated in this act received for the purpose of maternal and child health services may be spent to increase county health department services to families with young children, including home visits, preventive health care, nutrition, and other services.
- (9) \$5,133,000 of the general fund—state appropriation and \$2,559,000 of the general fund—federal appropriation are provided solely for vendor rate increases for vendors providing services to the children and family services program, as specified in section 202 of this act.
- (10) \$2,020,000 of the general fund—state appropriation is provided solely for foster care diversion projects established under section 203(15), chapter 289, Laws of 1988. The department shall continue or expand those projects showing positive outcomes in both benefits to families and cost neutrality. The department shall report to the appropriate committees of the legislature by January 8, 1990, on these projects. The reports shall include a description of each project, the cost of each project, and an assessment of its effectiveness.
- (11) \$250,000 of the general fund—state appropriation is provided solely for employer-related child care activities, including outreach and technical assistance to employers, by the department of social and health services or community-based child care resource and referral agencies as outlined in Engrossed Substitute House Bill No. 1133 and Second Substitute Senate Bill No. 6051. No moneys provided in this subsection may be spent for grants or loans to employers.
- (12) \$500,000 of the general fund—state appropriation is provided solely for continuation of the 'continuum of care' projects as provided for in section 203(15), chapter 289, Laws of 1988, through June 30, 1990.
- (13) \$2,000,000 of the drug enforcement and education account—state appropriation is provided solely for the care of children affected by substance abuse by their mothers. Of this amount:
- (a) \$600,000 is provided solely for the treatment of infants who are medically fragile as a result of substance abuse by their mothers. Treatment shall be provided at pediatric interim care centers that give temporary medical care to detoxify foster care infants born under the influence of cocaine or other drugs, including alcohol; and
- (b) \$1,400,000 is provided solely to increase the number of special needs infants and children receiving therapeutic child care services.
- (14) \$600,000 from the general fund—state appropriation is provided solely for child care for clients of the maternity care access ('first steps') program.
- (15) \$1,700,000 of the general fund—state appropriation and \$111,000 of the general fund—federal appropriation are provided solely for child care licensing. The legislature intends that .3 of an attorney general FTE shall be added at the effective date of this act, and that an additional 2.0 attorneys general FTEs shall be added effective January 1, 1991.
- (16) \$9,800,000 of the general fund—state appropriation and \$1,292,000 of the general fund—federal appropriation are provided solely for vendor rate increases for out-of-home placements.
- (17) \$924,000 of the general fund—state appropriation and \$126,000 of the general fund—federal appropriation are provided solely for contracts, including administrative costs, for transportation of clients of child protective services and child welfare services. The legislature intends that this amount help reduce the time that caseworkers must spend transporting clients.
- (18) \$3,700,000 of the general fund—state appropriation is provided solely to implement the family independence program child care rate structure and child slot system in other child care programs offered by the department.
- (19) \$2,000,000 of the general fund—state appropriation is provided solely for increases in the number of department-subsidized slots for child care.
- (20) \$1,650,000 of the general fund—state appropriation is provided solely for the continuation of the four continuum-of-care sites until June 30, 1991. The legislature intends that this amount shall be used for direct services provided at these sites and to collect risk assessment data on children served by the sites.
- (21) \$245,000 of the general fund—state appropriation is provided solely for parent education and support, including such groups as Parents Anonymous. Of this amount, \$45,000 is provided for the Washington Council for the Prevention of Child Abuse and Neglect to monitor programs and further develop the database clearinghouse project.

(22) \$380,000 of the general fund—state appropriation is provided solely for increased compensation for residential care services provided by the Seattle YMCA.

(23) \$2,000,000 of the general fund—state appropriation is provided solely for the expansion of the Women, Infants and Children program to include children ages three through six.

(24) \$750,000 of the general fund—state appropriation is provided solely for family planning services, including services related to sexually transmitted diseases.

(25) \$500,000 of the general fund—state appropriation is provided solely for domestic violence programs.

(26) \$2,500,000 of the general fund—state appropriation is provided solely for establishment of a program for pregnancy prevention and support for young pregnant women and their partners.

(a) Of this amount, \$2,180,000 is provided solely for administration and funding of six comprehensive community-based pilot projects for teen pregnancy prevention and support for young pregnant women and their partners. Applications for funding shall:

(i) Define the community requesting services;

(ii) Contain evidence of active participation of public and private entities in the community that are, or might appropriately provide, pregnancy prevention activities and services to support young pregnant women and their partners;

(iii) Demonstrate establishment of a local project advisory board composed of teenagers and a broad cross-section of community members who have an interest in teen pregnancy prevention and support to young pregnant women and their partners;

(iv) Indicate the designation, by majority vote of the local project advisory board, of a lead agency for the project, and provide evidence of written interagency agreements to carry out project activities;

(v) Describe the coordinated system that the community will develop for providing services under the project;

(vi) Describe the services and activities that will be undertaken by the project, including identification of specific services and activities for which funding is requested, that have the goal of achieving the following outcomes: increasing the number of community members receiving pregnancy prevention and pregnancy support education and services, reducing teen pregnancy rates, and increasing the number of teen parents completing high school or vocational training, and becoming employed;

(vii) Provide assurances that priority for services, other than educational programs, will be given to people with low incomes;

(viii) Provide assurances that the project will be sensitive and responsive to the plurality of community values and to the cultural and ethnic heritage of community members;

(ix) Identify community matching funds, provided in cash or in kind by private or public entities in the community equal to twenty-five percent of the total funding requested for the project; and

(x) Provide assurances that the project will cooperate, through the provision of requested data and information, with evaluation of the project.

Funds provided to communities under this subsection shall not be expended for medical services funded pursuant to chapter 74.09 RCW. Project grants shall be made competitively, based upon information provided in the applications for funding and the likelihood of achieving the outcomes specified in (a)(vi) of this subsection. Projects shall have an initial duration of two years. Individual project funding shall not exceed five hundred thousand dollars per year, including community matching funds.

(b) Of this amount, \$20,000 is provided solely for design of an evaluation by an independent entity of the effectiveness of the program established by this subsection.

(c) Of this amount, \$300,000 is provided solely for a state-wide media campaign on teen pregnancy prevention and pregnancy options, including adoption, directed to teens, their parents, and organizations working with teens.

The department shall report on the status of implementation of the program and proposed design of the evaluation to appropriate committees of the legislature on or before January 1, 1991.

On January 1, 1991, all remaining funds appropriated pursuant to this subsection shall be transferred to the department of health, when the division of parent and child health services is transferred pursuant to RCW 43.70.080.

(27) \$55,000 of the general fund—state appropriation is provided solely for the Crosswalks Street Youth Program.

NEW SECTION, Sec. 203. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

The sum of \$9,138,000, or as much thereof as may be necessary, of which \$1,138,000 shall be from federal funds, is appropriated from the general fund for the biennium ending June 30, 1991, to the department of social and health services, children and family services program, solely for the cost of additional caseworkers for child protective services and child welfare services who are hired above the level appropriated by the legislature in the 1989 legislative

session, in order to reduce the caseload ratios in those services. Of this amount, at least \$6,000,000 shall be used for salaries and benefits of the caseworkers, no more than \$845,000 may be used for additional attorneys general and support staff, and the balance shall be used for equipment, office space, and additional clerical support.

Sec. 204. Section 14, chapter 10, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

The sum of ten million one hundred fifty-three thousand dollars, or as much thereof as may be necessary, of which five million three hundred thirty-six thousand dollars shall be from federal funds, is appropriated from the ((state)) general fund for the biennium ending June 30, 1991, to the department of social and health services, children and family services program, for the purpose of establishing a maternity care support service system as prescribed in this act. At least \$100,000 of the appropriation shall be spent for public education and information on the service system.

Sec. 205. Section 204, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—JUVENILE REHABILITATION PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	33,512,000
General Fund Appropriation—Federal	\$	134,000
Total Appropriation	\$	33,646,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$418,000 of the general fund—state appropriation is provided solely for vendor rate increases for vendors providing service to the juvenile rehabilitation program, as specified in section 202 of this act.

(b) \$554,000 of the general fund—state appropriation is provided solely to accommodate offender population increases resulting from the policies of the juvenile disposition standards board.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((47,370,000))
		47,445,000
General Fund Appropriation—Federal	\$	871,000
Total Appropriation	\$	((48,241,000))
		48,316,000

The appropriations in this section are subject to the following conditions and limitations: The department shall develop a long-range plan for the future status of institutional programs and facilities. The plan shall be presented to the appropriate policy and fiscal committees of the senate and house of representatives by January 8, 1990, and shall address in detail:

(a) Offenders who can be diverted to community programs;

(b) Community programs necessary to successfully divert offenders from state facilities;

(c) Programs and facilities most appropriate for offenders requiring incarceration in state facilities;

(d) The costs to state and local organizations to accomplish the plan; and

(e) Policy changes necessary to accomplish the plan.

(3) PROGRAM SUPPORT

General Fund Appropriation	\$	2,905,000
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Sec. 206. Section 205, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MENTAL HEALTH PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	((168,222,000))
		177,913,000
General Fund Appropriation—Federal	\$	((91,552,000))
		94,945,000
General Fund Appropriation—Local	\$	3,360,000
Total Appropriation	\$	((263,134,000))
		276,218,000

The appropriations in this subsection are subject to the following conditions and limitations: (a) A maximum of \$33,012,000 of the general fund—state appropriation and \$16,057,000 of the general fund—federal appropriation are provided for approved regional network plans through contracts negotiated with the secretary of social and health services.

(i) It is the intent of the legislature to implement mental health reform on a multi-year schedule. Dramatic escalation of costs for new programs would impair the state's ability to proceed with subsequent expansion. The contracts shall contain a fiscal plan that will ensure that the increased cost of maintaining fiscal year 1991 programs in fiscal year 1992 will not unduly exceed the rate of inflation. Of the amounts provided in this subsection, a maximum of

\$500,000 from the general fund—state appropriation may be used for planning and technical assistance grants to counties or regions wishing to form networks. The amounts in this subsection include moneys needed to implement the federal omnibus budget and reconciliation act of 1987 ('OBRA'). First priority for necessary mental health services shall be given to individuals transferred from nursing homes because of OBRA. Such services shall be consistent with an individual's discharge plan and shall include residential services, if needed. Assumptions regarding the number of transfers from the nursing homes shall be incorporated into each contract and shall be consistent with the state-wide plan. The department shall coordinate OBRA transfers consistent with the provisions of each contract. The secretary shall negotiate contracts with networks from areas comprising no more than two-thirds of the state's population. Contracts shall be negotiated in at least two competitive rounds. The first round of contracts shall be effective no later than January 1, 1990. The last round of contracts shall be effective no later than March 1, 1990.

(ii) The department shall continue contracting directly for the Kitsap mental health services residential care alternative project until such time as Kitsap county becomes or joins a regional support network. The reimbursement rate per available bed-day shall not exceed \$206 in fiscal year 1990 and \$210 in fiscal year 1991. During the contract period, all eligible involuntary treatment referrals for Kitsap county residents shall be made to the project. No involuntary referrals shall be made to western state hospital unless the Kitsap residential treatment facility is filled to capacity and the mental health division and the Kitsap county mental health coordinator concur with the referral. Priority for referral to western state hospital shall be given to individuals under ninety-day or one hundred eighty-day commitments and individuals who have exhausted all community placement options.

(iii) The department may continue to contract directly with Chartley house until King county joins or becomes a regional support network.

(b) \$2,000,000 of the general fund—state appropriation is provided solely for a mental health housing reserve. The secretary of social and health services shall transfer funds from the reserve to the state hospitals in any quarter in which hospital census exceeds the December 1988 forecast adjusted to eliminate the bed contract assumption. Any amount remaining after March 1991 may be used for one-time grants. In making grants, the secretary shall give priority to proposals that facilitate network development, demonstrate integration with other mental health services, and are designed to reduce involuntary treatment.

(c) \$5,500,000 of the general fund—state appropriation is provided solely for increases for involuntary treatment act administration, including costs associated with involuntary medication hearings.

(d) \$2,200,000 of the general fund—state appropriation is provided solely for information system requirements associated with chapter 205, Laws of 1989.

(e) \$600,000 of the general fund—state appropriation and \$400,000 of the general fund—federal appropriation are provided solely for increasing local hospital outlier payments.

(f) \$1,400,000 of the general fund—state appropriation and \$500,000 of the general fund—federal appropriation are for community mental health services for children. Priority for the remaining moneys shall be given to maintaining Title XIX eligibility for children's outpatient services at risk of losing federal financial participation because of lack of state match.

(g) \$3,509,000 of the general fund—state appropriation and \$1,322,000 of the general fund—federal appropriation are for vendor rate increases for vendors providing services to the mental health program, as specified in section 202 of this act.

(h) \$3,000,000 of the general fund—state appropriation and \$2,000,000 of the general fund—federal appropriation are provided solely for the enhancement of children's mental health services. The department shall contract with networks and counties through separate performance-based contracts. Applications from counties and networks shall include endorsements from affected school districts, child welfare agencies, juvenile court systems, and tribes. Of these amounts, \$200,000 is provided solely for the development of a state-wide action plan for children's mental health. The plan shall include strategies to reduce duplicate case management. It shall recommend changes, if necessary, to mental health statutes and other statutes to accommodate children's special needs and circumstances. It shall include proposals to increase access and availability of culturally relevant mental health services for minority children. It shall propose a protocol for client referrals from educational and social service agencies and a cross-system collaborative process for ranking those referrals. In developing the plan, the department shall involve representatives of the education, juvenile justice, child welfare, and mental health systems. The department shall present the plan by December 1, 1990, to the appropriate program and fiscal committees of the house of representatives and the senate.

(i) \$1,500,000 of the general fund—state appropriation is provided solely for up to three comprehensive community-based pilot programs for the prevention of community violence:

(1) Pilot programs shall be established through a competitive selection process and shall provide for coordination between local law enforcement agencies and courts, local government, domestic violence and victims' support programs, public health agencies, health care

providers, schools, and relevant programs within state agencies. Each program shall designate a lead agency, and develop written interagency agreements to provide a coordinated continuum of services. Pilot programs shall make every effort to preserve existing violence intervention programs and coordinate available funding for services related to community violence prevention and services to victims of violence, particularly funding provided in Engrossed Second Substitute Senate Bill No. 6259, if enacted by the legislature by June 30, 1990.

(ii) Each pilot program shall provide at least the following services: Services to family members who are victims of violence; services to victims of violent crime; case management services; specialized intervention programs for treatment of perpetrators of violence; parenting and caregiver training to families experiencing or at-risk of experiencing violence; and public education regarding community violence.

(iii) Twenty-five percent of the funding for pilot programs shall be provided in-kind or in cash by public or private entities in communities administering pilot programs.

(iv) Pilot programs shall have a duration of three years, and shall include a provision for evaluation of services provided through the program.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	(205,667,000) 207,106,000
General Fund Appropriation—Federal	\$	(10,809,000) 10,877,000
Total Appropriation	\$	(216,496,000) 217,983,000

The appropriations in this subsection are subject to the following conditions and limitations: \$9,026,000 of the general fund—state appropriation and \$560,000 of the general fund—federal appropriation are provided for improvements at state mental hospitals. Of these amounts, it is intended that:

(a) \$56,000 is for start-up of an employee day care facility to enhance staff recruitment and retention.

(b) \$500,000 is for staff recruitment, retention, and development activities which includes but is not limited to continuing education, inservice training, and scholarships for staff training to become registered nurses.

(c) \$2,920,000 is for improving housekeeping and maintenance.

(d) \$2,750,000 is for improved staffing at the state hospitals.

(e) \$2,550,000 is for research and teaching activities in cooperation with universities, colleges, community colleges, and vocational technical institutes. In developing these relationships, the secretary shall give highest priority to activities which improve staff recruitment, retention, and development and contribute to improving quality of care.

(f) \$100,000 is for the nurses conditional scholarship program established in chapter 242, Laws of 1988. The department shall transfer \$100,000 to the higher education coordinating board for the purposes of this section. The moneys transferred to the board shall be used only for nurses who agree to serve at the state hospitals or who agree to serve community mental health providers in underserved areas.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,347,000
General Fund Appropriation—Federal	\$	1,379,000
Total Appropriation	\$	4,726,000

(4) SPECIAL PROJECTS

General Fund Appropriation—State	\$	(1,258,000) 1,858,000
General Fund Appropriation—Federal	\$	2,966,000
Total Appropriation	\$	(4,224,000) 4,824,000

The appropriation in this subsection is subject to the following conditions and limitations: ~~\$(600,000)~~ 1,200,000 of the general fund—state appropriation is provided solely to expand the primary intervention program to ~~(ten)~~ twenty additional school districts beginning in ~~(1989-90)~~ 1989-91.

Sec. 207. Section 206, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—DEVELOPMENTAL DISABILITIES PROGRAM

(1) COMMUNITY SERVICES

General Fund Appropriation—State	\$	(104,169,000) 119,108,000
General Fund Appropriation—Federal	\$	(85,326,000) 99,402,000
Total Appropriation	\$	(189,495,000) 218,510,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$992,000 of the general fund—state appropriation and \$669,000 of the general fund—federal appropriation are provided solely to provide additional funding for the Sunrise group homes congregate care facilities and the St. Margaret's Hall congregate care facility, and to establish a pilot group home project for the Special Homes organization. The department may transfer up to \$238,000 of the general fund—state appropriation provided in the long-term care services program to this subsection to provide additional funding for Sunrise group homes.

(b) \$417,000 of the general fund—state appropriation and \$477,000 of the general fund—federal appropriation are provided solely to transfer twenty-eight residents of the united cerebral palsy program to community-based residential programs.

(c) \$2,785,000 of the general fund—state appropriation and \$1,413,000 of the general fund—federal appropriation are provided solely for vendor rate increases for vendors providing services to the developmental disabilities program, as specified in section 202 of this act.

(d) To the extent feasible, the department shall enable at least twenty-two developmentally disabled persons, initially from Clark county, who have been transferred from residential habilitation centers due to downsizing to receive residential and day programming services in Clark county.

(e) \$8,194,000 of the general fund—state appropriation and \$5,462,000 of the general fund—federal appropriation are provided solely for salary and benefit increases, effective April 1, 1990, for employees at community-contracted residential facilities serving the developmentally disabled.

(f) \$300,000 of the general fund—state appropriation is provided solely for contracting with a not-for-profit organization for the purpose of promoting supported employment services for the developmentally disabled. Any agreement for the use of a portion of this appropriation shall require that an amount at least equal to one-half of that portion be contributed from nonstate sources for the same purpose. The department shall audit the not-for-profit organization at the end of the biennium to ensure that the organization has secured the required matching funds.

(g) \$1,500,000 of the general fund—state appropriation is provided solely for salary and benefit increases for employees at community contracted programs providing vocational services to developmentally disabled adults as of January 1, 1990. The amount provided in this subsection shall be disbursed as a rate increase of a dollar-amount per client in service as of January 1, 1990, and shall take effect on July 1, 1990.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation—State	\$	((104,049,000)) 105,025,000
General Fund Appropriation—Federal	\$	((17,487,000)) 127,731,000
Total Appropriation	\$	((222,336,000)) 232,756,000

The appropriations in this subsection are subject to the following conditions and limitations:

(a) \$1,000,000 of the general fund—state appropriation and \$675,000 of the general fund—federal appropriation are provided solely to fund the provisions of Engrossed Substitute House Bill No. 1051. If Engrossed Substitute House Bill No. 1051 is not enacted by June 30, 1989, the amounts provided in this subsection shall lapse.

(b) \$150,000 of the general fund—state appropriation may be used to provide day programming services to residents of the Frances Haddon Morgan Center.

(c) The appropriations in this subsection do not include amounts for salary increases for attendant counselors, which are provided in section 707 of this act.

(3) PROGRAM SUPPORT

General Fund Appropriation—State	\$	3,879,000
General Fund Appropriation—Federal	\$	626,000
Total Appropriation	\$	4,505,000

NEW SECTION. Sec. 208. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

(1) The appropriations in section 207 of this act include funds for operation of private or state-operated community residential facilities for clients currently residing in state-operated residential habilitation centers. These clients shall be placed in community residential programs under RCW 71A.20.080 to facilitate continued compliance with federal intermediate care facility-mentally retarded certification standards.

(2) Clients affected by this section, and their parents or guardians, shall be offered: (a) Tours of potential community placements and day service programs; and (b) the opportunity to meet with program administrators, and with residents and their parents or guardians who have previously moved back to the community from residential habilitation centers. The secretary of the department of social and health services shall develop a coordinated and collaborative planning process involving the residents and their parents, guardians, or other representatives, state employees, community residential and day service providers, and other appropriate organizations, to ensure the residents' best interests are considered.

(3) The secretary shall report to appropriate legislative committees on the number and residential living status of clients who return to the community. The report shall include: (a) A description of the process used to place residents; (b) procedures designed to ensure their medical and habilitative needs are met; and (c) The implementation of activities involved in returning clients to the community. The first report shall be submitted by September 1, 1990. The second legislative report shall be submitted by January 1, 1991.

Sec. 209. Section 207, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—LONG-TERM CARE SERVICES	
General Fund Appropriation—State	\$ (445,753,000) 459,393,000
General Fund Appropriation—Federal	\$ (499,185,000) 518,310,000
General Fund Appropriation—Local	\$ 296,000
Total Appropriation	\$ (945,234,000) 977,999,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Nursing home rates shall be adjusted for inflation under RCW 74.46.495 by 4.7 percent on July 1, 1989, and 4.7 percent on July 1, 1990.

(2) \$3,200,000 of the general fund—state appropriation is provided solely to enhance respite care services.

(3) The department shall provide personal care services for Title XIX categorically eligible persons, effective July 1, 1989. Personal care services shall be provided to eligible persons with one or more personal care needs who meet program eligibility standards established by rule pursuant to chapter 34.05 RCW.

(4) \$2,100,000 of the general fund—state appropriation and \$700,000 of the general fund—federal appropriation are provided solely to increase medical benefits for contracted chore service workers, contracted personal care workers, and contracted COPES workers.

(5) The department shall request an amendment to its community options program entry system waiver under section 1905(c) of the federal social security act to include respite services as a service available under the waiver.

(6) At least \$16,050,420 of the general fund—state appropriation shall initially be allotted for implementation of the senior citizens services act. However, at least \$1,265,000 of this amount shall be used solely for programs that use volunteer workers for the provision of chore services to persons whose need for chore services is not being met by the chore services program.

(7) \$2,179,000 of the general fund—state appropriation and \$2,464,000 of the general fund—federal appropriation are provided solely for expansion of the community options entry program.

(8) \$700,000 of the general fund—state appropriation is provided for new and expanded volunteer chore services.

(9) \$4,270,000 of the general fund—state appropriation and \$813,000 of the general fund—federal appropriation are provided solely for vendor rate increases for vendors providing services to long-term care services, as specified in section 202 of this act.

(10) \$500,000 of the general fund—state appropriation is provided solely to enhance quality assurance for adult family homes through enhanced survey, licensing, and contracted consultation activities. If House Bill No. 1968 is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.

(11) In addition to the adjustments for inflation set forth in subsection (1) of this section, \$1,410,000 of the general fund—state appropriation and \$1,590,000 of the general fund—federal appropriation are provided solely for a special prospective inflation adjustment for the nursing services cost center. The special adjustment shall go into effect July 1, 1989, and shall be set at a level to ensure that the amount provided in this subsection is sufficient to fund the special adjustment through June 30, 1991. The special adjustment shall be used only to fund wages and benefits and shall not be used to fund nursing pool expenses. The legislature finds that medicaid reimbursement rates, in every cost center and rate period, are and have been adequate, without enhancements, to meet costs that must be incurred by economically operated nursing care in compliance with all state or federal health and safety standards.

(12) \$3,686,000, of which \$1,596,000 is from the general fund—state appropriation, is provided solely for the maximum needs allowance for at-home spouses of nursing home residents as provided in chapter 87, Laws of 1989. The maximum needs allowance is set at \$1,000 per month per at-home spouse.

(13) The department shall seek to amend the Title XIX long-term care plan and related regulations to prevent nursing home placements of mentally ill persons eligible for Medicaid who are determined by the department not to be in need of a nursing home level of care. The department shall adopt procedures for referring these individuals to the regional support networks for appropriate residential services.

(14) \$3,400,000 from the general fund—federal appropriation and \$2,800,000 from the general fund—state appropriation are provided solely to increase the nursing services cost center reimbursement lid pursuant to Substitute House Bill No. 2423. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

Sec. 210. Section 208, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—INCOME ASSISTANCE PROGRAM

General Fund Appropriation—State	.....	\$	((374,337,000))
			438,538,000
General Fund Appropriation—Federal	.....	\$	((406,004,000))
			568,525,000
Total Appropriation	.....	\$	((780,421,000))
			1,007,063,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$8,661,000 of the general fund—state appropriation and \$10,026,000 of the general fund—federal appropriation are provided solely for a two percent standard increase beginning January 1, 1990, for the aid to families with dependent children, noncontinuing general assistance, and refugee assistance programs.

(2) Payment levels in the programs for aid to families with dependent children, general assistance, and refugee assistance shall contain an energy allowance to offset the costs of energy. The allowance shall be excluded from consideration as income for the purpose of determining eligibility and benefit levels of the food stamp program to the maximum extent such exclusion is authorized under federal law and RCW 74.08.046. To this end, up to ~~\$((200,000,000))~~ 230,000,000 of the income assistance payments is so designated for exemptions of the following amounts:

Family size:	1	2	3	4	5	6	7	8 or more
Exemption:	\$((36	47	56	67	77	87	101	111))
	63	81	99	117	135	153	177	195

~~((4))~~ (3) \$250,000 of the general fund—state appropriation and \$117,000 of the general fund—federal appropriation are provided solely for vendor rate increases for vendors providing services for the income assistance program, as specified in section 202 of this act.

~~((5))~~ (4) The department shall expand the family independence program by four sites to a total of fifteen sites.

~~((6))~~ (5) Moneys from these appropriations may be spent for general assistance programs not included in section 209 of this act.

(6) \$13,346,000 of the general fund—state appropriation and \$13,132,000 of the general fund—federal appropriation are provided solely for an income assistance grant increase of 8.6% effective January 1, 1991. This grant increase is sufficient to meet the 1989-91 biennium requirements for grant increases under Engrossed Second Substitute House Bill No. 2910.

(7) \$3,143,000 of the general fund—state appropriation and \$283,000 of the general fund—federal appropriation are provided solely for implementing Substitute House Bill No. 2610. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(8) \$430,000 of the general fund—state appropriation and \$506,000 of the general fund—federal appropriation are provided solely for emergency rent and utility deposits for aid to families with dependent children clients and general assistance clients.

(9) \$1,700,000 of the general fund—state appropriation is provided solely for general assistance-unemployable intensive protective payees.

Sec. 211. Section 210, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SOCIAL SERVICES PROGRAM

General Fund Appropriation—State	.....	\$	28,872,000
General Fund Appropriation—Federal	.....	\$	((17,651,000))
			38,941,000
Drug Enforcement and Education Account—State Appropriation	.....	\$	2,300,000
Total Appropriation	.....	\$	((46,523,000))
			70,113,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,204,000 of the general fund—state appropriation and \$32,000 of the general fund—federal appropriation are provided solely for vendor rate increases for vendors providing services for the community social service program, as specified in section 202 of this act.

(2) \$700,000 of the general fund—state appropriation is provided solely to expand refugee assistance services.

(3) In order to achieve a more equitable rate structure, the department, in consultation with affected parties, shall revise its rates for vendors providing services for the alcohol and

drug addiction treatment and support program by reducing outpatient treatment rates and increasing inpatient treatment rates.

(4) \$550,000 of the drug enforcement and education account—state appropriation is provided solely for youth employment programs for drug-involved youth who are or have been under the jurisdiction of the department of social and health services, division of juvenile rehabilitation. Services shall be provided by the corrections clearinghouse and Washington service corps operated by the department of employment security.

(5) \$500,000 of the drug enforcement and education account—state appropriation is provided solely for outreach to chemically dependent pregnant women and for the operation of transitional sobriety housing for recovering chemically dependent pregnant women and their children.

(6) \$1,250,000 of the drug enforcement and education account—state appropriation is provided solely for drug treatment for families and disadvantaged groups.

Sec. 212. Section 211, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ALCOHOL AND DRUG TREATMENT AND SUPPORT PROGRAM—ASSESSMENT AND TREATMENT

General Fund Appropriation—State	\$	((17,116,000))
		\$17,727,000
General Fund Appropriation—Federal	\$	9,948,000
Total Appropriation	\$	((27,064,000))
		27,675,000

The appropriations in this section ~~((ts))~~ are subject to the following conditions and limitations:

(1) This appropriation is provided solely for assessment and treatment services under the alcohol and drug addiction treatment and support act and is the maximum amount that may be spent for those services. First priority for receipt of inpatient and outpatient treatment services shall be given to pregnant women and parents of young children. The department shall conserve the moneys from this appropriation so that services are available throughout the 1989-91 biennium.

(2) \$1,528,000 of the general fund—state appropriation is provided solely for child care for children of parents in outpatient drug and alcohol treatment.

Sec. 213. Section 212, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ALCOHOL AND DRUG TREATMENT AND SUPPORT PROGRAM—SHELTER

General Fund Appropriation	\$	((10,639,000))
		3,423,000

The appropriation in this section is subject to the following conditions and limitations:

(1) This appropriation is provided solely for shelter services under the alcohol and drug addiction treatment and support act and is the maximum amount that may be spent for those services. The department shall conserve the moneys from this appropriation so that services are available throughout the 1989-91 biennium.

(2) A person is eligible for shelter services provided by this appropriation only if he or she:

(a) Meets the financial eligibility requirements contained in RCW 74.04.005;

(b) Is incapacitated from gainful employment due to a condition contained in (c) of this subsection, which incapacity will likely continue for a minimum of sixty days; and

(c) (i) Suffers from active addiction to alcohol or drugs manifested by physiological or organic damage resulting in functional limitation, based on documented evidence from a physician, psychologist, or alcohol or drug treatment professional who is determined by the department to be qualified to make this finding; or

(ii) Suffers from active addiction to alcohol or drugs to the extent that impairment of the applicant's cognitive ability will not dissipate with sobriety or detoxification, based on documented evidence from a physician, psychologist, or alcohol or drug treatment professional who is determined by the department to be qualified to make this finding.

(3) Any rule by the department pursuant to section 2, chapter 3, Laws of 1989, as amended, shall be consistent with these conditions and limitations.

(4) Consistent with RCW 74.50.010(7), the department shall aggressively develop and contract for shelter services, including dormitory-style shelters.

Sec. 214. Section 213, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—MEDICAL ASSISTANCE PROGRAM

General Fund Appropriation—State	\$	((688,479,000))
		700,492,000
General Fund Appropriation—Federal	\$	((666,599,000))
		691,877,000

Total Appropriation \$ ((1-355,076,000))
 1,392,369,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The department is authorized under 42 U.S.C. Sec. 1396b(a)(1) to pay third-party health insurance premiums for categorically needy medical assistance recipients upon a determination that payment of the health insurance premium is cost effective. In determining cost effectiveness, the department shall compare the amount, duration, and scope of coverage offered under the medical assistance program.

(2) The senate committee on ways and means and the house of representatives committee on appropriations shall jointly contract for a management and financial study of Harborview medical center, for the purpose of determining whether the cause of the actual and projected operating losses experienced by Harborview medical center are attributable to management practices within the hospital itself, or whether they are fundamentally attributable to the context in which the hospital operates.

(3) The department shall continue variable ratable reductions for the medically indigent and general assistance—unemployable programs in effect November 1, 1988.

(4) \$7,014,000 of the general fund—state appropriation and \$6,928,000 of the general fund—federal appropriation are provided solely for vendor rate increases for vendors providing services to the medical assistance program, as specified in section 202 of this act.

(5) In order to increase coordination and visibility of the state's overall mental health effort, a maximum of \$37,158,000 of the general fund—state appropriation, and a maximum of \$39,921,000 of the general fund—federal appropriation may be transferred to the mental health program. The department shall report to the house of representatives committee on appropriations and senate ways and means committee on any adjustments needed to this act to implement this subsection. It is the intent of the legislature that providers providing services funded by the amounts provided in this subsection shall receive the vendor increases provided in this section.

(6) \$14,473,000 of the general fund—state appropriation and \$17,566,000 of the general fund—federal appropriation are provided solely for the adult dental program for Title XIX categorically eligible and medically needy persons.

(7) \$7,552,000 of the general fund—state appropriation and \$7,237,000 of the general fund—federal appropriation are provided solely to increase children's access to basic health care through increases in payment rates for medical assistance and children's health services. \$1,652,000 of the general fund—state amount and \$553,000 of the general fund—federal amount in this subsection are provided solely to increase rates for managed care providers. The department shall adjust rates to ensure that no managed care provider is paid less than the state-wide average fee-for-service equivalent. The rate increases provided in this subsection shall become effective July 1, 1990.

(8) \$1,900,000 of the general fund—state appropriation and \$2,000,000 of the general fund—federal appropriation are provided for the restoration of chiropractic services for medical assistance clients beginning November 1, 1990.

(9) \$4,474,000 of the general fund—state appropriation and \$2,155,000 of the general fund—federal appropriation are provided solely for the improvement of low-income children's access to health care and for the expansion of health care services for children up to age eighteen from families with incomes below the federal poverty level. If Engrossed Substitute House Bill No. 2603 is enacted by June 30, 1990, the expansion shall become effective January 1, 1991. If Engrossed Substitute House Bill No. 2603 is not enacted by June 30, 1990, the amounts provided in this subsection shall lapse.

(10) The department may, by intra-agency agreement, transfer funding from the appropriations for the medical assistance program to other department programs to provide non-hospital care for infants born with alcohol or drug addiction. Where possible, the department shall claim federal match for this less expensive alternative to hospital care. When it is deemed medically necessary for an infant to remain in the hospital setting, the infant shall not be transferred to a nonhospital setting. The department shall report to the appropriate fiscal and program committees of the house of representatives and the senate on the implementation of this section no later than November 15, 1990.

Sec. 215, Section 214, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PUBLIC HEALTH PROGRAM		
General Fund Appropriation—State	\$	60,308,000
General Fund Appropriation—Federal	\$	14,468,000
General Fund Appropriation—Local	\$	((10,951,000))
		<u>10,707,000</u>
Public Safety and Education Account Appropriation	\$	200,000
State Toxics Control Account Appropriation	\$	828,000
Total Appropriation	\$	((86,755,000))
		<u>86,511,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,600,000 of the general fund—state appropriation is provided solely for continuation of the state drinking water program.

(2) \$4,000,000 of the general fund—state appropriation is provided solely to enhance funding for AIDS education, high-risk intervention, counseling and testing, case management, continuum of care, and coordination and planning activities through the regional AIDSNET program established by chapter 70.24 RCW. State moneys provided for AIDSNET activities may not be used to supplant other funds. The office on AIDS, established by RCW 70.24.250, shall require AIDSNET lead counties to develop regional service plans which meet state standards for uniformity and consistency. The state standards shall ensure that all the provisions of RCW 70.24.400(3) are implemented uniformly throughout the state.

(3) \$1,000,000 of the general fund—state appropriation is provided solely to increase in equal percentages medical and dental services provided through community health clinics. A maximum of \$100,000 of the amount provided in this subsection may be used to contract with new providers. \$900,000 of this amount shall be allocated to contractors who were contractors in fiscal year 1989, prorated according to the percentage of total fiscal year 1989 contract funds received by each contractor.

~~((5))~~ (4) \$150,000 of the state toxics control account appropriation is provided solely to contract with the University of Washington for toxicology research, evaluation, and technical assistance regarding health risks of toxic substances.

~~((6))~~ (5) \$200,000 of the public safety and education account is provided solely for a study of the trauma care system.

Sec. 216. Section 216, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—ADMINISTRATION AND SUPPORTING SERVICES PROGRAM

General Fund Appropriation—State	\$	((55,295,000)) 55,521,000
General Fund Appropriation—Federal	\$	((36,264,000)) 36,794,000
Institutional Impact Account Appropriation	\$	((86,000)) 230,000
Total Appropriation	\$	((91,639,000)) 92,545,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$666,000 of the general fund—state appropriation is provided solely to enhance the department's accounting system.

(2) \$230,000 of the general fund—state appropriation is provided solely for transfer to the institutional impact account.

Sec. 217. Section 217, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—COMMUNITY SERVICES ADMINISTRATION PROGRAM

General Fund Appropriation—State	\$	((165,471,000)) 169,531,000
General Fund Appropriation—Federal	\$	((188,394,000)) 203,303,000
Total Appropriation	\$	((353,775,000)) 372,834,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,178,000 of the general fund—state appropriation is provided solely to expand the supplemental security income pilot project state-wide.

(2) \$454,000 of the general fund—state appropriation and \$840,000 of the general fund—federal appropriation are provided solely to expand the patient-requiring-regulation program and provider review program of the division of medical assistance.

(3) \$1,000,000 of the general fund—state appropriation and \$1,000,000 of the general fund—federal appropriation are provided solely for transfer by interagency agreement to the Washington state institute for public policy to continue to conduct a longitudinal study of public assistance recipients, pursuant to section 14, chapter 434, Laws of 1987.

(4) \$600,000 of the general fund—state appropriation and \$1,149,000 of the general fund—federal appropriation are provided solely for transfer by July 1, 1989, by interagency agreement to the legislative budget committee for the purpose of an independent evaluation of the family independence program as required by section 14, chapter 434, Laws of 1987.

(5) \$102,000 of the general fund—state appropriation and \$306,000 of the general fund—federal appropriation are provided solely for the department of social and health services and the employment security department for costs associated with the evaluation of the family independence program.

(6) \$137,000 of the general fund—state appropriation is provided solely for vendor rate increases for vendors providing services to the community services program, as specified in section 202 of this act.

(7)(a) \$668,000 of the general fund—state appropriation and \$518,000 of the general fund—federal appropriation are provided solely to continue the complaint backlog project to investigate and process backlogged public assistance and food stamp fraud complaints. The department shall assign additional staff under this subsection with the goals of (i) eliminating the complaint backlog existing as of June 30, 1989, by March 1990, and (ii) maximizing overpayment recoveries during the biennium ending June 30, 1991.

(b) Expenditures for the purposes of this subsection shall be charged to a unique identifier in the department's accounting system. The department shall collect necessary data on the backlogged complaints and report to the legislative budget committee on December 1, 1989, and December 1, 1990, regarding the utilization, performance, and cost-effectiveness of the additional funding provided for complaint backlog work by this section.

(8) \$750,000 of the general fund—state appropriation is provided solely for a nursing career ladder program at community colleges and vocational-technical institutes for family independence program clients. These moneys shall be used solely for faculty salaries and benefits and indirect support costs related to the nursing career ladder program. The program shall help prepare clients to become certified nursing assistants, licensed practical nurses, and associate degree nurses. The goal of the program shall be to provide education opportunities to one hundred fifty family independence program clients.

(9) \$45,000 of the general fund—state appropriation and \$135,000 of the general fund—federal appropriation are provided solely for transfer to the legislative budget committee for the urban institute family independence study.

(10) \$2,052,000 of the general fund—state appropriation and \$4,104,000 of the general fund—federal appropriation are provided solely for the purchase of performance-based employment services for family independence program enrollees.

Sec. 218. Section 218, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—REVENUE COLLECTIONS PROGRAM

General Fund Appropriation—State	\$	((39,600,000))
		39,576,000
General Fund Appropriation—Federal	\$	((70,728,000))
		70,752,000
General Fund Appropriation—Local	\$	949,000
Total Appropriation	\$	111,277,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$2,391,000 of the general fund—state appropriation and \$4,696,000 of the general fund—federal appropriation are provided solely for the enforcement of health insurance provisions of child support orders pursuant to Substitute House Bill No. 1547 (medical support enforcement). If the bill is not enacted by June 30, 1989, the amounts provided in this subsection shall lapse.

(2) \$3,419,000 of the general fund—state appropriation and \$6,786,000 of the general fund—federal appropriation are provided solely to implement the requirements of the family support act.

(3) \$1,800,000 of the general fund—state appropriation, \$4,940,000 of the general fund—federal appropriation, and \$706,000 of the general fund—local appropriation are provided solely to implement recommendations made to the office of support enforcement by the efficiency commission. Authority to expend \$1,115,000 of the general fund—state appropriation, \$3,059,000 of the general fund—federal appropriation, and \$438,000 of the general fund—local appropriation for information projects named in this subsection is conditioned on compliance with section 802 of this act. For the purposes of this subsection, 'information systems projects' means the projects known by the following name or successor names: Office of support enforcement case tracking and collection.

(4) \$1,429,000 of the general fund—state appropriation, \$828,000 of the general fund—federal appropriation, and \$43,000 of the general fund—local appropriation are provided solely for information systems projects named in this subsection for which work will commence or continue in this biennium. Authority to expend these funds is conditioned upon compliance with section 802 of this act. For the purposes of this subsection, 'information systems projects' means the projects known by the following names or successor names: Office of financial recovery accounts receivable management system.

(5) \$207,000 of the general fund—state appropriation and \$403,000 of the general fund—federal appropriation are provided solely for the implementation of the employer reporting amendments to RCW 26.23.040 contained in House Bill No. 1635 (support enforcement). If these amendments are not enacted by June 30, 1989, the amounts provided in this subsection shall lapse.

Sec. 219. Section 219, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES—PAYMENTS TO OTHER AGENCIES PROGRAM

General Fund Appropriation—State	\$	((38,167,000))
		38,418,000
General Fund Appropriation—Federal	\$	((17,041,000))
		17,110,000
Total Appropriation	\$	((55,228,000))
		55,528,000

NEW SECTION. Sec. 220. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

FOR THE DEPARTMENT OF HEALTH

General Fund Appropriation—State	\$	8,458,000
Health Professions Account	\$	941,000
State Toxics Account	\$	935,000
Medical Test Site Licensure Account	\$	244,000
Total Appropriation	\$	10,578,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$120,000 of the general fund—state appropriation is provided solely to fund the cancer reporting network pursuant to Second Substitute House Bill No. 2077. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(2) \$48,000 of the general fund—state appropriation is provided solely for food transport regulations pursuant to Second Substitute House Bill No. 2270. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(3) \$938,000 of the general fund—state appropriation is provided solely to compensate for underfunding of administration support costs due to the establishment of the department as a separate agency.

(4) \$703,000 of the general fund—state appropriation is provided solely to compensate for underfunding of information services costs due to establishment of the department as a separate agency. It is not the intent of the legislature that transition funding be provided for local area network equipment.

(5) \$205,000 of the general fund—state appropriation is provided solely for a chief of health statistics, chief of consumer assistance, and a chief of epidemiology.

(6) \$139,000 of the general fund—state appropriation is provided solely for the board of health.

(7) \$1,218,000 of the general fund—state appropriation is provided solely for additional funding for monitoring of and AZT treatment for low-income individuals who are HIV-positive but who do not have Class IV disease or AIDS.

(8) \$2,464,000 of the general fund—state appropriation is provided solely for childhood vaccine expansion effective July 1, 1990.

(9) \$546,000 of the general fund—state appropriation is provided solely for Erythropoietin drug treatment for low-income kidney dialysis patients.

(10) \$200,000 of the general fund—state appropriation is provided solely for rural health care access.

(11) \$1,300,000 of the general fund—state appropriation is provided solely for the regional AIDSNET program as follows:

(a) \$650,000 of this amount is provided solely for AIDS education and prevention services and shall be distributed to the regional AIDSNETs based on the allocation formula set forth in RCW 70.24.400(6)(a); and

(b) \$650,000 of this amount is provided solely for case management and continuum of care services and shall be distributed to the regional AIDSNETs based on the number of class IV AIDS cases (as defined by the federal centers for disease control) reported to the department of health for calendar year 1989.

Sec. 221. Section 220, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON STATE HEALTH CARE AUTHORITY

State Employees Insurance Administrative Account Appropriation	\$	((6,263,000))
		7,117,000

The appropriation in this section is subject to the following conditions and limitations: \$49,000 of the appropriation is provided solely to reimburse the department of personnel for costs incurred by the department of personnel related to production of a combined benefits handbook and a combined benefits newsletter.

Sec. 222. Section 221, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF COMMUNITY DEVELOPMENT

General Fund Appropriation—State	\$	((58,467,000))
		99,815,000

General Fund Appropriation—Federal	\$	((124,725,000))
		<u>125,612,000</u>
General Fund Appropriation—Private/Local	\$	269,000
Building Code Council Account Appropriation	\$	809,000
Public Works Assistance Account Appropriation	\$	933,000
Fire Service Training Account Appropriation	\$	750,000
State Toxics Control Account Appropriation	\$	519,000
Low Income Weatherization Account Appropriation	\$	((8,007,000))
		<u>13,000,000</u>
Washington Housing Trust Fund Appropriation	\$	3,500,000
Total Appropriation	\$	((197,999,000))
		<u>245,207,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$400,000 of the general fund—state appropriation is provided solely for a state-wide stabilization program for arts organizations that have annual budgets exceeding \$200,000. No portion of this amount may be expended for a grant without a match of an equal portion from nonstate sources. No organization shall be eligible for such a grant unless it has operated without a deficit for at least the previous two years. A maximum of \$200,000 of this appropriation may be expended for grants in any single county.

(2) \$200,000 of the general fund—state appropriation is provided solely for development of a state-wide food stamp assistance outreach program. No portion of this amount may be expended without a match of an equal amount from federal funds.

(3) ~~\$(3,500,000))~~ 8,500,000 of the general fund—state appropriation is provided solely for security costs associated with the goodwill games, subject to the following conditions and limitations:

(a) ~~((A maximum of))~~ Of this amount an initial allocation not greater than \$1,500,000 may be expended by the department to develop, in consultation with the Washington state patrol, local governments, the Seattle goodwill games organizing committee, and appropriate federal authorities, a coordinated security plan for the 1990 goodwill games. The department may provide additional funding for security plan development as provided in (d) of this subsection.

~~((b))~~ The security plan shall contain an assessment of the security requirements for the goodwill games; a definition of the policy goals; and a description of the roles and responsibilities of federal, state, and local agencies in preparing and implementing the plan. The plan shall contain a detailed security plan element for the athletes village and for each of the local event venues. The plan shall provide a detailed budget that outlines how federal, state, local government resources, and Seattle goodwill games organizing committee resources will be used to meet the financial requirements of the plan. The plan shall consider the experiences of other states in providing security for such events. The plan shall be completed no later than November 1, 1989, and shall be submitted to the appropriate committees of the legislature no later than January 8, 1990.

~~((c))~~ (b) Other than expenditures for developing the plan, no portion of the amount provided in this subsection may be expended unless the plan has been completed and the expenditure complies with the plan and with the following conditions and limitations:

(i) The department shall provide in full for the entire budget requirement from the amount provided in this subsection contained in the plan for the Washington state patrol.

(ii) No more than ~~\$(200,000))~~ 150,000 of the amount provided in this subsection may be expended for administration of the plan.

(iii) ~~((The remainder of the amount provided in this subsection shall be allocated to local governments:~~

~~((iv))~~ Only direct ((personnel)) costs related to event security shall be eligible for general fund—state reimbursement. Local revenue losses and expenses for reducing normal work-loads shall not be eligible for reimbursement.

~~((v))~~ (iv) No amount shall be expended for local governments prior to an agreement by the Seattle goodwill games organizing committee to contribute at least \$2,000,000 to local governments to help defray the costs of preparing and implementing the security plan. The agreement by the Seattle goodwill games organizing committee shall also indemnify the state from any liability resulting from the games.

(c) \$5,450,000 shall be provided to local governments and the Washington state patrol on the basis of the final security plan.

(d) Up to \$1,400,000 of the remaining amount shall be allocated as follows: (i) The department shall assess security requirements identified by local governments through the Seattle Organizing Committee that were not considered for funding in the original security plan. The department shall evaluate and may grant new requests for additional funding from the amount provided in this subsection (3)(d), but local revenues lost as a result of the Goodwill Games shall not be eligible for reimbursement; and (ii) the department shall present a final report to the house of representatives appropriations committee and the senate ways and means committee by June 1, 1990, detailing the amounts each jurisdiction will receive for

security costs. The report shall identify all reimbursement provided as a result of the amount provided in this subsection (3)(d).

(4) \$3,000,000 of the general fund—state appropriation is provided solely for grants to emergency shelters.

(5) \$526,000 of the general fund—state appropriation is provided solely for the department's emergency food assistance program.

(6) \$250,000 of the general fund—state appropriation is provided solely for providing representation to indigent persons in dependency proceedings under chapter 13.34 RCW.

(7) ~~\$(13,900,000))~~ 16,900,000 of the general fund—state appropriation is provided solely to increase the number of children enrolled in the early childhood education program.

(8) \$120,000 is provided solely for the department to provide grants to nonprofit organizations for the purpose of locating at least one additional reemployment center in areas of the state adversely impacted by reductions in timber harvested from federal lands. Each center shall provide direct and referral services to the unemployed. These services may include but are not limited to reemployment assistance, medical services, social services including marital counseling, mortgage foreclosure and utility problem counseling, drug and alcohol abuse counseling, credit counseling, and other services deemed appropriate. These services shall not supplant the on-going efforts of any reemployment centers existing on the effective date of this act. Not more than five percent of this amount may be used for administrative costs of the department.

~~((+))~~ (9) \$307,000 of the general fund—state appropriation is provided solely for the department to continue homeport activities.

~~((++))~~ (10) \$200,000 of the general fund—state appropriation is provided solely to assist Okanogan county with planning activities to address impacts associated with major tourism developments.

~~((+3))~~ (11) \$75,000 of the general fund—state appropriation is provided solely for increased grants to public radio and television stations, consistent with RCW 43.63A.410 through 43.63A.420. In determining the allocation of grants to stations, the department shall strive to provide rural stations equitable access to these funds.

~~((+4))~~ (12) \$200,000 of the general fund—state appropriation is provided solely for a pilot rural revitalization program.

~~((+5))~~ (13) \$150,000 of the general fund—state appropriation is provided solely for the department to contract with the University of Washington for development and continuation of the children's telecommunication project.

~~((+6) \$200,000))~~ (14) \$500,000 of the general fund—state appropriation is provided solely to enhance the long-term care ombudsman program. Of this amount: (a) \$75,000 is provided solely to ensure adequate legal assistance to both residents of long-term care facilities and staff of the program; (b) \$200,000 is provided solely to establish at least four additional service sites; (c) \$19,000 is provided solely for recruitment and training of volunteers; and (d) \$6,000 is provided solely for an annual state-wide training conference.

(15) \$11,800,000 of the general fund—state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2929. Of this amount: (a) \$10,000,000 is provided solely for grants to counties and cities; (b) \$1,000,000 is provided solely for the department to provide technical assistance and mediation assistance to local governments for the development and implementation of comprehensive plans; (c) \$550,000 is provided for grants to rural communities; and (d) \$250,000 is provided solely for the inventory and collection of data on public and private land use. If Engrossed Substitute House Bill No. 2929 is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(16) \$100,000 is provided solely for the department to provide grants to local communities for the development of annual amateur athletic events. Expenditure of this amount is contingent on a requirement in each grant agreement for the use of these moneys that for each dollar spent from these moneys at least one dollar from nonstate sources be expended for the same purpose. In-kind contributions shall not be considered as an eligible match. The grants shall be provided for direct expenses related to the events, and shall not be used for administrative purposes.

(17) \$15,000,000 of the general fund—state appropriation is provided solely for the housing trust fund program. The appropriation in this subsection is provided solely for grants and loans authorized under chapter 43.185 RCW, and shall not be used for the department's administrative costs. Of this amount \$2,500,000 is provided solely for housing assistance for children of which: (a) At least one-half is solely for the aid to families with dependent children client rent subsidy project; and (b) \$500,000 is solely to implement the homelessness prevention pilot program under Second Substitute House Bill No. 2405. If the bill is not enacted by June 30, 1990, \$500,000 of the amount provided in this subsection shall lapse.

(18) \$250,000, of which \$170,000 is general fund—state appropriation and \$80,000 is general fund—federal appropriation, is provided solely for development of a seismic safety program. The department shall create a seismic safety advisory board to make recommendations to the legislature for improving the state's earthquake preparedness. The advisory board shall evaluate and consider the earthquake resistance of public buildings and public schools

and develop earthquake awareness and education programs. The advisory board shall develop an emergency response plan for provision of essential public services in the event of a major earthquake. The department shall report to the senate and house of representatives committees on energy and utilities by December 1, 1991. An interim report shall be made to the committees by December 1, 1990.

(19) \$200,000 of the general fund—state appropriation is provided solely to implement the economic diversification program under Engrossed Substitute House Bill No. 2706. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(20) \$90,000 of the general fund—state appropriation is provided solely for planning new permanent displays of natural and cultural history and shall be transferred to the Thomas Burke Memorial Washington State Museum.

(21) \$70,000 of the general fund—state appropriation is provided solely for implementing the volunteer service program as provided for in Substitute House Bill No. 2370. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

NEW SECTION, Sec. 223. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

The following sums, or as much thereof as may be necessary, are appropriated from the general fund—federal appropriation for the biennium ending June 30, 1991, to the department of community development for the drug control and system improvement formula grant program, to be distributed as follows:

(1) \$3,202,000 to local units of government.
 (2) \$150,000 to the Washington state patrol for a clandestine drug lab unit. The patrol shall coordinate activities related to the clandestine lab with the department of ecology to ensure maximum effectiveness of the program.

(3) \$500,000 to the department of corrections to provide prison industry projects at new prison camps, designed to place inmates in a realistic working and training environment.

(4) \$250,000 to the department of community development to provide resources for the design, coordination, and implementation of programs for low-income housing organizations and authorities which will reduce drug and gang activities in high density population areas.

(5) \$550,000 to the department of social and health services, division of juvenile rehabilitation, to issue a state-wide request for proposals that offer local governments, communities, schools, and the private sector matching grants to help prevent young people from joining gangs. Any agreement for the use of a portion of these moneys shall require that an amount at least equal to forty percent of that portion, including in-kind contributions, be contributed from nonstate sources for the same purpose. No single agency may receive in one biennium more than one grant, and no grant may exceed \$100,000 in value, including the value of nonstate matching amounts.

(6) \$500,000 to the Washington state patrol for support of two new drug law enforcement task forces.

(7) Deviations above or below the amounts listed in subsections (1) through (6) of this section shall be permitted only by means of equal percentage increases or decreases of the amounts in all of subsections (1) through (6) of this section.

Sec. 224. Section 224, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE CRIMINAL JUSTICE TRAINING COMMISSION

Death Investigations Account Appropriation	\$	35,000
Public Safety and Education Account Appropriation	\$	((8,643,000))
		<u>9,680,700</u>
Total Appropriation	\$	((8,678,000))
		<u>9,715,700</u>

The appropriations in this section are subject to the following conditions and limitations: \$22,000 from the public safety and education account appropriation shall be provided solely for computer programming costs for the Washington association of sheriffs and police chiefs to implement Engrossed House Bill No. 2237 (racial bias and bigotry). If the bill is not enacted by June 30, 1990, the amount provided in this section shall lapse.

Sec. 225. Section 225, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LABOR AND INDUSTRIES

General Fund Appropriation	\$	9,277,000
Public Safety and Education Account Appropriation—State	\$	18,334,000
Public Safety and Education Account Appropriation—Federal	\$	2,000,000
Accident Fund Appropriation	\$	((100,104,000))
		<u>101,549,000</u>
Electrical License Fund Appropriation	\$	((11,802,000))
		<u>12,408,000</u>
Farm Labor Revolving Account Appropriation	\$	30,000
Medical Aid Fund Appropriation	\$	((19,330,000))
		<u>120,289,000</u>

Asbestos Account Appropriation	\$	1,314,000
Plumbing Certificate Fund Appropriation	\$	696,000
Pressure Systems Safety Fund Appropriation	\$	1,476,000
Worker and Community Right-to-Know Fund Appropriation	\$	2,406,000
Total Appropriation	\$	(266,849,000) 269,779,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$6,596,793 from the accident fund appropriation and \$12,953,328 from the medical aid fund appropriation are provided solely for information systems projects named in this section. Authority to expend these funds is conditioned on compliance with section 802 of this act. For the purposes of this section, "information systems projects" means the projects known by the following names or successor names: Document image processing, improved service level, electronic data interchange, interactive system, and integrated system.

~~((3))~~ (2) \$216,000 of the worker and community right-to-know appropriation, \$575,000 of the accident fund appropriation, and \$101,000 of the medical fund appropriation are provided to fund the provisions of House Bill No. 2222 (chapter 380, Laws of 1989). If the bill is not enacted by June 30, 1989, the amounts provided in this subsection shall lapse.

(3) \$206,000 from the accident fund appropriation and \$206,000 from the medical aid fund appropriation are provided solely to reimburse the legal services revolving fund for increased salary costs of existing attorney general staff.

(4) \$650,000 from the accident fund appropriation and \$650,000 from the medical aid fund appropriation are provided solely for a health evaluation program within the department to monitor new trends in worker illnesses and injuries.

(5) \$132,000 from the accident fund appropriation and \$23,000 from the medical aid fund appropriation are provided solely for the Worksafe 90 program designed to reduce workplace accidents and illnesses.

Sec. 226. Section 227, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF VETERANS AFFAIRS

General Fund Appropriation—State	\$	20,229,000
General Fund Appropriation—Federal	\$	(5,726,000) 5,987,000
General Fund Appropriation—Local	\$	7,802,000
Total Appropriation	\$	(33,757,000) 34,018,000

Sec. 227. Section 228, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF CORRECTIONS

(1) COMMUNITY SERVICES

General Fund Appropriation	\$	(74,807,000) 75,094,800
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The appropriation in this subsection is subject to the following conditions and limitations: To the extent feasible, the department shall increase the daily board and room charges authorized under RCW 72.65.050 for work release participants to \$15.00.

(2) INSTITUTIONAL SERVICES

General Fund Appropriation	\$	(300,806,000) 311,455,700
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The appropriation in this subsection is subject to the following conditions and limitations: \$556,000 of the general fund appropriation is provided for offender population increases associated with increased penalties for residential burglaries established in Engrossed Senate Bill No. 5233. If the bill is not enacted by June 30, 1989, this amount shall lapse.

(3) ADMINISTRATION AND PROGRAM SUPPORT

General Fund Appropriation	\$	(22,531,000) 24,032,000
Institutional Impact Account Appropriation	\$	332,000
Total Appropriation	\$	(22,863,000) 24,364,000

This appropriation is subject to the following conditions and limitations: \$300,000 of the general fund appropriation is provided solely for mitigating the impact of inmate-family households on local criminal justice and social service resources for the cities of Walla Walla and College Place and the county of Walla Walla.

(4) INSTITUTIONAL INDUSTRIES

General Fund Appropriation	\$	2,622,000
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(5) The appropriations in this section are subject to the following conditions and limitations: The department shall present a study on incarceration issues to the fiscal committees of the legislature no later than November 1, 1990, which:

(a) Identifies inmates who do not have a history of violence or aggressive acts who could be considered for release or for housing in community-based facilities without substantial risk to public safety; and

(b) Examines alternatives to incarceration in terms of public safety, cost, implementation, and impact on the need for prison construction.

Sec. 228. Section 402, chapter 271, Laws of 1989 (uncodified) is amended to read as follows:

The sum of twenty-one million three hundred five thousand dollars, or as much thereof as may be necessary, is appropriated for the biennium ending June 30, 1991, from the drug enforcement and education account to the department of corrections. Of this amount, (~~eight million eight hundred~~) one million six hundred ninety-four thousand dollars is for operational costs associated with the additional prison population due to the new crimes and increased penalties established by sections 101 through 112 of this act. The remaining (~~twelve million five hundred five~~) nineteen million six hundred eleven thousand dollars is for the purpose of renovating or constructing additional facilities needed as a result of the new crimes and penalties.

Sec. 229. Section 231, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE WASHINGTON BASIC HEALTH PLAN

General Fund Appropriation	\$	((27,215,000))
		<u>21,191,000</u>

The appropriation in this section is subject to the following conditions and limitations: The plan may enroll up to 25,000 individuals during the 1989-91 biennium.

Sec. 230. Section 233, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EMPLOYMENT SECURITY DEPARTMENT

General Fund Appropriation—State	\$	((+29,000))
		<u>599,000</u>
General Fund Appropriation—Federal	\$	((+62,300,000))
		<u>159,308,000</u>
General Fund Appropriation—Local	\$	<u>12,489,000</u>
Administrative Contingency Fund		
Appropriation—Federal	\$	((8,953,000))
		<u>11,737,000</u>
Unemployment Compensation Administration Fund Appropria-		
tion—Federal	\$	<u>118,169,000</u>
Employment Service Administration Account Appropriation—Fed-		
eral	\$	<u>790,000</u>
Employment Service Administration Account Appropriation—State	\$	<u>6,823,000</u>
Federal Interest Payment Fund Appropriation	\$	<u>2,100,000</u>
Total Appropriation	\$	((311,761,000))
		<u>313,490,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$152,000 of the administrative contingency fund—federal appropriation and \$2,100,000 of the federal interest payment fund appropriation are provided solely for transfer through interagency agreement to the department of social and health services for family independence program employment services.

(2) The department shall provide job placement services for the department of natural resources' forest land management activities. These services shall include widely disseminating information on the availability of work on state forest lands and information on the procedures for bidding on contracts for such work. Priority for these services shall be given to unemployed individuals who have been employed in the timber industry. The department shall record the number of unemployed timber workers who obtain employment through the department of natural resources' forest land management activities and shall report its findings to the governor and to the appropriate legislative committees on January 1, 1990, and January 1, 1991.

(3) \$370,000 of the general fund—state appropriation is provided solely for a pilot program integrating drug prevention and job training. If Engrossed Second Substitute House Bill No. 2348 is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(4) \$160,000 of the general fund—state appropriation is provided solely for a pilot program to retrain rural dislocated timber and wood product workers. If Engrossed Second Substitute House Bill No. 2348 is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

NEW SECTION. Sec. 231. Section 236, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is repealed.

Sec. 232. Section 407, chapter 271, Laws of 1989 (uncodified) is amended to read as follows:

The sum of four million (~~nine hundred~~) five hundred sixty-nine thousand dollars from the drug enforcement and education account—state and three hundred thirty-one thousand dollars from the general fund—federal, or as much thereof as may be necessary, (~~is~~) are

appropriated for the biennium ending June 30, 1991, ~~((from the drug enforcement and education account))~~ to the department of social and health services for the purposes of sections 301 through 309 of this act.

Sec. 233. Section 409, chapter 271, Laws of 1989 (uncodified) is amended to read as follows:

The sums of ~~((five))~~ two million ((five)) seven hundred forty-eight thousand dollars from the drug enforcement and education account—state and two million seven hundred fifty-two thousand dollars from the general fund—federal, or as much thereof as may be necessary, ~~((is))~~ are appropriated for the biennium ending June 30, 1991, ~~((from the drug enforcement and education account))~~ to the department of social and health services for maternity care support services for alcohol and drug-abusing pregnant women. Support services shall include substance abuse treatment programs specifically designed to serve pregnant women and postpartum women and their infants and children. A continuum of treatment shall be provided, to include one or more of the following components:

- (1) Inpatient treatment programs capable of serving pregnant women and postpartum women and infants;
- (2) An ambulatory treatment facility serving women and their infants who test positive for the human immunodeficiency virus (HIV) or the acquired immunodeficiency syndrome (AIDS);
- (3) Transition housing or safe living space for pregnant and postpartum women and infants;
- (4) Outpatient or follow-up treatment which includes a provision for child care.

The department shall maximize federal participation for support services provided under this section to eligible persons under the medical assistance program, Title XIX of the federal social security act.

Sec. 234. Section 414, chapter 271, Laws of 1989 (uncodified) is amended to read as follows:

The sums of ~~((twelve))~~ eleven million two hundred thousand dollars from the drug enforcement and education account—state and one million dollars from the general fund—federal, or as much thereof as may be necessary, ~~((is))~~ are appropriated for the biennium ending June 30, 1991, ~~((from the drug enforcement and education account))~~ to the department of social and health services to provide inpatient youth assessment and treatment programs to serve youth and their families. At least forty percent of new inpatient treatment slots provided under this section shall be located east of the Cascade mountains. Up to fifteen of the treatment slots created under this section shall be staff-secure. Inpatient treatment programs shall incorporate appropriate outpatient and aftercare programs. In addition, within appropriated funds, the department shall develop intensive outpatient treatment services for children and youth for whom inpatient treatment is inappropriate or unavailable.

Sec. 235. Section 419, chapter 271, Laws of 1989 (uncodified) is amended to read as follows:

The sums of ~~((four))~~ one hundred eighty-three thousand dollars from the drug enforcement and education account—state and two hundred seventeen thousand dollars from the general fund—federal, or as much thereof as may be necessary, are appropriated for the biennium ending June 30, 1991, ~~((from the drug enforcement and education account))~~ to the department of social and health services for distribution to counties for methadone treatment pursuant to chapter 69.54 RCW, subject to the following conditions and limitations: This sum is provided solely for the purpose of increasing the number of persons for whom methadone treatment is available, and the department shall distribute funds under this section to a county only for the establishment of new treatment centers and only if a county attempts to recover the cost of methadone treatment by charging user fees based on ability to pay.

PART III

NATURAL RESOURCES

Sec. 301. Section 301, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE ENERGY OFFICE

General Fund Appropriation—State	\$	2,086,000
General Fund Appropriation—Federal	\$	((+0,832,000))
		<u>12,366,000</u>
General Fund Appropriation—Private/Local	\$	260,000
Geothermal Account Appropriation—Federal	\$	22,000
Building Code Council Account Appropriation	\$	((40,000))
		<u>105,000</u>
Solid Waste Management Account Appropriation	\$	150,000
Energy Code Training Account Appropriation	\$	30,000
Total Appropriation	\$	((+13,390,000))
		<u>15,019,000</u>

The appropriations in this section are subject to the following conditions and limitations:

- (1) The entire solid waste management account appropriation is provided solely to implement the energy-related provisions of Engrossed Substitute House Bill No. 1671. If the bill is not enacted by June 30, 1989, the solid waste management account appropriation is null and void.

(2) \$153,000 of the general fund—state appropriation is provided solely to implement Substitute Senate Bill No. 5174 (state hydropower plan). ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

Sec. 302. Section 304, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF ECOLOGY

General Fund Appropriation—State	\$	((59,767,000)) 62,767,000
General Fund Appropriation—Federal	\$	27,024,000
General Fund Appropriation—Private/Local	\$	432,000
Flood Control Assistance Account Appropriation	\$	3,852,000
Special Grass Seed Burning Research Account Appropriation	\$	((41,000)) 81,000
Reclamation Revolving Account Appropriation	\$	474,000
Emergency Water Project Revolving Account Appropriation: Appropriated pursuant to chapter 1, Laws of 1977 ex. sess.	\$	389,000
Litter Control Account Appropriation	\$	((6,755,000)) 6,830,000
State and Local Improvements Revolving Account—Waste Disposal Facilities: Appropriated pursuant to chapter 127, Laws of 1972 ex. sess. (Referendum 26)	\$	2,627,000
State and Local Improvements Revolving Account—Waste Disposal Facilities 1980: Appropriated pursuant to chapter 159, Laws of 1980 (Referendum 39)	\$	((1,187,000)) 1,286,000
State and Local Improvements Revolving Account—Water Supply Facilities: Appropriated pursuant to chapter 234, Laws of 1979 ex. sess. (Referendum 38)	\$	1,586,000
Stream Gaging Basic Data Fund Appropriation	\$	((142,000)) 300,000
Vehicle Tire Recycling Account Appropriation	\$	6,494,000
Water Quality Account Appropriation	\$	((2,551,000)) 2,961,000
Wood Stove Education Account Appropriation	\$	232,000
Worker and Community Right-to-Know Fund Appropriation	\$	285,000
State Toxics Control Account	\$	((26,173,000)) 40,243,000
Local Toxics Control Account	\$	((23,847,000)) 41,328,000
Water Quality Permit Account Appropriation	\$	7,135,000
Solid Waste Management Account Appropriation	\$	5,600,000
Underground Storage Tank Account Appropriation	\$	3,658,000
Hazardous Waste Assistance Account Appropriation	\$	2,317,000
Total Appropriation	\$	((180,251,000)) 217,901,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$344,000 of the general fund—state appropriation is provided solely for costs associated with the development of a single headquarters building.

(2) \$1,010,000 of the general fund—state appropriation is provided solely as an enhancement to the water resources program.

(3) \$250,000 of general fund—state appropriation is provided solely for the initial development of a cost accounting system. Authority to expend these funds is conditioned on compliance with the requirements set forth in section 802 of this act.

(4) ~~((A maximum of \$2,209,000 of the general fund—state appropriation may be expended for the auto emissions inspection and maintenance program. If Engrossed Substitute House Bill No. 1104 is not enacted by June 30, 1989, the amount provided in this subsection shall lapse))~~ In administering the auto emissions inspection and maintenance program, the department may expend not more than an amount equal to the amount collected from auto emissions inspections fees during the biennium ending June 30, 1991.

(5) ~~((The entire underground storage tank account appropriation is contingent on enactment of Engrossed Substitute House Bill No. 1086. If the bill is not enacted by June 30, 1989, the underground storage tank account appropriation is null and void. In implementing Engrossed Substitute House Bill No. 1086.))~~ In implementing chapter 90.76 RCW, the department shall use, to the greatest extent possible, local government and private sector expertise in meeting installation, closure, testing, and monitoring requirements. In consultation with the Washington

pollution insurance program administrator, the department shall implement interim enforcement procedures for chapter 90.76 RCW by December 1, 1990. The interim enforcement procedures shall be consistent with the intent of both chapters 90.76 and 70.148 RCW, and shall be designed to encourage participation in the insurance program.

(6) The entire solid waste management account appropriation is contingent on enactment of Engrossed Substitute House Bill No. 1671. If the bill is not enacted by June 30, 1989, the solid waste management account appropriation and the amounts provided in subsections (7), (8), and (9) ~~(-and- (10))~~ are null and void.

~~((10))~~ (7) \$1,000,000 of the solid waste management account appropriation is provided solely for assisting local governments in establishing the feasibility of food and yard waste composting.

~~((11))~~ (8) \$150,000 of the solid waste management account appropriation is provided solely for pilot projects to recycle disposable diapers.

~~((12))~~ (9) \$1,300,000 of the solid waste management account appropriation is provided solely to implement sections 6(2), 9, 13, 54, 96, 99, 102, and 104 of chapter 431, Laws of 1989 (Engrossed Substitute House Bill No. 1671).

~~((13))~~ (10) \$231,000 of the state toxics control account appropriation is provided solely for the office of waste reduction.

~~((14))~~ (11) \$200,000 of the general fund—state appropriation is provided solely for the purpose of implementing the Nisqually river management plan activities and projects outlined in the Nisqually river council report to the legislature dated December 1988. No more than half of this amount may be spent until twenty percent of the total project costs have been provided as matching funds from private or other government participants represented on the Nisqually river council.

~~((15))~~ (12) \$2,654,000 of the state toxics control account appropriation is contingent on enactment of Engrossed House Bill No. 2168. If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.

~~((16))~~ (13) \$389,000 of the emergency water project revolving account appropriation is provided solely for drought relief activities. If Substitute Senate Bill No. 5196 is enacted by June 30, 1989, \$321,000 of the amount provided in this subsection may be spent only if a drought order is issued pursuant to section 2, chapter 171, Laws of 1989 (Substitute Senate Bill No. 5196).

~~((17))~~ (14) \$427,000 of the state and local improvement revolving account—water supply facilities (Referendum 38) appropriation is provided solely for the implementation of Substitute House Bill No. 1397. If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.

~~((18))~~ (15) \$250,000 of the general fund—state appropriation is provided solely for oil and chemical spill activities in implementing legislative requirements regarding damage assessments and vessel financial responsibility.

~~((19))~~ (16) \$70,000 of the general fund—state appropriation is provided solely to implement Substitute Senate Bill No. 5174 (state hydropower plan). If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.

~~((20))~~ (17) \$200,000 of the general fund—state appropriation is provided solely for the implementation of chapter 47, Laws of 1988.

(18) A maximum of \$750,000 of the state toxics control account appropriation may be expended for the cleanup of illegal drug laboratories.

(19) \$9,000,000 of the state toxics control account appropriation is provided solely for the following three purposes:

(a) To conduct remedial actions for sites for which there are no potentially liable persons or for which potentially liable persons cannot be found;

(b) To provide funding to assist potentially liable persons under RCW 70.105D.070(2)(d)(xi) to pay for the costs of the remedial actions; and

(c) To conduct remedial actions for sites for which potentially liable persons have refused to comply with orders issued by the department under RCW 70.105D.030 requiring the persons to provide the remedial action.

Of this amount, \$1,500,000 is provided solely for the cleanup of hazardous waste sites resulting from leaking underground storage tanks.

(20) The entire hazardous waste assistance account appropriation is contingent on the enactment of Engrossed Substitute House Bill No. 2390. If the bill is not enacted by June 30, 1990, the hazardous waste assistance account appropriation is null and void.

(21) A portion of the state toxics control account appropriation is provided to complete the state hazardous waste planning effort as prescribed in chapter 70.105 RCW. This includes, but is not limited to, evaluation of existing standards, compliance and service, and evaluation of whether facilities are needed.

(22) \$300,000 of the general fund—state appropriation is provided solely to implement Engrossed Substitute House Bill No. 2932 (water resource management). If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(23) \$1,500,000 of the general fund—state appropriation is provided solely to implement the provisions of Engrossed Substitute House Bill No. 2929 (growth management). If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(24) \$268,000 of the state toxics control account appropriation is provided solely to identify and study water quality and public health concerns of the lower Columbia river, from its mouth to Bonneville Dam. Expenditure of this amount is contingent on the signing of an agreement by the Washington department of ecology and the Oregon department of environmental quality. The agreement shall include, at a minimum, the following:

(a) A steering committee consisting of one representative from each state of at least the following: Local government, public ports, industry, environmental groups, Indian tribes, citizen-at-large, and commercial or recreational fishing interests. The steering committee shall also include one representative from the United States environmental protection agency;

(b) A process to incorporate public participation;

(c) A provision to report to the appropriate legislative standing committees on the status of the study on or before December 15 of each year; and

(d) A provision to make recommendations, by December 15, 1990, regarding the creation of an interstate policy body to develop and implement a plan to address water quality, public health and habitat concerns of the lower Columbia river.

Sec. 303. Section 306, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PARKS AND RECREATION COMMISSION

General Fund Appropriation—State	\$	((41,132,000))
		41,333,000
General Fund Appropriation—Federal	\$	1,208,000
General Fund Appropriation—Private/Local	\$	822,000
Trust Land Purchase Account Appropriation	\$	((10,542,000))
		11,076,000
Winter Recreation Parking Account Appropriation	\$	348,000
ORV (Off-Road Vehicle) Account Appropriation	\$	173,000
Snowmobile Account Appropriation	\$	((963,000))
		1,143,000
Public Safety and Education Account Appropriation	\$	10,000
Motor Vehicle Fund Appropriation	\$	1,100,000
Total Appropriation	\$	((56,298,000))
		57,213,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$60,000 of the general fund—state appropriation is provided solely for a contract with the marine science center at Fort Worden state park.

(2) \$1,100,000 of the general fund—state appropriation is provided solely to implement Second Substitute Senate Bill No. 5372 (recreational boating). ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(3) \$201,000 of the general fund—state appropriation is provided solely to meet the responsibilities of the state parks and recreation commission under the Suquamish Indian tribe and Point-No-Point treaty council shellfish management agreements.

(4) The commission shall prepare an updated plan for Fort Worden management and development. In updating the plan the commission shall: (a) Reevaluate the goals and objectives of the park, (b) examine current functions of the park including camping, day use, recreation activities, vacation housing, the conference center, and cultural arts programs, (c) determine how to provide reasonable opportunities for use of existing park facilities for all members of the public, and (d) propose alternatives to the current management approach. The commission shall submit the results to the house of representatives appropriations committee and the senate ways and means committee by October 1, 1990.

Sec. 304. Section 308, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE ENVIRONMENTAL HEARINGS OFFICE

General Fund Appropriation	\$	((901,000))
		939,000

Sec. 305. Section 309, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF TRADE AND ECONOMIC DEVELOPMENT

General Fund Appropriation	\$	((30,068,000))
		31,143,000
Motor Vehicle Fund Appropriation	\$	553,000
Solid Waste Management Account Appropriation	\$	312,000
Total Appropriation	\$	((30,933,000))
		32,008,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$450,000 of the general fund appropriation is provided solely for the purpose of implementing either Engrossed Second Substitute Senate Bill No. 5339 or Engrossed Substitute House Bill No. 1553. ~~((If neither bill is enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~ In addition:

(a) The department shall spend the amount provided in this subsection solely for development of programs to be administered by the Washington economic development finance authority (the 'authority') and shall not spend any amount for implementation or administration of the programs.

(b) On or before January 8, 1990, the department shall submit to the house of representatives appropriations committee and the senate ways and means committee a plan outlining how state employees and state resources are expected to be used with respect to the authority and describing procedures under which the lending of credit provisions of the state Constitution will be observed.

(c) The amount provided in this subsection is intended to be a one-time appropriation from state-revenue sources to support the initial development of programs of the Washington economic development finance authority.

(d) No state funds from state revenue sources and no state funds from federal revenue sources, except federal revenue sources provided expressly for the authority or its programs may be used for a reserve fund for the authority's programs, and no public funds subject to either appropriation or allotment control may be used for a reserve account without prior consultation with the house of representatives appropriations committee and the senate ways and means committee.

(2) \$350,000 of the general fund appropriation is provided solely for the Washington marketplace program as provided for in Second Substitute House Bill No. 1476. ~~((If the bill is not enacted by June 30, 1989, the amount in this subsection shall lapse.))~~

(3) \$550,000 of the general fund appropriation is provided solely for the department to develop and implement a business and job retention program as follows:

(a) The program shall provide technical assistance to firms and workforces in which there is a risk of plant closure, mass layoff, or business failure. This technical assistance shall include turn-around assistance to firms at risk of closure to identify management activities and other actions, including diversification, that would permit continued operation. The department may contract for specialized services to provide turn-around assistance.

(b) The department shall establish a business and job retention advisory committee. The governor shall appoint eight members of whom four shall be from business and four from labor. The directors, or their designees, of the departments of trade and economic development, community development, financial management, revenue, and employment security shall serve as ex officio members of the committee. The president of the senate and the speaker of the house of representatives shall each appoint one member from each of the major caucuses to serve as ex officio members of the committee.

(c) The department shall select, in consultation with the advisory committee, locally based development organizations to undertake local business and job retention activities. Such local activities shall include the identification of firms in which there is a risk of plant closure, mass layoff, or business failure; initial assessment of firms and their workforces; the provision of technical assistance; and referrals for additional resources. A maximum of \$275,000 of the appropriation may be expended for contracts with locally based development organizations for local business and job retention activities.

(d) The department, in consultation with the advisory committee, shall provide grants to study the feasibility of various options for continuing or renewing the operation of industrial facilities that are threatened with closure or that have already closed. Grants shall also be made for proposals to implement a system to identify firms at risk of closure, layoff, or relocation. Grants may not exceed \$35,000 and may be made to: Local governments, ports, local associate development organizations, local labor organizations, or local nonprofit community organizations. The department may require that grant money be matched at least dollar for dollar with nonstate money.

(e) The department shall establish an early warning program within the business and job retention program. The program shall obtain information currently available within state agencies to identify firms and industrial facilities at risk of closure, consistent with the confidentiality requirements of chapter 50.13 RCW.

(4) \$150,000 of the general fund appropriation is provided solely for the targeted sectors program as provided for in Engrossed Substitute House Bill No. 2137. ~~((If the bill is not enacted by June 30, 1989, the amount in this subsection shall lapse.))~~

(5) \$200,000 of the general fund appropriation is provided solely for the Washington village project. No portion of this amount may be expended unless matched by an equal portion of nonstate money.

(6) \$700,000 of the general fund appropriation is provided solely for tourism enhancement. Of this amount: (a) \$400,000 is provided solely for market research and analysis; (b) \$175,000 is provided solely for tourism facility development to encourage private sector development in Washington tourism facilities; (c) \$25,000 is provided solely for the development of a tourism

advisory committee; and (d) \$100,000 is provided solely for additional staff and costs associated with the film and video division within the department.

(7) \$1,614,000 of the general fund appropriation is provided solely for the Tri-Cities diversification program. This amount is intended to be the final state contribution toward Tri-Cities diversification. Of this amount:

(a) \$331,000 is provided solely for the department of agriculture, by interagency agreement, for continuation of its contractual relationship with TRIDEC and for development of local diversification agricultural projects;

(b) \$206,000 is provided solely for the department of community development, by interagency agreement, for social service impact mitigation, and for loan packaging assistance;

(c) \$260,000 is provided solely for transfer to the employment security department, by interagency agreement, for a state-funded employment and training project;

(d) \$250,000 is provided solely for transfer to the employment security department, by interagency agreement, for public works related employment;

(e) \$383,000 is provided solely for contracts with local organizations for specific diversification projects;

(f) \$184,000 is provided solely for necessary staff to implement and coordinate the Tri-Cities diversification program.

(8) \$367,000 of the general fund appropriation is provided solely for the purpose of implementing a timber industrial extension service. The department shall provide technical and financial assistance to businesses for the purpose of identifying new markets, developing new technologies and products, and assisting production and marketing efforts. This program shall provide specialized expertise on issues affecting forest products companies, including the provision of assistance to firms experiencing supply problems, and shall provide industry perspective on proposed state and federal policies and programs impacting the forest industry. The department may contract for services provided under this chapter.

(9) \$8,195,000 of the general fund appropriation is provided solely for the Washington high technology center.

(10) \$305,000 of the general fund appropriation is provided solely for the center for international trade in forest products (CINTRAFOR).

(11) The general fund appropriation in this section includes moneys for higher education salary increases for the Washington high technology center and CINTRAFOR in the manner provided in section 601 of this act.

(12) It is the intent of the legislature that the department shall continue to provide grants of at least current level amounts to associate development organizations located in counties of at least classes three through eight.

(13) \$400,000 may be allocated to the Washington research foundation. The state auditor shall conduct an audit of the foundation by December 1, 1989.

(14) \$400,000 is provided solely for development of a program designed to promote market opportunities, particularly value-added timber processing, for wood products firms in timber-dependent communities. The department shall submit a progress report to the house of representatives appropriations committee and the senate ways and means committee no later than December 1, 1990.

(15) \$75,000 is provided solely for a contract with the Tacoma World Trade Center for the development and operation of a program to enhance export opportunities for Washington business.

(16) \$450,000 from the general fund—state appropriation is provided solely to implement the provisions of Engrossed Substitute House Bill No. 2929. Of this amount: (a) \$150,000 is provided solely to enhance the existing marketplace program by focusing on rural economies; (b) \$150,000 is provided solely to establish a local economic development service program to coordinate the delivery of economic development services to local communities; (c) \$50,000 is provided solely to fund the operations of a service delivery task force; and (d) \$100,000 is provided solely for the business assistance center to administer a grant program focused on value-added manufacturing. If Engrossed Substitute House Bill No. 2929 is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(17) \$150,000 of the general fund—state appropriation is provided solely for the department to provide technical assistance and staff support for the Lady Washington Pacific Expedition to the Far East.

Sec. 306. Section 313, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF FISHERIES

General Fund Appropriation—State	\$	((54,022,000)) 54,850,000
General Fund Appropriation—Federal	\$	((16,496,000)) 16,700,000
General Fund Appropriation—Private/Local	\$	((5,284,000)) 7,727,000
Aquatic Lands Enhancement Account Appropriation	\$	1,076,000

Total Appropriation \$ ~~(76,878,000)~~
80,354,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$320,000 of the general fund—state appropriation is provided so that patrol officers, in the course of duty, emphasize vessel registration.

(2) \$100,000 of the general fund—state appropriation is provided solely for monitoring of Navy homeport dredging and dumping.

(3) \$250,000 of the general fund—state appropriation is provided solely for a grant for shellfish studies to the sea grant program at the University of Washington.

~~((4))~~ (4) \$1,810,000 of the general fund—state appropriation is provided solely for recreational salmon enhancement projects.

~~((5))~~ (5) \$41,000 of the general fund—state appropriation is provided to implement Substitute Senate Bill No. 5174 (state hydropower plan).

(6) \$480,000 of the general fund—state appropriation is provided solely to cover attorney general costs for the department of fisheries, department of natural resources, department of health, and the parks and recreation commission, in defending the state in tribal shellfish litigation.

(7) \$90,000 of the general fund—state appropriation is provided solely to meet the department's responsibilities under the Suquamish Indian tribe, Point-No-Point treaty council, and Indian Island Navy shellfish management agreements.

(8) \$211,000 of the general fund—state appropriation is provided solely to fund an investigation of the nuclear inclusion X ('NIX') virus as it relates to the state's razor clam population.

Sec. 307, Section 314, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF WILDLIFE

General Fund Appropriation	\$	9,385,000
ORV (Off-Road Vehicle) Account Appropriation	\$	265,000
Aquatic Lands Enhancement Account Appropriation	\$	1,081,000
Public Safety and Education Account Appropriation	\$	566,000
Wildlife Fund Appropriation—State	\$	((41,441,000)) 42,084,000
Wildlife Fund Appropriation—Federal	\$	((15,717,000)) 15,608,000
Wildlife Fund Appropriation—Private/Local	\$	2,135,000
Game Special Wildlife Account Appropriation	\$	((466,000)) 503,000
Total Appropriation	\$	((71,656,000)) 71,627,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$45,000 of the general fund appropriation is provided solely to implement Substitute Senate Bill No. 5174 (state hydropower plan). ~~((if the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(2) \$68,000 of the general fund appropriation is provided solely ~~((for contracting))~~ for fire protection on agency lands.

(3) \$100,000 of the wildlife fund appropriation—state is provided solely for a study of the impact of elk in the Blue Mountains.

(4) \$186,000 of the wildlife fund—state appropriation is provided solely for an elk control plan in the Blue Mountains.

(5) \$250,000 of the wildlife fund—state appropriation is provided solely for an inventory of critical wildlife habitat.

Sec. 308, Section 315, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES

General Fund Appropriation—State	\$	((44,540,000)) 46,409,500
General Fund Appropriation—Federal	\$	639,000
General Fund Appropriation—Private/Local	\$	12,000
ORV (Off-Road Vehicle) Account Appropriation—Federal	\$	3,266,000
Geothermal Account Appropriation—Federal	\$	16,000
Forest Development Account Appropriation	\$	((23,074,000)) 23,311,000
Survey and Maps Account Appropriation	\$	((860,000)) 1,090,000
Natural Resources Conservation Area Stewardship Account Approp- riation	\$	364,000
Aquatic Lands Enhancement Account Appropriation	\$	635,000

Landowner Contingency Forest Fire Suppression Account Appropriation	\$	2,119,000
Resource Management Cost Account Appropriation	\$	(68,432,000)
		69,320,000
Aquatic Land Dredged Material Disposal Site Account Appropriation	\$	(286,000)
		536,000
State Toxics Control Account Appropriation	\$	399,000
Total Appropriation	\$	(144,243,000)
		148,116,500

The appropriations in this section are subject to the following conditions and limitations:

(1) \$4,654,000 of the general fund—state appropriation is provided solely for the emergency fire suppression subprogram.

(2) \$2,297,000, of which \$372,000 is from the general fund—state appropriation, \$1,448,000 is from the resource management cost account appropriation, and \$477,000 is from the forest development account appropriation, is provided solely for information systems projects named in this subsection for which work will commence or continue in this biennium. Authority to expend these funds is conditioned upon compliance with the requirements set forth in section 802 of this act. For the purposes of this section, information systems projects shall mean the projects known by the following name or successor names: Department of natural resources revenue system.

(3) \$110,000 from the general fund—state appropriation is provided solely for a fire investigator.

(4) \$1,500,000 of the general fund—state appropriation is provided solely for cooperative monitoring, evaluation, and research projects related to implementation of the timber-fish-wildlife agreement.

(5) \$400,000 of the aquatic lands enhancement account appropriation is provided solely for conducting an inventory of state wetlands.

(6) \$122,000 of the natural resources conservation area stewardship account appropriation is provided solely for operations and maintenance costs associated with natural area preserves.

(7) \$242,000 of the natural resources conservation area stewardship account appropriation is provided solely for operations and maintenance costs associated with natural resources conservation areas.

(8) No portion of these appropriations may be expended for spreading sludge on state trust lands without first completing an environmental impact statement with respect to the sludge spreading operations. \$75,000 of the resource management cost account appropriation is provided solely for the costs of the environmental impact statement performed pursuant to this subsection.

(9) The department shall contract for labor-intensive forest land management activities in areas of the state adversely impacted by reductions in timber sales from federal lands. Contracts provided for under this section shall be in addition to and shall not supplant or displace activities normally administered by the department. The department shall, to the extent feasible, offer the additional contracts in sizes that do not discourage participation by small enterprises. The department shall cooperate with the employment security department in disseminating information on forest land management contracts to unemployed individuals who have been employed in the timber industry, and others adversely affected by reductions in timber sales from federal lands. \$2,800,000 of the resource management cost account appropriation is provided solely for this purpose.

(10) \$125,000 of the general fund—state appropriation is provided solely to implement Engrossed Senate Bill No. 5364 or Engrossed House Bill No. 1249 (marine debris).

(11) Based on schedules submitted by the director of financial management, the state treasurer shall transfer from the general fund—state or such other funds as the state treasurer deems appropriate to the Clarke McNary fund such amounts as are necessary to meet unbudgeted forest fire fighting expenses. All amounts borrowed under the authority of this section shall be repaid to the appropriate fund, together with interest at a rate determined by the state treasurer to be equivalent to the return on investments of the state treasury during the period the amounts are borrowed.

(12) The department of natural resources in cooperation with the United States forest service, other federal agencies, private timber land owners, and the University of Washington, shall conduct a timber and timberland inventory to provide the information needed to prepare an assessment of the timber supply in Washington state. The inventory shall be prepared in such a way that it may be updated periodically. The inventory shall include all state, private, county, and federal forest lands, including forest lands withdrawn from harvest such as parks, watersheds, and similar lands reserved for nontimber producing activities. The intensity of sampling and methods used to inventory lands withdrawn from harvest need not result in as high a degree of accuracy as is achieved for other lands. \$1,000,000, of which \$750,000 is from the general fund—state appropriation, \$75,000 is from the forest development account

appropriation, and \$175,000 is from the resource management cost account appropriation, is provided solely for the purposes of this subsection.

(13) \$163,000 of the general fund—state appropriation is provided solely for the department to contract with the University of Washington college of forest resources for a timber supply study. The study shall identify the quantity of timber present now and quantity of timber that may be available from forest lands in the future, use various assumptions of landowner management, and include changes in the forest land base, amount of capital invested in timber management, and expected harvest age. No portion of this appropriation may be expended for indirect costs associated with the study.

(14) \$905,000, of which \$625,000 is from the general fund—state appropriation, \$118,000 is from the forest development account appropriation, and \$162,000 is from the resource management cost account appropriation, is provided solely for costs related to the Grouse Ridge correctional camp.

(15) \$200,000 of the general fund—state appropriation is provided solely to implement the provisions of Engrossed Substitute House Bill No. 2929 (growth management). If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(16) \$6,500 of the general fund—state appropriation is provided solely as additional funds for the state share of rentals for amateur radio operator sites.

Sec. 309. Section 316, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF NATURAL RESOURCES—COMMON SCHOOL CONSTRUCTION

The following amounts are appropriated for the acquisition in fee of common school trust lands and timber throughout the state as determined by the board of natural resources:

General Fund Appropriation for fiscal year 1990	\$	35,750,000
General Fund Appropriation for the period April 15, 1990, through		
June 30, 1991	\$	((35,750,000))
		77,750,000
Total Appropriation	\$	((71,500,000))
		113,500,000

The appropriations in this section are subject to the following conditions and limitations:

~~((2) The lands and timber purchased under this section shall be managed under either chapter 79.70 or 79.71 RCW, as determined by the board of natural resources;~~

~~(3) The land and timber shall be appraised and purchased at full market value.~~

~~(4) The proceeds of the sales of timber shall be deposited by the department in the same manner as timber revenues from other common school trust lands except that no deductions shall be made for the resource management cost account under RCW 79.64.040.~~

~~(5) The proceeds of the sales of land shall be used by the department to acquire replacement timber land of equal value to be managed as common school trust land and to maintain a sustainable yield.))~~

(1) The lands and timber acquired under this section shall be managed under either chapter 79.70 or 79.71 RCW, as determined by the board of natural resources;

(2) The land and timber shall be separately appraised and shall be acquired at full market value;

(3) The trust land to be acquired shall be replaced, by transfer, with real property of equal value purchased with this appropriation. The replacement timber land shall be managed as common school trust land to maintain a sustainable yield;

(4) The department shall attempt to maintain an aggregate ratio of 92:8 timber value to land value in these transactions;

(5) Intergrant transfers, between common school and noncommon school trust lands of equal value, may occur, if the noncommon school trust land meets the criteria established by the department for selection of sites and if the exchange is in the interest of both trusts;

(6) The proceeds of the sale of timber shall be deposited by the department in the same manner as timber revenues from other common school trust lands except that no deductions shall be made for the resource management cost account under RCW 79.64.040; and

(7) Lands purchased under the authority of this section may, by mutual agreement of the board of natural resources and the parks and recreation commission, be transferred for management under chapter 43.51 RCW as state parks.

Sec. 310. Section 317, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF AGRICULTURE

General Fund Appropriation—State	\$	((48,700,000))
		18,957,000
General Fund Appropriation—Federal	\$	795,000
State Toxics Control Account Appropriation	\$	((299,000))
		699,000
Total Appropriation	\$	((49,874,000))
		20,451,000

The appropriations in this section are subject to the following conditions and limitations:

(1) Authority to expend funds from any source for AIM 2000, the agency information system, is conditioned on compliance with section 802 of this act.

(2) \$1,624,000 of the general fund—state appropriation is provided solely for the implementation of House Bill No. 2222 regarding the regulation of agricultural chemicals. ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~ \$1,224,000 of the amount provided in this subsection shall be supported by increased fees deposited into the general fund in accordance with chapter 15.58 RCW.

(3) \$66,000 of the general fund—state appropriation is provided solely to implement Second Substitute House Bill No. 2270. If the bill is not enacted by June 30, 1990, this amount shall lapse.

(4) \$24,000 of the general fund—state appropriation is provided solely for the department's brucellosis screening program.

Sec. 311. Section 318, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CONVENTION AND TRADE CENTER	
State Convention/Trade Center Account Appropriation	\$ ((22,119,000)) 22,169,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$3,453,000 is provided solely for marketing the facilities and services of the convention center, for promoting the locale as a convention and visitor destination, and for related activities. Of this amount, the center shall not expend more than is projected to be received from revenue generated by the special excise tax that is deposited in the state convention and trade center operations account under RCW 67.40.090(3). Projections of such revenue shall be as determined and updated by the department of revenue.

(2) \$50,000 is provided solely for construction of a temple bell display case.

Sec. 312. Section 19, chapter 383, Laws of 1989 (uncodified) is amended to read as follows:
The sum of ~~((four hundred))~~ nine hundred thirty-six thousand dollars, or as much thereof as may be necessary, is appropriated from the pollution liability reinsurance program trust account to the Washington pollution liability reinsurance program for the biennium ending June 30, 1991 ~~((to carry out the purposes of this act)).~~ If legislation authorizing implementation of the program is not enacted by June 30, 1990, the entire seven hundred seven thousand dollars, or as much as remains, shall lapse.

PART IV
TRANSPORTATION

Sec. 401. Section 401, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE PATROL	
General Fund Appropriation—State	\$ ((25,710,000)) 25,794,000
General Fund Appropriation—Federal	\$ 161,000
General Fund Appropriation—Private/Local	\$ 164,000
Death Investigations Account Appropriation	\$ 24,000
Total Appropriation	\$ ((26,067,000)) 26,143,000

The appropriations in this section are subject to the following conditions and limitations: The staff of the Washington state patrol crime laboratory shall not provide tests for marijuana to cities or counties except: (1) To verify weight for criminal cases where weight is a factor, or (2) for criminal cases that the prosecuting attorney and field administrator of the crime laboratory agree are likely to go to trial.

Sec. 402. Section 402, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF LICENSING	
General Fund Appropriation	\$ ((19,349,000)) 19,793,000
Architects' License Account Appropriation	\$ ((623,000)) 809,000
Cemetery Account Appropriation	\$ 157,000
Health Professions Account Appropriation	\$ ((15,059,000)) 15,122,000
Medical Disciplinary Account Appropriation	\$ 1,586,000
Professional Engineers' Account Appropriation	\$ ((1,527,000)) 1,852,000
Real Estate Commission Account Appropriation	\$ ((5,603,000)) 6,298,000
Total Appropriation	\$ ((43,904,000)) 45,617,000

The appropriations in this section are subject to the following conditions and limitations:

(1) If uniform commercial code filing fees are increased such that the increase is expected to yield at least \$1,000,000 in additional revenues, then up to \$1,000,000 of the general fund—state appropriation may be expended for department purposes.

(2) If any of the following bills (~~(are)~~) is not enacted by June 30, 1989, a corresponding amount, shown below, from the health professions account appropriation shall lapse:

House Bill No. 1896	\$	9,000
House Bill No. 2126	\$	42,000

(3) Of the general fund—state appropriation, the following amounts are provided solely for the purposes of the following bills. The general fund shall be reimbursed by June 30, 1991, through an assessment of fees sufficient to cover all costs associated with enacting the purposes of the following legislation. If any of the following bills is not enacted by June 30, 1989, a corresponding amount, shown below, from the general fund—state appropriation in this section shall lapse:

House Bill No. 1096	\$	130,000
Engrossed House Bill No. 1917	\$	450,000
Substitute Senate Bill No. 5085	\$	153,000

(4) The department shall reimburse the general fund for all costs associated with implementing Engrossed Second Substitute House Bill No. 2624 through assessment of fees. If the bill is not enacted by June 30, 1990, \$34,000 of the general fund—state appropriation shall lapse.

(5) \$253,000 of the general fund appropriation is provided solely for relocation expenses incurred as a result of the formation of the department of health.

NEW SECTION. Sec. 403. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

\$2,060,000, or as much thereof as may be necessary, is appropriated from the general fund to the department of licensing for the purpose of the master license system. The general fund shall be reimbursed by at least the amount of the appropriation in this section by June 30, 1991, through the collection of handling fees on original master license applications under chapter 19.02 RCW, and annual corporate report filing fees under chapter 23B.16 RCW. If neither Substitute Senate Bill No. 6664 nor other legislation authorizing the collection of these fees is enacted by June 30, 1990, then this appropriation shall lapse.

PART V EDUCATION

Sec. 501. Section 501, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR STATE ADMINISTRATION

General Fund Appropriation—State	\$	((19,774,000))
		19,799,000
General Fund Appropriation—Federal	\$	9,074,000
Public Safety and Education Account Appropriation	\$	409,000
Total Appropriation	\$	((29,257,000))
		29,282,000

The appropriations in this section are subject to the following conditions and limitations:

(1) The entire public safety and education account appropriation is provided solely for administration of the traffic safety education program, including in-service training related to instruction in the risks of driving while under the influence of alcohol and other drugs.

(2) \$336,000 of the general fund—state appropriation is provided solely for the continuation of the international education and teacher exchange programs.

(3) \$19,000 of the general fund—state appropriation is provided solely for the continuation of the environmental education program.

(4) \$54,000 of the general fund—state appropriation is provided solely for Hispanic drop-out prevention and retrieval.

(5) \$200,000 of the general fund—state appropriation is provided solely for purchase and dissemination to school districts of innovative or multicultural curriculum materials, and for training to implement innovative curricula such as a schools and architecture program. The superintendent of public instruction shall select materials based on unusual potential for stimulating new instructional methods, student interest and understanding of academic subjects, or cultural and ethnic awareness.

(6) ~~\$((25,000))~~ 50,000 of the general fund—state appropriation is provided solely for continued development of educational outcomes measures and field testing in local school districts, including: Development of a model writing assessment program at three grade levels; definitions of measurements for academic skills and mastery of key curriculum concepts; a follow-up survey of high school graduates; uniform reporting forms for data collection and display; and an instrument for identifying successful schools. In performing these activities, the superintendent shall consult with an advisory committee on outcomes-based education, comprising one representative of each of the selected field test projects, one representative of each twenty-first century schools project that has selected the outcomes measures as its evaluative tool, and two members who participated in the temporary committee on the assessment and accountability of educational outcomes.

(7) The superintendent of public instruction shall allocate administrative resources as needed for investigating suspected violations of the state board of education's professional conduct code for educators.

Sec. 502, Section 502, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR GENERAL APPORTIONMENT (BASIC EDUCATION)

General Fund Appropriation \$ ~~((4,323,885,000))~~
4,355,347,000

The appropriation in this section is subject to the following conditions and limitations:

(1) ~~\$((414,003,600))~~ 419,407,000 of the general fund appropriation is provided solely for the remaining months of the 1988-89 school year.

(2) Allocations for certificated staff salaries for the 1989-90 and 1990-91 school years shall be determined using formula-generated staff units calculated pursuant to this subsection. Small school enrollments in kindergarten through grade six shall generate funding under (a) of this subsection, and shall not generate allocations under (d) and (e) of this subsection, if the staffing allocations generated under (a) of this subsection exceed those generated under (d) and (e) of this subsection. The certificated staffing allocations shall be as follows:

(a) On the basis of average annual full time equivalent enrollments, excluding full time equivalent enrollment otherwise recognized for certificated staff unit allocations under (c) through (f) of this subsection:

(i) Four certificated administrative staff units for each one thousand full time equivalent kindergarten through twelfth grade students excluding full time equivalent handicapped enrollment as recognized for funding purposes under section 510 of this act;

(ii) Fifty-one certificated instructional staff units for each one thousand full time equivalent students in kindergarten through third grade, excluding full time equivalent handicapped students ages six through eight; and

(iii) Forty-six certificated instructional staff units for each one thousand full time equivalent students in grades four through twelve, excluding full time equivalent handicapped students ages nine and above;

(b) For school districts with a minimum enrollment of 250 full time equivalent students, whose full time equivalent student enrollment count in a given month exceeds the first of the month full time equivalent enrollment count by five percent, an additional state allocation of 110 percent of the share that such increased enrollment would have generated had such additional full time equivalent students been included in the normal enrollment count for that particular month.

(c) On the basis of full time equivalent enrollment in vocational education programs approved by the superintendent of public instruction, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units for each 17.5 full time equivalent vocational students, except that for skills center programs the allocation ratios shall be 0.92 certificated instructional staff units and 0.08 certificated administrative staff units for each 16.67 full time equivalent vocational students;

(d) For districts enrolling not more than twenty-five average annual full time equivalent students in kindergarten through grade eight, and for small school plants within any school district which have been judged to be remote and necessary by the state board of education and enroll not more than twenty-five average annual full time equivalent students in kindergarten through grade eight:

(i) For those enrolling no students in grades seven and eight, 1.76 certificated instructional staff units and 0.24 certificated administrative staff units for enrollment of not more than five students, plus one-twentieth of a certificated instructional staff unit for each additional student enrolled; and

(ii) For those enrolling students in grades seven or eight, 1.68 certificated instructional staff units and 0.32 certificated administrative staff units for enrollment of not more than five students, plus one-tenth of a certificated instructional staff unit for each additional student enrolled.

(e) For specified enrollments in districts enrolling more than twenty-five but not more than one hundred average annual full time equivalent students in kindergarten through grade eight, and for small school plants within any school district which enroll more than twenty-five average annual full time equivalent kindergarten through eighth grade students and have been judged to be remote and necessary by the state board of education:

(i) For enrollment of up to sixty annual average full time equivalent students in kindergarten through grade six, 2.76 certificated instructional staff units and 0.24 certificated administrative staff units; and

(ii) For enrollment of up to twenty annual average full time equivalent students in grades seven and eight, 0.92 certificated instructional staff units and 0.08 certificated administrative staff units.

(f) For districts operating no more than two high schools with enrollments of less than three hundred average annual full time equivalent students, for enrollment in grades nine through twelve in each such school, other than alternative schools:

(i) For remote and necessary schools enrolling students in any grades nine through twelve but no more than twenty-five average annual full time equivalent kindergarten through twelfth grade students, four and one-half certificated instructional staff units and one-quarter of a certificated administrative staff unit;

(ii) For all other small high schools under this subsection, nine certificated instructional staff units and one-half of a certificated administrative staff unit for the first sixty average annual full time equivalent students, and additional staff units based on a ratio of 0.8732 certificated instructional staff units and 0.1268 certificated administrative staff units per each additional forty-three and one-half average annual full time equivalent students.

Units calculated under (f)(ii) of this subsection shall be reduced by certificated staff units at the rate of forty-six certificated instructional staff units and four certificated administrative staff units per thousand vocational and handicapped full time equivalent students.

For the 1990-91 school year, no district may receive allocations under (f) (i) or (ii) of this subsection unless the district offers a high school program for district residents eligible to enroll in grades nine through twelve.

(g) For each nonhigh school district having an enrollment of more than seventy annual average full time equivalent students and less than one hundred eighty students, operating a grades K-8 program or a grades 1-8 program, an additional one-half of a certificated instructional staff unit.

(h) For each nonhigh school district having an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, operating a grades K-6 program or a grades 1-6 program, an additional one-half of a certificated instructional staff unit.

(3) Allocations for classified salaries for the 1989-90 and 1990-91 school years shall be calculated using formula-generated classified staff units determined as follows:

(a) For enrollments generating certificated staff unit allocations under subsections (2) (d) through (h) of this section, one classified staff unit for each three certificated staff units allocated under such subsections.

(b) For all other enrollment in grades kindergarten through twelve, including vocational but excluding handicapped full time equivalent enrollments, one classified staff unit for each sixty average annual full time equivalent students.

(c) For each nonhigh school district with an enrollment of more than fifty annual average full time equivalent students and less than one hundred eighty students, an additional one-half of a classified staff unit.

(4) Fringe benefit allocations shall be calculated at a rate of 19.80 percent in the 1989-90 school year and 19.85 percent in the 1990-91 school year of certificated salary allocations provided under subsection (2) of this section, and a rate of 17.32 percent in the 1989-90 school year and 17.37 percent in the 1990-91 school year of classified salary allocations provided under subsection (3) of this section.

(5) Insurance benefit allocations shall be calculated at the rates specified in section 505 of this act, based on:

(a) The number of certificated staff units determined in subsection (2) of this section; and

(b) The number of classified staff units determined in subsection (3) of this section multiplied by 1.152. This factor is intended to adjust allocations so that, for the purposes of distributing insurance benefits, full time equivalent classified employees may be calculated on the basis of 1440 hours of work per year, with no individual employee counted as more than one full time equivalent.

(6)(a) For nonemployee related costs associated with each certificated staff unit allocated under subsection (2) (a), (b), and (d) through (h) of this section, there shall be provided a maximum of \$6,355 per certificated staff unit in the 1989-90 school year and a maximum of \$6,654 per certificated staff unit in the 1990-91 school year.

(b) For nonemployee related costs associated with each certificated staff unit allocated under subsection (2)(c) of this section, there shall be provided a maximum of \$12,110 per certificated staff unit in the 1989-90 school year and a maximum of \$12,679 per certificated staff unit in the 1990-91 school year.

(7) Allocations for substitute costs for classroom teachers shall be distributed at a maximum rate of \$290 per year for allocated classroom teachers. Solely for the purposes of this subsection, allocated classroom teachers shall be equal to the number of certificated instructional staff units allocated under subsection (2) of this section, multiplied by the ratio between the number of actual basic education certificated teachers and the number of actual basic education certificated instructional staff reported state-wide for the 1987-88 school year.

(8) The superintendent may distribute a maximum of ~~\$(9,925,000)~~ 41,925,000 outside the basic education formula during fiscal years 1990 and 1991 as follows:

(a) For fire protection for school districts located in a fire protection district as now or hereafter established pursuant to chapter 52.04 RCW, a maximum of \$358,000 may be expended in fiscal year 1990 and a maximum of \$375,000 in fiscal year 1991.

(b) For summer vocational programs at skills centers, a maximum of \$1,321,000 may be expended in fiscal year 1990 and a maximum of \$1,599,000 may be expended in fiscal year 1991.

(c) A maximum of \$272,000 may be expended for school district emergencies.

(d) A maximum of \$~~(6,666,666)~~ 8,000,000 is provided solely for the purchase of new and replacement equipment for use primarily in approved vocational-secondary and skill center programs, including \$6,000,000 provided for allocation in the 1989-90 school year. These moneys shall be allocated to school districts ~~((during the 1989-90 school year))~~ on the basis of full time equivalent enrollment in vocational programs.

(e) \$25,250,000 is provided solely to employ additional elementary school classroom assistants and certificated instructional staff for the 1990-91 school year. These moneys shall be distributed in proportion to school districts' full time equivalent enrollment in kindergarten through grade five and shall be allocated according to the schedule established in RCW 28A.48.010. School districts shall use a minimum of seventy-five percent of moneys received under this subsection 8(e) to employ additional classified instructional assistants assigned to kindergarten through fifth grade basic education classrooms. Districts may use remaining moneys to employ either basic education classified instructional assistants or certificated instructional staff assigned to kindergarten through grade five. A district may not use moneys provided under this section for certificated instructional staff unless these staff are excluded when determining the district's actual K-3 staffing ratio under subsection (10) of this section and the district documents to the superintendent of public instruction that its actual K-3 ratio under subsection (10) of this section for the 1990-91 school year is at least fifty-one full time basic education certificated instructional staff per thousand full time equivalent students. Districts may not use allocations provided under this subsection to supplant other moneys previously used to employ classified instructional assistants or certificated instructional staff in kindergarten through grade five.

(9) For the purposes of RCW 84.52.0531, the increase per full time equivalent student in state basic education appropriations provided under this act, including appropriations for salary and benefits increases, is 6.07 percent from the 1988-89 school year to the 1989-90 school year, and ~~(5.74)~~ 6.56 percent from the 1989-90 school year to the 1990-91 school year.

(10) (a) The superintendent of public instruction shall revise personnel reporting systems to include information on grade level assignments of basic education certificated instructional staff, by grade level groupings of K-3, 4-6, and 7-12. The superintendent of public instruction shall collect such information from school districts beginning in the 1989-90 school year. School districts may submit supplemental information on changes in staffing levels after the initial personnel report for each school year. Staffing ratios calculated under this subsection may recognize additional staff reported, prorated by the number of months of employment during the academic year.

(b) For each school year, the funding provided under subsection (2)(a) of this section shall be based on a ratio of fifty-one certificated instructional staff per thousand students in kindergarten through grade three only if the district documents an actual ratio of at least fifty-one full time basic education certificated instructional staff per thousand full time equivalent students at those grade levels. For any school district documenting a lower ratio, the funding provided under this section shall be based on the district's actual K-3 ratio achieved in that school year, or the statutory minimum ratio established under RCW 28A.41.140(2)(c), if greater.

(c) School districts that had a ratio of fifty-one basic education certificated instructional staff per thousand students in kindergarten through grade three in the 1988-89 school year shall expend additional funding generated by the increase in staffing ratios provided in this section solely to improve staffing ratios in kindergarten through grade twelve.

Sec. 503, Section 503, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—BASIC EDUCATION EMPLOYEE COMPENSATION INCREASES

General Fund Appropriation \$ ~~((+96+28,000))~~
226,991,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The following calculations determine the salaries used in the general fund allocations for certificated instructional, certificated administrative, and classified staff units under section 502 of this act:

(a) Salary allocations for certificated instructional staff units shall be determined for each district by multiplying the district's certificated instructional derived base salary shown on LEAP Document 12 by the district's average staff mix factor for basic education certificated instructional staff in that school year, computed using LEAP Document 1.

(b) Salary allocations for certificated administrative staff units and classified staff units shall be determined for each district by the district's certificated administrative and classified salary allocation amounts shown on LEAP Document 12.

(2)(a) Districts shall certify to the superintendent of public instruction such information as may be necessary regarding the years of service and educational experience of basic education certificated instructional employees for the purposes of calculating certificated instructional staff salary allocations pursuant to this section. Any change in information previously certified, on the basis of years of experience or educational credits, shall be reported and certified to the superintendent of public instruction at the time such change takes place.

(b) For the purposes of this section, 'basic education certificated instructional staff' is defined as provided in RCW 28A.41.110.

(c) 'LEAP Document 1' means the computerized tabulation establishing staff mix factors for basic education certificated instructional staff according to education and years of experience, as developed by the legislative evaluation and accountability program committee on August 18, 1987, at 13:26 hours.

(d) 'LEAP Document 1R' means the computerized tabulation establishing staff mix factors for basic education certificated instructional staff according to education and years of experience, as developed on (~~May 7, 1989~~) February 17, 1990, at (~~11:00~~) 16:00 hours.

(e) 'LEAP Document 12' means the computerized tabulation of 1988-89 salary allocations for basic education certificated administrative staff and basic education classified staff and 1988-89 derived base salaries for basic education certificated instructional staff as developed on April 20, 1989, at 14:15 hours.

(f) The incremental fringe benefits factors applied to salary increases in this section shall be 1.1916 for certificated salaries and 1.1379 for classified salaries in the 1989-90 school year, and 1.1921 for certificated salaries and 1.1384 for classified salaries in the 1990-91 school year.

(3) ~~\$(7,492,000)~~ 9,851,000 is provided solely to increase allocations for certificated administrative staff units provided under section 502 of this act, pursuant to this subsection. For the 1989-90 and 1990-91 school years, the allocation for each certificated administrative staff unit shall be increased by 2.5 percent of the 1988-89 state-wide average certificated administrative salary shown on LEAP Document 12, multiplied by incremental fringe benefits. For the 1990-91 school year, the allocation for two-thirds of the certificated administrative staff units shall be further increased by 2.5 percent of the 1988-89 state-wide average certificated administrative salary shown on LEAP Document 12, multiplied by incremental fringe benefits. School districts shall use the allocations generated by the 1990-91 increase under this subsection to provide salary increases for principals, vice-principals, and other school-based administrators.

(4) ~~\$(27,903,000)~~ 30,401,000 is provided solely to increase allocations for classified staff units provided under section 502 of this act, pursuant to this subsection. For the 1989-90 and 1990-91 school years, the allocation for each classified staff unit shall be increased by 4.0 percent of the 1988-89 state-wide average classified salary shown on LEAP Document 12, multiplied by incremental fringe benefits. For the 1990-91 school year, the allocation for each classified staff unit shall be further increased by an additional (~~(3+2)~~) 4.16 percent of the 1988-89 state-wide average classified salary shown on LEAP Document 12, multiplied by incremental fringe benefits.

(5) ~~\$(10,733,000)~~ 186,739,000 is provided solely to increase allocations for certificated instructional staff units provided under section 502 of this act, pursuant to this subsection:

(a) For any district with a derived base salary of \$17,600 on LEAP Document 12, the allocation for each certificated instructional staff unit in the 1989-90 school year shall be increased by the difference between:

(i) The district's salary allocation per certificated instructional staff unit computed under subsection (1)(a) of this section, adjusted for incremental fringe benefits; and

(ii) The district's 1989-90 average certificated instructional staff allocation salary as determined by placing the district's actual full time equivalent basic education certificated instructional staff on the state-wide salary allocation schedule established in subsection (6) of this section, adjusted for incremental fringe benefits.

(b) For any district with a derived base salary greater than \$17,600 on LEAP Document 12, the allocation for each certificated instructional staff unit in the 1989-90 school year shall be increased by 4.0 percent of the district's salary allocation per certificated instructional staff unit computed under subsection (1)(a) of this section, adjusted for incremental fringe benefits.

(c) For any district with a derived base salary of \$17,600 on LEAP Document 12, the allocation for each certificated instructional staff unit in the 1990-91 school year shall be increased by the difference between:

(i) The district's salary allocation per certificated instructional staff unit computed under subsection (1)(a) of this section, adjusted for incremental fringe benefits; and

(ii) The district's 1990-91 average certificated instructional staff allocation salary as determined by placing the district's actual full time equivalent basic education certificated instructional staff on the state-wide salary allocation schedule established in subsection (7) of this section, adjusted for incremental fringe benefits.

(d) For any district with a derived base salary greater than \$17,600 on LEAP Document 12, the allocation for each certificated instructional staff unit in the 1990-91 school year shall be increased by the difference between:

(i) The district's salary allocation per certificated instructional staff unit computed under subsection (1)(a) of this section, adjusted for incremental fringe benefits; and

(ii) The district's salary allocation per certificated instructional staff unit computed under subsection (1)(a) of this section multiplied by the compounded increase provided in this subsection, adjusted for incremental fringe benefits. The compounded increase for each district shall be 7.12 percent, compounded by the percentage difference between the district's average staff mix factor for actual 1990-91 full time equivalent basic education certificated instructional employees computed using LEAP Document 1R and such factor for the same 1990-91 employees computed using LEAP Document 1.

(6)(a) Pursuant to RCW 28A.41.112, the following state-wide salary allocation schedule for certificated instructional staff is established for basic education salary allocations for the 1989-90 school year:

1989-90 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
0	18,304	18,798	19,311	19,823
1	18,981	19,494	20,025	20,574
2	19,677	20,208	20,757	21,361
3	20,409	20,958	21,526	22,166
4	21,159	21,745	22,331	23,008
5	21,946	22,551	23,155	23,887
6	22,770	23,374	24,015	24,802
7	23,612	24,234	24,893	25,735
8	24,472	25,131	25,809	26,724
9		26,065	26,779	27,731
10			27,767	28,792
11				29,890
12				
13				
14 or more				

1989-90 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	21,471	22,532	21,471	22,770	23,887
1	22,276	23,356	22,276	23,612	24,765
2	23,100	24,216	23,100	24,491	25,681
3	23,942	25,113	23,942	25,388	26,632
4	24,839	26,047	24,839	26,321	27,621
5	25,754	27,017	25,754	27,310	28,627
6	26,706	28,005	26,706	28,316	29,689
7	27,694	29,048	27,694	29,360	30,787
8	28,719	30,128	28,719	30,440	31,940
9	29,781	31,245	29,781	31,574	33,112
10	30,879	32,398	30,879	32,746	34,338
11	32,032	33,588	32,032	33,954	35,601
12	33,222	34,833	33,222	35,217	36,919
13	34,448	36,114	34,448	36,516	38,292
14 or more		37,450	35,711	37,871	39,701

(b) As used in this subsection, '+ (N)' means the number of credits earned since receiving the highest degree.

(7)(a) Pursuant to RCW 28A.41.112, the following state-wide salary allocation schedule for certificated instructional staff is established for basic education salary allocations for the 1990-91 school year:

1990-91 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
0	20,001	20,541	21,101	21,661
1	20,656	21,214	21,792	22,389
2	21,325	21,900	22,495	23,150

1990-91 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA	BA+15	BA+30	BA+45
3	22,027	22,620	23,232	23,923
4	22,742	23,372	24,001	24,729
5	23,490	24,136	24,783	25,566
6	24,269	24,913	25,596	26,435
7	25,061	25,721	26,421	27,314
8	25,864	26,561	27,277	28,244
9		27,431	28,182	29,184
10			29,098	30,172
11				31,189
12-17				<u>32,125</u>
(+3				
14 or more))				
<u>18 or more</u>				<u>33,088</u>

1990-91 STATE-WIDE SALARY ALLOCATION SCHEDULE
FOR INSTRUCTIONAL STAFF

Years of Service	BA+90	BA+135	MA	MA+45	MA+90 or PHD
0	23,461	24,621	23,980	25,780	26,940
1	24,242	25,417	24,708	26,561	27,736
2	25,034	26,245	25,469	27,353	28,563
3	25,840	27,104	26,242	28,159	29,423
4	26,696	27,995	27,048	29,015	30,314
5	27,565	28,916	27,885	29,884	31,235
6	28,464	29,849	28,754	30,783	32,168
7	29,393	30,831	29,633	31,712	33,150
8	30,352	31,842	30,563	32,671	34,161
9	31,341	32,882	31,502	33,660	35,201
10	32,358	33,950	32,491	34,677	36,269
11	33,423	35,047	33,508	35,742	37,366
12	34,516	36,189	34,566	36,835	38,508
13	35,636	37,359	35,659	37,955	39,678
14-17	<u>36,705</u>	38,573	36,786	39,154	40,892
((or more))					
<u>18-21</u>	<u>37,806</u>	<u>39,730</u>	<u>37,890</u>	<u>40,329</u>	<u>42,119</u>
<u>22 or more</u>		<u>40,922</u>	<u>39,026</u>	<u>41,538</u>	<u>43,382</u>

(b) As used in this subsection, the column headings 'BA+(N)' refer to the number of credits earned since receiving the baccalaureate degree.

(c) For credits earned after the baccalaureate degree but before the masters degree, any credits in excess of forty-five credits may be counted after the masters degree. Thus, as used in this subsection, the column headings 'MA+(N)' refer to the total of:

(i) Credits earned since receiving the masters degree; and

(ii) Any credits in excess of forty-five credits that were earned after the baccalaureate degree but before the masters degree.

(8) For the purposes of this section:

(a) 'BA' means a baccalaureate degree.

(b) 'MA' means a masters degree.

(c) 'PHD' means a doctorate degree.

(d) 'Years of service' shall be calculated under the same rules used by the superintendent of public instruction for salary allocations in the 1988-89 school year.

(e) 'Credits' means college quarter hour credits and equivalent inservice credits computed in accordance with RCW 28A.71.110.

(9) The salary allocation schedules established in subsections (6) and (7) of this section are for allocation purposes only. However, it is the legislature's intent to respond to salary needs of many senior teachers who have not been receiving salary increments on either state or local salary schedules. The legislature and the public recognize the need to provide salary growth for these senior teachers, to encourage them to remain teaching. School districts should target moneys generated by the additional seniority steps provided for state salary funding in the 1990-91 school year to senior teachers.

Sec. 504, Section 504, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—CATEGORICAL PROGRAM SALARY INCREASES

General Fund Appropriation \$ ~~(38,738,000)~~
 46,190,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The incremental fringe benefits factors applied to salary increases in subsection (3) of this section shall be 1.1916 for certificated salaries and 1.1379 for classified salaries in the 1989-90 school year, and 1.1921 for certificated salaries and 1.1384 for classified salaries in the 1990-91 school year.

(2) A maximum of ~~\$(13,400,000)~~ 15,204,000 is provided to implement salary increases for each school year for state-supported school employees in the following categorical programs: Transitional bilingual instruction, learning assistance, education of highly capable students, vocational technical institutes, and pupil transportation. Moneys provided by this subsection include costs of incremental fringe benefits and shall be distributed by increasing allocation rates for each school year by the amounts specified:

(a) Transitional bilingual instruction: The rates specified in section 520 of this act shall be increased by \$16.04 per pupil for the 1989-90 school year and by ~~\$(48.13)~~ 50.24 per pupil for the 1990-91 school year.

(b) Learning assistance: The rates specified in section 521 of this act shall be increased by \$12.91 per pupil for the 1989-90 school year and by ~~\$(22.99)~~ 26.34 per pupil for the 1990-91 school year.

(c) Education of highly capable students: The rates specified in section 516 of this act shall be increased by \$9.50 per pupil for the 1989-90 school year and by ~~\$(23.78)~~ 29.76 per pupil for the 1990-91 school year.

(d) Vocational technical institutes: The rates for vocational programs specified in section 508 of this act shall be increased by \$86.33 per full time equivalent student for the 1989-90 school year, and by ~~\$(205.01)~~ 248.68 per full time equivalent student for the 1990-91 school year.

(e) Pupil transportation: The rates provided under section 507 of this act shall be increased by \$0.66 per weighted pupil-mile for the 1989-90 school year, and by ~~\$(1.18)~~ 1.35 per weighted pupil-mile for the 1990-91 school year.

(3) A maximum of ~~\$(25,336,000)~~ 30,986,000 is provided for salary increases and incremental fringe benefits for state-supported staff unit allocations in the handicapped program, section 510, and for state-supported staff in institutional education programs, section 515, and in educational service districts, section 512. The superintendent of public instruction shall distribute salary increases for these programs not to exceed the percentage salary increases provided for basic education staff under section 503 of this act.

(4) While this section and section 509 of this act do not provide specific allocations for salary increases for school food services employees, nothing in this act is intended to preclude or discourage school districts from granting increases that are equivalent to those provided for other classified staff.

Sec. 505, Section 505, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL EMPLOYEE INSURANCE BENEFIT INCREASES

General Fund Appropriation \$ ~~(21,111,000)~~
 25,467,000

The appropriation in this section is subject to the following conditions and limitations:

(1) Allocations for insurance benefits from general fund appropriations provided under section 502 of this act shall be calculated at a rate of \$224.75 per month for each certificated staff unit, and for each classified staff unit adjusted pursuant to section 502(5)(b).

(2) The appropriation in this section is provided solely to increase insurance benefit allocations for state-funded certificated and classified staff ~~(in the 1989-90 and 1990-91 school years, effective October 1, 1989)~~ to a rate of \$239.86 per month, effective October 1, 1989, and to a rate of \$246.74 per month, effective October 1, 1990, as distributed pursuant to this section.

(3) A maximum of ~~\$(16,939,000)~~ 20,275,000 may be expended to increase general fund allocations for insurance benefits for basic education staff units under section 502(5) of this act by \$15.11 per month beginning with October 1989, and by an additional \$6.88 per month beginning with October 1990.

(4) A maximum of ~~\$(2,226,000)~~ 2,813,000 may be expended to increase insurance benefit allocations for handicapped program staff units as calculated under section 510 of this act by \$15.11 per month beginning with October 1989, and by an additional \$6.88 per month beginning with October 1990.

(5) A maximum of ~~\$(108,000)~~ 129,000 may be expended to increase insurance benefit allocations for state-funded staff in educational service districts and institutional education programs by \$15.11 per month beginning with October 1989, and by an additional \$6.88 per month beginning with October 1990.

(6) A maximum of ~~\$(1,838,000)~~ 2,250,000 may be expended to fund insurance benefit increases in the following categorical programs by increasing annual state funding rates by the amounts specified in this subsection. For the 1989-90 school year, due to the October implementation, school districts shall receive eleven-twelfths of the annual rate increases specified effective October 1989. For the 1990-91 school year, school districts shall receive eleven-twelfths of the additional annual increase specified effective October 1990. On an annual basis, the maximum rate adjustments provided under this section are:

- (a) For pupil transportation, an increase of \$0.14 per weighted pupil-mile effective October 1, 1989, and an additional increase of \$0.06 per weighted pupil-mile effective October 1, 1990;
- (b) For learning assistance, an increase of \$3.78 per pupil effective October 1, 1989, and an additional increase of \$1.72 per pupil effective October 1, 1990;
- (c) For education of highly capable students, an increase of \$1.29 per pupil effective October 1, 1989, and an additional increase of \$0.58 per pupil effective October 1, 1990;
- (d) For transitional bilingual education, an increase of \$2.44 per pupil effective October 1, 1989, and an additional increase of \$1.11 per pupil effective October 1, 1990;
- (e) For vocational-technical institutes, an increase of \$10.05 per full time equivalent pupil effective October 1, 1989, and an additional increase of \$4.58 per full time equivalent pupil effective October 1, 1990.

(7) If House Bill No. requiring health care authority approval of school district benefit plans, is not enacted by June 30, 1990, increases under this section to be effective October 1, 1990, shall not be implemented and \$4,130,000 of the appropriation in this section shall lapse.

Sec. 506. Section 507, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PUPIL TRANSPORTATION	
General Fund Appropriation	\$ (256,821,000) <u>252,938,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) \$22,695,000 is provided solely for distribution to school districts for the remaining months of the 1988-89 school year.
- (2) A maximum of ~~\$(111,468,000)~~ 112,197,000 may be distributed for pupil transportation operating costs in the 1989-90 school year.
- (3) A maximum of \$857,000 may be expended for regional transportation coordinators.
- (4) A maximum of \$64,000 may be expended for bus driver training.
- (5) For eligible school districts, the small fleet maintenance factor shall be funded at a rate of \$1.53 per weighted pupil-mile in the 1989-90 school year and \$1.60 per weighted pupil-mile in the 1990-91 school year.

Sec. 507. Section 508, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR VOCATIONAL-TECHNICAL INSTITUTES AND ADULT EDUCATION AT VOCATIONAL-TECHNICAL INSTITUTES	
General Fund Appropriation	\$ (82,884,000) <u>83,299,000</u>

The appropriation in this section is subject to the following conditions and limitations:

- (1) Funding for vocational programs during the 1989-90 school year shall be distributed at a rate of \$3,267 per student for a maximum of 12,655 full time equivalent students. This amount includes \$154 per student solely to replace out-of-date or worn-out equipment.
- (2) Funding for vocational programs during the 1990-91 school year shall be distributed at a rate of \$3,268 per student for a maximum of 12,655 full time equivalent students. This amount includes \$154 per student solely to replace out-of-date or worn-out equipment.
- (3) Funding for adult basic education programs during the 1989-90 school year shall be distributed at a rate of \$1.46 per hour of student service for a maximum of 288,690 hours.
- (4) Funding for adult basic education programs during the 1990-91 school year shall be distributed at a rate of \$1.48 per hour of student service for a maximum of 288,690 hours.
- (5) \$415,000 of the appropriation is provided solely for pilot programs established under Engrossed Second Substitute House Bill No. 2348. The pilot programs shall use innovative approaches for integrating adult education instruction with vocational training. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

Sec. 508. Section 509, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL FOOD SERVICE PROGRAMS	
General Fund Appropriation—State	\$ (6,000,000) <u>7,500,000</u>
General Fund Appropriation—Federal	\$ <u>85,000,000</u>
Total Appropriation	\$ (91,000,000) <u>92,500,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$1,500,000 of the general fund—state appropriation is provided solely for distribution to school districts in the 1990-91 school year in proportion to the total number of meals served to students by each district's food service program. This amount is provided solely for school districts to increase total school food service expenditures for costs other than employee compensation above the district's level for the prior school year.

Sec. 509, Section 510, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR HANDICAPPED EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((503,593,000))
		527,882,000
General Fund Appropriation—Federal	\$	59,000,000
Total Appropriation	\$	((562,593,000))
		586,882,000

The appropriations in this section are subject to the following conditions and limitations:

(1) ~~S((40,111,000))~~ 48,101,000 of the general fund—state appropriation is provided solely for the remaining months of the 1988-89 school year.

(2) The superintendent of public instruction shall distribute state funds for the 1989-90 and 1990-91 school years in accordance with districts' actual handicapped enrollments and the allocation model established in LEAP Document 13 as developed on March 25, 1989, at 13:45 hours.

(3) A maximum of ~~S((440,000))~~ 527,000 may be expended from the general fund—state appropriation to fund ~~((466))~~ 5.43 full time equivalent teachers and ~~((one aide))~~ 2.1 full time equivalent aides at Children's orthopedic hospital and medical center. This amount is in lieu of money provided through the home and hospital allocation and the handicapped program.

(4) \$272,000 of the general fund—state appropriation is provided solely for the early childhood home instruction program for hearing impaired infants and their families. \$80,000 of the amount provided in this subsection is a one-time grant to replace lost federal support and maintain program continuity until other nonstate resources to support existing service levels can be identified.

(5) \$150,000 of the general fund—state appropriation is provided solely for development and implementation of a process for school districts to bill medical assistance for eligible services included in handicapped education programs, pursuant to Substitute House Bill No. 2014. If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse. \$50,000 of the amount provided in this subsection is solely for interagency reimbursement for administrative and planning costs of the department of social and health services. \$100,000 of the amount provided in this subsection is solely for contracts with educational service districts for development and implementation of billing systems.

(6) A maximum of ~~S((1,500,000))~~ 1,200,000 of the general fund—state appropriation may be granted to school districts for pilot programs for prevention of learning problems established under ~~((section 13 of Engrossed Substitute House Bill No. 1444))~~ RCW 28A.120.094. A district's grant for a school year under this subsection shall not exceed:

(a) The total of state allocations for general apportionment and handicapped education programs that the district would have received for that school year with the percentage of students identified as specific learning disabled ((enrollment)) at the ~~((prior))~~ 1988-89 school year's level or four percent, whichever is greater; minus

(b) The total of the district's actual state allocations for general apportionment and handicapped education programs for that school year.

Sec. 510, Section 513, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR LOCAL EFFORT ASSISTANCE

General Fund Appropriation	\$	((82,700,000))
		95,916,000

The appropriation in this section is subject to the following conditions and limitations: ~~S((82,700,000))~~ 95,916,000 is provided for state matching funds pursuant to RCW 28A.41.155.

Sec. 511, Section 515, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR INSTITUTIONAL EDUCATION PROGRAMS

General Fund Appropriation—State	\$	((20,566,000))
		21,939,000
General Fund Appropriation—Federal	\$	8,006,000
Total Appropriation	\$	((28,572,000))
		29,945,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$3,817,000 of the general fund—state appropriation is provided solely for the remaining months of the 1988-89 school year.

(2) ~~\$(10,165,000)~~ 11,374,000 of the general fund—state appropriation is provided solely for the 1989-90 school year, distributed as follows:

(a) ~~\$(3,293,000)~~ 3,377,000 is provided solely for programs in state institutions for the handicapped or emotionally disturbed. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(10,903)~~ 11,144 per full time equivalent student.

(b) ~~\$(3,647,000)~~ 3,883,000 is provided solely for programs in state institutions for delinquent youth. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(6,728)~~ 6,750 per full time equivalent student.

(c) ~~\$(418,000)~~ 444,000 is provided solely for programs in state group homes for delinquent youth. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(5,166)~~ 5,344 per full time equivalent student.

(d) ~~\$(727,000)~~ 821,000 is provided solely for juvenile parole learning center programs. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(1,772)~~ 2,032 per full time equivalent student, and are in addition to moneys allocated for these students through the basic education formula established in section 502 of this act.

(e) ~~\$(2,000,000)~~ 2,849,000 is provided solely for programs in county detention centers. These moneys may be distributed for that school year at a maximum rate averaged over all of these programs of ~~\$(4,071)~~ 4,976 per full time equivalent student.

(3) Distribution of state funding for the 1990-91 school year shall be based upon the following overall limitations for that school year including expenditures anticipated for July and August of 1991:

(a) State funding for programs in state institutions for the handicapped or emotionally disturbed may be distributed at a maximum rate averaged over all of these programs of ~~\$(10,047)~~ 11,128 per full time equivalent student and a total allocation of no more than ~~\$(2,805,000)~~ 2,960,000 for that school year.

(b) State funding for programs in state institutions for delinquent youth may be distributed at a maximum rate averaged over all of these programs of ~~\$(6,741)~~ 6,761 per full time equivalent student and a total allocation of no more than ~~\$(3,701,000)~~ 3,712,000 for that school year.

(c) State funding for programs in state group homes for delinquent youth may be distributed in that school year at a maximum rate averaged over all of these programs of ~~\$(5,177)~~ 5,489 per full time equivalent student and a total allocation of no more than ~~\$(419,000)~~ 445,000 for that school year.

(d) State funding for juvenile parole learning center programs may be distributed at a maximum rate averaged over all of these programs of ~~\$(1,789)~~ 2,021 per full time equivalent student and a total allocation of no more than ~~\$(723,000)~~ 816,000 for that school year, excluding funds provided through the basic education formula established in section 502 of this act.

(e) State funding for programs in county detention centers may be distributed at a maximum rate averaged over all of these programs of ~~\$(4,002)~~ 4,987 per full time equivalent student and a total allocation of no more than ~~\$(2,000,000)~~ 2,125,000 for that school year.

(4) \$167,000 of the general fund—state appropriation is provided solely to maintain the increased teacher/student ratio for programs at mentally ill offender units within the state institutions for delinquent youth.

(5) Notwithstanding any other provision of this section, the superintendent of public instruction may transfer funds between the categories of institutions identified in subsections (2) and (3) of this section if the maximum expenditures per full time equivalent student for each category of institution are not thereby exceeded.

(6) State funding provided under this section is based on salaries and other expenditures for a 220-day school year. The superintendent of public instruction shall monitor school district expenditure plans for institutional education programs to ensure that districts plan for a full-time summer program.

(7) The superintendent of public instruction shall conduct a study of institutional education programs, addressing the division of administrative and budgetary responsibilities between the school districts, the department of social and health services, and, in the case of county detention centers, the juvenile court administrators. The superintendent shall consult with the department of social and health services and the institutions in designing and conducting the study, and in developing recommendations. The study shall include recommendations on methods to improve communication, decision making, and cooperation among school district and institutional staff, as well as coordination of programs and responsiveness to student needs. The superintendent shall submit a report of the study to the legislature prior to December 1, 1990, including recommendations for legislative action and changes in administrative practices.

Sec. 512. Section 516, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR PROGRAMS FOR HIGHLY CAPABLE STUDENTS

General Fund Appropriation S ~~(7,090,000)~~
 7,115,000

The appropriation in this section is subject to the following conditions and limitations:

(1) S(~~534,000~~) 532,000 is provided solely for distribution to school districts for the remaining months of the 1988-89 school year.

(2) Allocations for school district programs for highly capable students during the 1989-90 school year shall be distributed at a maximum rate of \$364 per student for up to one percent of each district's full time equivalent enrollment.

(3) Allocations for school district programs for highly capable students during the 1990-91 school year shall be distributed at a maximum rate of \$364 per student for up to one and one-half percent of each district's full time equivalent enrollment.

(4) A maximum of \$356,000 is provided to contract for gifted programs to be conducted at Fort Worden state park.

Sec. 513. Section 517, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SCHOOL DISTRICT SUPPORT

General Fund Appropriation—State S ~~(5,604,000)~~
 6,534,000
 General Fund Appropriation—Federal S 5,131,000
 Total Appropriation S ~~(10,015,000)~~
 11,665,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$282,000 of the general fund—state appropriation is provided solely for teacher in-service training in math, science, and computer technology.

(2) \$651,000 of the general fund—state appropriation is provided solely for teacher training workshops conducted by the Pacific science center. \$496,000 of this amount is for in-service training in science to be provided to approximately ten percent of the kindergarten through eighth grade teachers each year.

(3) \$2,029,000 of the general fund—state appropriation is provided solely for operation by the educational service districts of regional computer demonstration centers and computer information centers.

(4) \$872,000 of the general fund—state appropriation and \$413,000 of the general fund—federal appropriation are provided solely for teacher training in drug and alcohol abuse education and prevention in kindergarten through grade twelve. The amount provided in this subsection includes \$300,000 from license fees collected pursuant to RCW 66.24.320 and 66.24.330 which are dedicated to juvenile drug and alcohol prevention programs under RCW 66.08.180(4).

(5) S(~~1,500,000~~) 2,250,000 of the general fund—state appropriation is provided solely for training of paraprofessional classroom assistants and classroom teachers to whom the assistants are assigned. The funding is intended to provide a training program of at least twenty-five hours for approximately one thousand five hundred classroom assistants, and at least a one-day training program for approximately ~~((two))~~ three thousand assigned teachers. A maximum of \$175,000 of this amount may be spent by the superintendent for state administrative costs of this program.

(6) \$350,000 of the general fund—state appropriation is provided solely for grants to school districts for multicultural inservice training. In the 1990-91 school year, grants may be provided for up to ten school districts. Districts shall be selected according to the minority percentage of their student population and their demonstrated need to address disproportionality in student achievement.

(7) \$100,000 of the general fund—state appropriation is provided solely to contract with the Henry M. Jackson school of international studies at the University of Washington pursuant to Engrossed Substitute House Bill No. 2653. The contract shall include inservice training programs, technical assistance to school districts, and dissemination of curriculum materials related to international education. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

Sec. 514. Section 518, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR SPECIAL AND PILOT PROGRAMS

General Fund Appropriation—State S ~~((15,991,000))~~
 32,376,000
 General Fund Appropriation—Federal S ~~((5,973,000))~~
 7,857,000
 Total Appropriation S ~~((21,964,000))~~
 40,233,000

The appropriations in this section are subject to the following conditions and limitations:

(1) \$1,731,000 of the general fund—state appropriation is provided solely for a contract with the Pacific science center for travelling van programs and other educational services for

public schools. \$815,000 of this amount is provided to expand the travelling van program to serve approximately 50 percent of public elementary schools annually, and to expand the on-site instruction program to serve approximately 70,000 students and teachers each year.

(2) \$88,000 of the general fund—state appropriation is provided solely for a contract with the Cispus learning center for environmental education programs.

(3) ~~\$(3,975,000)~~ 5,859,000 of the general fund—federal appropriation is provided solely for substance abuse prevention programs.

(4) ~~\$(5,719,000)~~ 7,429,000 of the general fund—state appropriation ~~((and \$1,710,000 of the general fund—federal appropriation are))~~ is provided solely for the schools for the twenty-first century pilot programs established by RCW 28A.100.030 through 28A.100.068. ~~((The general fund—federal appropriation shall be expended))~~ \$1,710,000 of this amount is provided solely to establish a maximum of twelve new projects in fiscal year 1991.

(5) ~~\$(3,560,000)~~ 4,060,000 of the general fund—state appropriation is provided solely for the beginning teachers assistance program established under RCW 28A.67.240. Moneys shall be distributed under this subsection at a maximum rate per mentor/beginning teacher team of \$1,780 per year.

(6) \$204,000 of the general fund—state appropriation is provided solely for child abuse education provisions of RCW 28A.03.512 through 28A.03.514.

(7) \$1,519,000 of the general fund—state appropriation is provided solely for grants to public or private nonprofit organizations to assist parents of children in headstart or early childhood education and assistance programs, who are enrolled in adult literacy classes or tutoring programs under RCW 28A.130.010 through 28A.130.020. Grants provided under this subsection may be used for scholarships, costs of transportation and child care, and other support services. Moneys provided under this subsection may not be used by the superintendent of public instruction for state administrative costs.

(8) \$82,000 of the general fund—state appropriation is provided solely for in-service training and other costs associated with the development of a comprehensive K-12 health education curriculum, including an integral component relating to acquired immunodeficiency syndrome.

(9) ~~\$(250,000)~~ 500,000 of the general fund—state appropriation is provided solely for the continuation in the 1989-90 and 1990-91 school years of student teaching pilot projects initially established under ((Engrossed Senate Bill No. 5826—If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse)) RCW 28A.70.400.

(10) ~~\$(2,712,000)~~ 2,352,000 of the general fund—state appropriation and ~~\$(288,000)~~ 1,998,000 of the general fund—federal appropriation are provided solely for grants for drop-out prevention and retrieval programs established under RCW 28A.120.060 through 28A.120.072(~~;~~), with the following conditions:

(a) The general fund—federal appropriation shall be allocated to school districts for projects that meet federal criteria for targeted services eligible for funding under chapter 2 of the education consolidation and improvement act, to assist in establishing new services and innovative programs for students at risk.

(b) A minimum of \$450,000 of the general fund—state amount shall be distributed in the 1990-91 school year for programs to employ low-income students in grades ten through twelve as tutors for students in kindergarten through grade nine. School districts receiving these grants shall pay student tutors at least minimum wage. The tutoring shall be conducted after school hours. The school districts shall provide training and supervision of the student tutors.

(11) \$126,000 of the general fund—state appropriation is provided solely to establish and operate a toll-free telephone number at the Lifeline Institute to assist school districts in youth suicide prevention.

(12) \$6,000,000 of the general fund—state appropriation is provided solely for grants to school districts for magnet school programs established under Engrossed Substitute House Bill No. 2517. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(13) \$500,000 of the general fund—state appropriation is provided solely for the home-less education grant program established by Second Substitute House Bill No. 2359. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(14) \$2,000,000 of the general fund—state appropriation is provided solely for start-up grants for before-and-after school child care programs established under Engrossed Second Substitute House Bill No. 2471. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(15) \$4,500,000 of the general fund—state appropriation is provided solely for grants to school districts for elementary school intervention specialists. The grants shall be used to contract with the department of social and health services and other social service agencies for school-based caseworkers or social workers, or for the districts to employ or jointly employ school social workers, providing services on a twelve-month basis. In selecting school districts to receive grants, the superintendent of public instruction shall give priority to districts participating in consortia of public and private social service agencies, pursuant to formalized agreements for coordinated case management, and to placing intervention specialists in

schools with high concentrations of students from low-income families. School districts may not use the grants to supplant funding from other sources previously provided for counseling or intervention services. The minimum grant amount shall be \$25,000 per school district. Each school district that receives a grant shall conduct an evaluation of the effectiveness of its intervention program and submit a report to the superintendent of public instruction by June 30, 1991.

(16) \$1,000,000 of the general fund—state appropriation is provided solely to contract for teacher training in identification and prevention of child abuse.

(17) \$100,000 of the general fund—state appropriation is provided solely for the state board of education to contract for the development of a system to evaluate student performance using core competency standards.

(18) \$10,000 of the general fund—state appropriation is provided solely for a grant to the Seattle children's museum to provide after-school multicultural outreach programs for at-risk students.

(19) \$175,000 of the general fund—state appropriation is provided solely as matching funds to the Washington leadership institute to operate innovative and interactive youth leadership programs aimed at enhancing community development. No portion of the amount provided in this subsection may be expended unless matched by at least \$1.50 in private contributions for each dollar of state funding.

(20) Moneys provided in subsections (12) through (16) of this section may not be used by the superintendent of public instruction for state-level administrative costs.

Sec. 515. Section 520, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR TRANSITIONAL BILINGUAL PROGRAMS

General Fund Appropriation	\$	((14,772,000)) 17,571,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) ~~\$((14,772,000))~~ 1,521,000 is provided solely for the remaining months of the 1988-89 school year.

(2) The superintendent shall distribute funds for the 1989-90 and 1990-91 school years at a rate for each year of \$452 per eligible student.

Sec. 516. Section 521, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR THE LEARNING ASSISTANCE PROGRAM

General Fund Appropriation	\$	((70,417,000)) 71,992,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) ~~\$((5,899,000))~~ 5,847,000 is provided solely for the remaining months of the 1988-89 school year.

(2) Funding for school district learning assistance programs serving kindergarten through grade nine shall be distributed during the 1989-90 and 1990-91 school years at a maximum rate of \$389 per unit as calculated pursuant to this subsection. The number of units for each school district in each school year shall be the sum of: (a) The number of full time equivalent students enrolled in kindergarten through grade six in the district multiplied by the percentage of the district's students taking the fourth grade basic skills test who scored in the lowest quartile as compared to national norms, and then reduced by the number of students ages eleven and below in the district who are identified as specific learning disabled and are served through programs established pursuant to chapter 28A.13 RCW; and (b) the number of full time equivalent students enrolled in grades seven through nine in the district multiplied by the percentage of the district's students taking the eighth grade basic skills test who scored in the lowest quartile as compared to national norms, and then reduced by the number of students ages twelve through fourteen in the district who are identified as specific learning disabled and are served through programs established pursuant to chapter 28A.13 RCW. In determining these allocations, the superintendent shall use the most recent prior five-year average scores on the fourth grade and eighth grade state-wide basic skills tests.

Sec. 517. Section 522, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE SUPERINTENDENT OF PUBLIC INSTRUCTION—FOR EDUCATIONAL CLINICS

General Fund Appropriation	\$	((3,504,000)) 3,834,000
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The appropriation in this section is subject to the following conditions and limitations: Not more than \$1,792,000 of the general fund appropriation may be expended during fiscal year 1990.

PART VI
HIGHER EDUCATION

Sec. 601. Section 601, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

The appropriations in sections 602 through 608 of this act are subject to the following conditions and limitations:

(1) For the purposes of this section and sections 602 through 608 of this act, 'institutions of higher education' means the institutions receiving appropriations pursuant to sections 602 through 608 of this act.

(2)(a) Student Quality Standard: Each institution shall adhere to biennial budgeted enrollment levels. During the 1989-91 fiscal biennium, each institution of higher education shall not spend less than the average biennial amount listed in this subsection per full time equivalent student, plus or minus two percent. The amounts include total appropriated general fund—state operating expenditures, less expenditures for plant maintenance and operation, with the exception of Washington State University, where cooperative extension and agriculture research expenditures are also excluded.

University of Washington	\$	9,251
Washington State University	\$	7,484
Eastern Washington University	\$	5,493
Central Washington University	\$	5,563
The Evergreen State College	\$	6,904
Western Washington University	\$	5,338
State Board for Community College Education	\$	3,284

(b) Facilities Quality Standard: During the 1989-91 biennium, no institution of higher education may allow its expenditures for plant operation and maintenance to fall more than five percent below their allotments from the general fund—state appropriation and the general fund—local amounts allotted for this purpose.

(3)(a) The following are maximum amounts that each institution may spend from the appropriations in sections 602 through 608 and 610 of this act for ((faculty, graduate assistants, and exempt)) staff salary increases on January 1, 1990, and January 1, 1991, excluding classified staff salary increases, and are subject to all ((the)) of the conditions and limitations contained in this section. ((For the purpose of allocating these funds, 'faculty' includes all instructional and research faculty, teaching and research assistants, academic deans, department chairpersons, librarians, and community college counselors who are not part of the state classified service system. 'Exempt staff' includes all professional and administrative employees who are not part of the state classified service system.)) The amount shown for the state board for community college education may be used for compensation increases pursuant to Substitute House Bill No. 2999, if that bill is enacted by June 30, 1990.

University of Washington	\$	((18,346,000))
		18,434,000
Washington State University	\$	((9,663,000))
		9,254,000
Eastern Washington University	\$	((2,864,000))
		2,839,000
Central Washington University	\$	((2,553,000))
		2,412,000
The Evergreen State College	\$	((1,210,000))
		1,207,000
Western Washington University	\$	((3,435,000))
		3,263,000
State Board for Community College Education	\$	((19,753,000))
		20,328,000
Higher Education Coordinating Board	\$	66,000

(b) For the January 1, 1990, salary increases, the amounts listed in (a) of this subsection are intended to provide faculty, exempt staff, teaching and research assistants, and medical residents at each four-year institution and the community college system as a whole, a maximum of the average percentage increase, including increments, listed below on the effective ((dates indicated)) date. For the purpose of allocating these funds, 'faculty' includes all instructional and research faculty, teaching and research assistants, academic deans, department chairpersons, librarians, and community college counselors, who are not part of the state classified service system. 'Exempt staff' includes all professional and administrative employees who are not part of the state classified service system.

((Faculty and Exempt Staff))

	January 1, 1990	((January 1, 1991))
University of Washington	6.1%	((6.1%))
Washington State University	6.1%	((6.1%))
Eastern Washington University	6.4%	((6.4%))

Central Washington University	6.4%	((6.4%))
The Evergreen State College	6.4%	((6.4%))
Western Washington University	6.4%	((6.4%))
State Board for Community College Education	6.2%	((6.2%))
Exempt staff (all institutions)	2.5%	((6.0%))
Higher Education Coordinating Board	2.5%	((6.0%))

(c) For the January 1, 1991, salary increase, the average percentage increase for the combined group consisting of faculty, academic administrators, academic librarians, and teaching and research assistants, as defined by the employee classification system of the office of financial management, shall not exceed the following percentage for each of the following institutions:

	January 1, 1991
University of Washington	6.1%
Washington State University	6.1%
Eastern Washington University	6.4%
Central Washington University	6.4%
The Evergreen State College	6.4%
Western Washington University	6.4%

(d) For the January 1, 1991, salary increase for each of the institutions listed in subsection (3)(c) of this section and the higher education coordinating board, the average percentage increase for the combined group consisting of counselors, administrators and other professionals, as defined by the employee classification system of the office of financial management, shall not exceed 6.0%.

(e) For the January 1, 1991, salary increase for the community college system as a whole, the average percentage increase, including increments, for the combined group consisting of faculty, academic librarians, and counselors, as defined by the employee classification system of the office of financial management, shall not exceed 6.2%.

(f) For the January 1, 1991, salary increase for the community college system as a whole, the average percentage increase for the combined group consisting of administrators and other professionals, including academic administrators, as defined by the employee classification system of the office of financial management, shall not exceed 6.0%. The percentage increase may be used for compensation pursuant to Substitute House Bill No. 2999, if the bill is enacted by June 30, 1990.

(g) Regardless of whether the maximum amounts authorized in this subsection are granted, they will be considered granted by the higher education coordinating board when comparing faculty salaries to other institutions for the purpose of determining salary increase requirements.

((+)) (h) The salary increases authorized under this subsection may be granted to state employees at Washington State University who are supported in full or in part by federal land grant formula funds.

((=)) (i) The state board for community college education shall allocate the amounts authorized in this subsection among the community college districts according to policies and guidelines established by the board that may include policies for achieving more equitable salary levels among districts and more equitable salary levels between part-time and full-time faculty.

(4) The following amounts from the appropriations in sections 602 through 608 of this act, or as much thereof as may be necessary, shall be spent to provide higher education personnel board classified employees with a 2.5 percent across-the-board salary increase effective January 1, 1990, and an additional 6.0 percent across-the-board salary increase effective January 1, 1991. These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126. No salary increase may be paid under this subsection to any person whose salary has been Y-rated pursuant to rules adopted by the higher education personnel board.

University of Washington	\$	4,484,000
Washington State University	\$	2,950,000
Eastern Washington University	\$	747,000
Central Washington University	\$	574,000
The Evergreen State College	\$	427,000
Western Washington University	\$	792,000
State Board for Community College Education	\$	4,011,000
Higher Education Coordinating Board	\$	35,000

(5) The following amounts from the appropriations in sections 602 through 608 of this act are provided solely for student employee salary increases:

University of Washington	\$	130,000
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Washington State University	\$	73,000
Eastern Washington University	\$	21,000
Central Washington University	\$	18,000
The Evergreen State College	\$	9,000
Western Washington University	\$	25,000
State Board for Community College Education	\$	142,000

(6) Any institution that grants an average salary increase in excess of the amounts authorized in subsection (3) of this section is ineligible to receive any funds appropriated for salary increases in sections 603 through 608 of this act. Any community college district that grants an average salary increase in excess of the amounts authorized in subsection (3) of this section, as allocated by the state board for community college education, is ineligible to receive any funds appropriated for salary increases in section 602 of this act. The office of financial management shall adjust an institution's allotment as necessary to enforce the restrictions imposed by this section.

(7) The office of financial management shall by November 1, 1989, develop an employee classification system for the purpose of allocating the appropriations in this act for higher education salary increases. In developing the classification system, the office of financial management shall consult with the institutions of higher education, the senate committee on ways and means, and the house of representatives committee on appropriations. The classification system shall be consistent among the institutions and shall provide for uniform application of each employee classification, including instructional and research faculty, academic and administrative deans, department chairpersons, exempt and classified staff, presidents, chancellors, vice-presidents, librarians, and counselors. An institution of higher education shall not grant any salary increase under this section unless the office of financial management determines that the increase is consistent with the classification system required by this subsection. It is the intent of the legislature to adjust the appropriations in this act during the 1990 legislative session to reflect the classification system; the appropriation adjustments shall result in a total expenditure level that is less than or equal to the total amount allocated for salary increases under this section to all institutions. The classification system shall be used solely for the purpose of salary increase allocations for the January 1, 1991, increase under this section and shall not affect any employee rights under the state higher education personnel law, chapter 28B.16 RCW.

(8) The higher education coordinating board shall, by November 1, 1990, complete an analysis of higher education salary levels, including comparisons with peer institutions, for the employee groups defined in the office of financial management employee classification system, except for classified staff and students.

Sec. 602. Section 602, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE BOARD FOR COMMUNITY COLLEGE EDUCATION

General Fund Appropriation

\$	(629,466,000)
	633,616,000

The appropriation in this section is subject to the following conditions and limitations:

(1) The state board for community college education shall establish compensation guidelines for salary levels of the top administrative position at community colleges. The guidelines should take into account criteria such as institutional size, level of responsibility, experience, and longevity.

~~((3))~~ (2) The enrollment increases funded by this appropriation shall be distributed among all the community college districts based on the weighted percentage enrollment plan developed by the state board for community college education, and contained in the legislative budget notes.

~~((4))~~ (3)(a) At least \$400,000 shall be spent on assessment of student outcomes. The institutions shall strive to improve the quality of instruction in areas such as instructor contact time and student writing requirements.

~~(b) At least \$1,620,000 shall be spent on college-specific assessment of student outcomes. The institutions shall strive to improve the quality of instruction in areas such as instructor contact time and student writing requirements.~~

~~((5))~~ (4) At least \$50,000 shall be spent to fund the comparable worth salary adjustments for employees in community college childcare centers.

~~((6))~~ (5) \$5,430,000 is provided to enhance the institution's appropriation for equipment.

~~(6) \$1,350,000 of the general fund—state appropriation is provided solely for the community college faculty award trust fund pursuant to Second Substitute House Bill No. 2372 or Substitute Senate Bill No. 6216. If neither bill is enacted before June 30, 1990, the amount provided in this subsection shall lapse.~~

~~(7) \$580,000 of the general fund—state appropriation is provided solely for six pilot training programs that incorporate innovative means of responding to the needs of businesses and the work force, as part of the human capital investment program pursuant to Engrossed Second Substitute House Bill No. 2348. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.~~

(8) \$25,000 of the general fund appropriation is provided solely for allocation to those community colleges which have been selected to receive \$1,000,000 in federal money if \$500,000 of nonfederal money is raised, under the United States department of education endowment challenge grant program authorized by title III of the higher education act. Any community colleges receiving money under this subsection shall use it solely as part of the nonfederal match requirement described in this subsection.

Sec. 603. Section 603, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE UNIVERSITY OF WASHINGTON	
General Fund Appropriation	\$ ((613,671,000)) 616,920,000
Medical Aid Fund Appropriation	\$ 3,518,000
Accident Fund Appropriation	\$ 3,517,000
Death Investigations Account Appropriation	\$ 957,000
Total Appropriation	\$ ((621,663,000)) 624,912,000

The appropriations in this section are subject to the following conditions and limitations:

(1) At least \$6,620,000 of the general fund appropriation shall be spent to begin off-campus upper-division course offerings in Tacoma and Bothell.

(2) The University of Washington shall establish an evening degree credit program. ~~\$((391,000))~~ 3,473,000 of the general fund appropriation is provided ~~((to facilitate))~~ solely for this purpose.

(3) At least \$400,000 shall be spent on assessment of student outcomes. The institution shall strive to improve the quality of instruction in areas such as professor contact time and student writing requirements.

(4) \$4,587,000 is provided to enhance the institution's appropriation for equipment.

(5) \$500,000 of the general fund appropriation is provided solely for the Warren G. Magnuson Institute trust fund, pursuant to Second Substitute House Bill No. 2443. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

Sec. 604. Section 604, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE UNIVERSITY	
General Fund Appropriation	\$ ((337,969,000)) 337,957,000

The appropriation in this section is subject to the following conditions and limitations:

(1) At least \$2,012,000 shall be spent to expand upper-division and graduate off-campus course offerings.

(2) Washington State University shall continue funding three faculty positions associated with Tri-Cities diversification.

(3) At least \$400,000 shall be spent on assessment of student outcomes. The institution shall strive to improve the quality of instruction in areas such as professor contact time and student writing requirements.

(4) \$1,237,000 is provided to enhance the institution's appropriation for equipment.

(5) \$300,000 is provided solely for implementing programs for gender equity in athletics.

(6) \$337,000 is provided solely for the instructional programs at the Tri-Cities branch campus.

Sec. 605. Section 605, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR EASTERN WASHINGTON UNIVERSITY	
General Fund Appropriation	\$ ((92,656,000)) 92,747,000

The appropriation in this section is subject to the following conditions and limitations:

(1) It is intended that enrollment increases be directed to resident students and that priority be given to students seeking entrance to upper-division courses with the intent to complete a bachelor's degree.

(2) At least \$400,000 shall be spent on assessment of student outcomes. The institution shall strive to improve the quality of instruction in areas such as professor contact time and student writing requirements.

(3) \$516,000 is provided to enhance the institution's appropriation for equipment.

Sec. 606. Section 606, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR CENTRAL WASHINGTON UNIVERSITY	
General Fund Appropriation	\$ ((78,366,000)) 78,109,000

The appropriation in this section is subject to the following conditions and limitations:

(1) It is intended that enrollment increases be directed to resident students and that priority be given to students seeking entrance to upper-division courses with the intent to complete a bachelor's degree.

(2) At least \$599,000 shall be spent to provide upper-division courses in Yakima.

(3) At least \$400,000 shall be spent on assessment of student outcomes. The institution shall strive to improve the quality of instruction in areas such as professor contact time and student writing requirements.

(4) \$316,000 is provided to enhance the institution's appropriation for equipment.

Sec. 607. Section 607, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE EVERGREEN STATE COLLEGE

General Fund Appropriation	\$	((48,375,000))
		<u>48,551,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) It is intended that enrollment increases be directed to resident students and that priority be given to students seeking entrance to upper-division courses with the intent to complete a bachelor's degree.

(2) At least \$400,000 shall be spent on assessment of student outcomes. The institution shall strive to improve the quality of instruction in areas such as professor contact time and student writing requirements.

(3) \$377,000 is provided to enhance the institution's appropriation for equipment.

Sec. 608. Section 608, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR WESTERN WASHINGTON UNIVERSITY

General Fund Appropriation	\$	((102,936,000))
		<u>102,764,000</u>

The appropriation in this section is subject to the following conditions and limitations:

(1) It is intended that enrollment increases be directed to resident students and that priority be given to students seeking entrance to upper-division courses with the intent to complete a bachelor's degree.

(2) At least \$400,000 shall be spent on assessment of student outcomes. The institution shall strive to improve the quality of instruction in areas such as professor contact time and student writing requirements.

(3) \$805,000 is provided to enhance the institution's appropriation for equipment.

Sec. 609. Section 610, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE HIGHER EDUCATION COORDINATING BOARD

General Fund Appropriation—State	\$	((56,248,000))
		<u>66,494,000</u>
General Fund Appropriation—Federal	\$	<u>4,152,000</u>
State Educational Grant Account Appropriation	\$	40,000
Total Appropriation	\$	((62,440,000))
		<u>70,686,000</u>

The appropriations in this section are subject to the following conditions and limitations:

(1) \$53,943,000 of the general fund—state appropriation is provided solely for student financial aid, including administrative costs. Of that amount:

(a) At least \$18,100,000 shall be expended for work study grants;

(b) \$31,609,000 of the general fund—state appropriation is provided solely for the state need grant program. The need grant award to any individual shall not exceed the amount received by a student attending a state research university;

(c) \$250,000 is provided solely for additions to the conditional scholarship program for nurses;

(d) \$300,000 is provided solely for additions to the conditional scholarship program for teachers;

(e) \$500,000 is provided solely for the educational opportunity grant program; and

(f) \$100,000 is provided solely for a community scholarship program demonstration project to make matching awards of \$2,000 to community scholarship foundations that:

(i) After the effective date of this act, begin a higher education scholarship program and raise at least \$2,000 for the program;

(ii) Obtain and maintain tax-exempt status under section 501(c)(3) of the internal revenue code for the fund supporting the scholarship program; and

(iii) Have not previously received a matching award from the amount provided in this subsection (1)(f).

(2) \$4,250,000 of the general fund—state appropriation is provided solely for the Washington distinguished professorship trust account.

(a) For the biennium ending June 30, 1991, the amount provided in this subsection shall be allocated as provided in this subsection (2)(a). The state treasurer shall reserve the following sums in the trust account for distribution to four-year higher education institutions at such time as qualifying gifts for distinguished professorships have been deposited:

(i) \$2,000,000 for the University of Washington;

(ii) \$1,250,000 for Washington State University; and

(iii) \$1,000,000 divided among Eastern Washington University, Central Washington University, Western Washington University, and The Evergreen State College. An institution of higher education is not eligible for any funds under this subsection (a)(iii) until the institution has requested designation of the funds guaranteed to the institution under section 4, chapter 125, Laws of 1988.

(b) As of June 30, 1991, if any moneys reserved in subsections (2)(a) (i), (ii), or (iii) of this section have not been designated as matching funds for qualifying gifts, any four-year institution of higher education that has otherwise fully utilized the professorships allocated to it by this subsection may be eligible for such funds under rules promulgated by the higher education coordinating board.

(3) \$3,000,000 of the general fund—state appropriation is provided solely for the Washington graduate fellowship trust account.

(a) For the biennium ending June 30, 1991, all appropriations to the Washington graduate fellowship trust account shall be allocated as provided in this subsection. The state treasurer shall reserve the following amounts in the trust account for distribution to four-year higher education institutions at the time qualifying gifts for graduate fellows have been deposited:

(i) Sixty percent of the appropriation for the University of Washington;

(ii) Thirty percent of the appropriation for Washington State University;

(iii) Ten percent of the appropriation divided equally among Eastern Washington University, Central Washington University, Western Washington University, and The Evergreen State College.

(b) As of May 1, 1991, if any funds reserved in subsection (8)(a) (i), (ii), or (iii) of this section have not been designated as matching funds for qualifying gifts, any four-year institution of higher education that has otherwise fully utilized the graduate student fellowships allocated to it by this subsection may be eligible for such funds under rules promulgated by the higher education coordinating board.

(4) \$321,000 of the general fund—state appropriation is provided solely for the summer motivation and academic residential training demonstration project. This demonstration project shall include an analysis of the subsequent high school performance of former participants, including their grades, attendance, and graduation rates.

(5) \$50,000 of the general fund—state appropriation is provided solely for the development of a state plan for nursing education, as described in section 713, chapter 9, Laws of 1989 1st ex. sess. (uncodified).

(6) \$50,000 of the general fund—state appropriation is provided solely for a study of the upper division baccalaureate educational needs of place-bound students living in areas of the state not currently served by existing postsecondary institutions or branches. The study shall include recommendations on how the needs should be addressed, and which institutions should be responsible for serving specific areas.

(7) \$500,000 of the general fund—state appropriation is provided solely for deposit into the American Indian endowed scholarship trust fund, pursuant to Second Substitute House Bill No. 2831. If the bill is not enacted by June 30, 1990, the amount provided in this subsection shall lapse.

(8) The higher education coordinating board shall include in its tuition and financial aid recommendations for 1991, recommendations regarding tuition waiver and fee reduction programs. The recommendations shall give special consideration to maximizing the amount of waivers that are granted on the basis of financial need.

NEW SECTION. Sec. 610. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

The sum of \$50,000, or as much thereof as may be necessary, is appropriated from the state general fund to the higher education coordinating board for the biennium ending June 30, 1991, solely for the establishment of a Washington state writing demonstration project to be administered by the board or its designee. Under the project, proposals shall be competitively selected which enhance the skills of writing teachers in grades kindergarten through twelve in Washington public schools.

NEW SECTION. Sec. 611. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

FOR THE WASHINGTON INSTITUTE OF APPLIED TECHNOLOGY
 1991 Applied Technology Reserve Account \$ 1,500,000

This appropriation is provided solely for fiscal year 1991 and is subject to the following conditions and limitations:

(1) By April 15, 1990, the Washington institute of applied technology shall complete a specific plan leading to an application by September 1, 1990, for accreditation to the superintendent of public instruction and the National Association of Trade and Technical Schools, and shall review the plan with representatives from both of these organizations.

(2) By April 15, 1990, the institute's board of directors shall adopt an updated mission statement.

(3) By June 15, 1990, all of the institute's instructors shall be certified by either the superintendent of public instruction or the state board for community college education.

(4) By June 15, 1990, the institute shall publish a catalog describing its mission, services, programs, and courses.

(5) On September 15, 1990, and on January 15, 1991, the institute shall report to the state board for vocational education on the status of each of the requirements contained in subsections (1) through (4) of this section. The reports shall also describe the status of implementing recommendations contained in the January 1990 study of the institute prepared by the state board for vocational education.

Sec. 612. Section 614, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR WASHINGTON STATE LIBRARY

General Fund Appropriation—State	\$	((11,013,000))
		<u>12,504,000</u>
General Fund Appropriation—Federal	\$	4,620,000
General Fund Appropriation—Private/Local	\$	112,000
Western Library Network Computer System Revolving Fund Approp- riation—Private/Local	\$	14,073,000
Total Appropriation	\$	((29,818,000))
		<u>31,309,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$2,331,000 of the general fund—state and the general fund—federal appropriations are provided solely for a contract with the Seattle public library for library services for the blind and physically handicapped.

Sec. 613. Section 618, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE CAPITOL HISTORICAL ASSOCIATION

General Fund Appropriation	\$	((873,000))
		<u>973,000</u>
State Capitol Historical Association Museum Account Appropriation	\$	119,000
Total Appropriation	\$	((992,000))
		<u>1,092,000</u>

The appropriations in this section are subject to the following conditions and limitations: \$100,000 of the general fund appropriation is provided solely for the continuation of a technical assistance program for local heritage organizations.

PART VII

SPECIAL APPROPRIATIONS

Sec. 701. Section 701, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—STATE REVENUES FOR DISTRIBUTION

General Fund Appropriation for fire insurance premiums tax distribu- tion	\$	((5,239,000))
		<u>4,300,000</u>
General Fund Appropriation for public utility district excise tax distri- bution	\$	((22,854,000))
		<u>23,700,000</u>
General Fund Appropriation for prosecuting attorneys' salaries	\$	2,277,000
General Fund Appropriation for motor vehicle excise tax distribution	\$	((68,719,000))
		<u>70,000,000</u>
General Fund Appropriation for local mass transit assistance	\$	((288,213,000))
		<u>215,000,000</u>
General Fund Appropriation for camper and travel trailer excise tax distribution	\$	((2,600,000))
		<u>2,200,000</u>
<u>General Fund Appropriation for boating safety/education and law enforcement distribution</u>	<u>\$</u>	<u>1,100,000</u>
Aquatic Lands Enhancement Account Appropriation for harbor improvement revenue distribution	\$	((80,000))
		<u>90,000</u>
Liquor Excise Tax Fund Appropriation for liquor excise tax distribu- tion	\$	((18,667,000))
		<u>19,900,000</u>
Motor Vehicle Fund Appropriation for motor vehicle fuel tax and overload penalties distribution	\$	((290,025,000))
		<u>312,200,000</u>
Liquor Revolving Fund Appropriation for liquor profits distribution	\$	((41,250,000))
		<u>48,750,000</u>
Timber Tax Distribution Account Appropriation for distribution to 'Timber' counties	\$	((57,544,000))
		<u>96,200,000</u>

Municipal Sales and Use Tax Equalization Account Appropriation	\$	((37,002,000)) 37,200,000
County Sales and Use Tax Equalization Account Appropriation	\$	((12,695,000)) 15,500,000

\$2,700,000 of this appropriation is provided solely for increased sales tax equalization payments to counties pursuant to Substitute House Bill No. 2833 (local criminal justice revenue). If the bill is not enacted by June 30, 1990, this amount shall lapse.

Death Investigations Account Appropriation for distribution to counties for publicly funded autopsies	\$	((636,000)) 736,000
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<u>Municipal Targeted Fiscal Assistance Account Appropriation</u>	<u>\$</u>	<u>1,600,000</u>
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This appropriation is provided solely for municipal targeted fiscal assistance pursuant to Substitute House Bill No. 2833 (local criminal justice revenue). If this bill is not enacted by June 30, 1990, this appropriation shall lapse.

Total Appropriation	\$	((767,801,000)) 850,753,000
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Sec. 702. Section 702, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—FEDERAL REVENUES FOR DISTRIBUTION

Forest Reserve Fund Appropriation for federal forest reserve fund distribution	\$	((70,000,000)) 100,000,000
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General Fund Appropriation for federal flood control funds distribution	\$	70,000
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General Fund Appropriation for federal grazing fees distribution	\$	50,000
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~~((Geothermal Account Appropriation—Federal \$ 20,000))~~

General Fund Appropriation for distribution of federal funds to counties in conformance with Public Law 97-99	\$	720,000
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Total Appropriation	\$	((70,860,000)) 100,840,000
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NEW SECTION. Sec. 703. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

FOR THE GOVERNOR—SELF-INSURANCE FUND PREMIUMS

General Fund Appropriation	\$	5,229,000
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Agency Self-Insurance Liability Premium Revolving Fund Appropriation	\$	4,271,000
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Total Appropriation	\$	9,500,000
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The appropriations in this section are subject to the following conditions and limitations: To facilitate payment of self-insurance fund premiums from special funds, the state treasurer is directed to transfer sufficient moneys from each special fund to the agency self-insurance liability premium revolving fund, hereby created, in accordance with schedules provided by the office of financial management. The governor shall distribute the moneys appropriated in this section to agencies to pay self-insurance fund premiums due.

NEW SECTION. Sec. 704. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

FOR THE GOVERNOR—FOR TRANSFER TO THE TORT CLAIMS REVOLVING FUND

General Fund Appropriation	\$	9,390,923
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Motor Vehicle Fund Appropriation	\$	3,963,233
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Wildlife Fund—State Appropriation	\$	242,408
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Accident Fund Appropriation	\$	348,307
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Horse Racing Fund Appropriation	\$	224,972
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Liquor Revolving Fund Appropriation	\$	104,459
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Resource Management Cost Account Appropriation	\$	81,931
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Total Appropriation	\$	14,356,233
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Sec. 705. Section 712, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR BELATED CLAIMS

(1) There is appropriated to the office of financial management for payment of supplies and services furnished in previous biennia, from the General Fund \$ 1,140,000

(2) The following sums, or so much thereof as shall severally be found necessary, are hereby appropriated and authorized to be expended out of the several funds indicated, for the period from the effective date of this act to June 30, 1991, except as otherwise noted.

To reimburse the general fund for expenditures from belated claims appropriations to be disbursed on vouchers approved by the office of financial management:

Medical Disciplinary Account	\$	520
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Institutional Impact Account	\$	((26,153)) 28,188
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ORV (Off-Road-Vehicle) Account	\$	23
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Hospital Commission Account	\$	15,224
Centennial Commission Account	\$	940
Public Safety and Education Account	\$	1151
Health Professions Account	\$	((734))
		679
Forest Development Account	\$	6,122
Real Estate Commission Account	\$	1,614
Reclamation Revolving Account	\$	((103))
		207
Landowner Contingency Forest Fire Suppression Account	\$	600
Capitol Building Construction Account	\$	40,251
Resource Management Cost Account	\$	9,295
Litter Control Account	\$	34,305
State Building Construction Account	\$	35
Outdoor Recreation Account	\$	1,958
Local Governance Study Commission Account	\$	42
Grade Crossing Protective Fund	\$	1,029
State Patrol Highway Account	\$	25,745
Motorcycle Safety Education Fund	\$	266
Fire Service Training Account	\$	447
Seed Fund	\$	3,023
Electrical License Fund	\$	724
State Wildlife Fund	\$	((20,500))
		22,400
Highway Safety Fund	\$	7,774
Motor Vehicle Fund	\$	((14,046))
		13,733
Puget Sound Ferry Operations Account	\$	12
Public Service Revolving Fund	\$	((6,042))
		6,104
Insurance Commissioner's Regulatory Account	\$	1,910
State Treasurer's Service Fund	\$	1,053
Legal Services Revolving Fund	\$	2,557
Municipal Revolving Fund	\$	5,671
Department of Personnel Service Fund	\$	((6,472))
		7,120
State Auditing Services Revolving Fund	\$	1,240
Liquor Revolving Fund	\$	15,445
Department of Retirement Systems Expense Fund	\$	2,982
Accident Fund	\$	62,964
Medical Aid Fund	\$	57,948
Western Library Network Computer System Revolving Fund	\$	460
Pressure Systems Safety Fund	\$	32

NEW SECTION, Sec. 706. A new section is added to chapter 19, Laws of 1989 1st ex. sess. to read as follows:

FOR SUNDRY CLAIMS

The following sums, or so much thereof as are necessary, are appropriated from the general fund, unless otherwise indicated, for the payment of court judgments and for relief of various individuals, firms, and corporations for sundry claims. These appropriations are to be disbursed on vouchers approved by the director of the department of general administration, except as otherwise provided, as follows:

- (1) Compensation to the following for all pending claims of damage to crops by game: PROVIDED, That payment shall be made from the Wildlife Fund:
 - (a) John Clees, Carlton, Washington \$ 6,046.86
 - (b) Harold Weber, Grand Coulee, Washington \$ 3,238.38
 - (c) James Fleishman, Chinook, Washington \$ 4,692.84
- (2) Juanita Mullen, Lori O'Grady, Lawra C. Hill-Hodges, and Sandra Colvin, in settlement of all claims per order of Thurston County Superior Court, Cause No. 87-2-02413-7, provided that \$434,382.00 is from federal funds \$ 783,703.00
- (3) Office of Thurston County Prosecutor, in settlement of all claims for expenses incurred under the institutional impact program \$ 29,606.77
- (4) R. Frederickson, in settlement of all claims per order of Seattle Municipal court, Cause No. 88-183-0175, pursuant to RCW 9A.16-.110, including interest \$ 3,758.90
- (5) Mervin Ledford, in settlement of all claims per order of Snohomish County Superior Court, Cause No. 87-1-01087-7, pursuant to RCW

9A.16.110, including interest	\$	11,659.21
(6) M. Bartholomew, in settlement of all claims per order of Pierce County Superior Court, Cause No. 88-1-01288-3, pursuant to RCW 9A.16.110, including interest	\$	11,284.10
(7) Rober Hurtado, in settlement of all claims per order of Douglas County Superior Court, Cause No. 89-1-00014-1, pursuant to RCW 9A.16.110, including interest	\$	26,902.86
(8) Robert Carey, in settlement of all claims per order of Pierce County Superior Court, Cause No. 88-1-01288-3, pursuant to RCW 9A.16.110, including interest	\$	24,722.01
(9) Tom Peters, in settlement of all claims per order of Longview Municipal Court, Cause No. 51656, pursuant to RCW 9A.16.110, including interest	\$	3,475.20
(10) Maurilio Martinez, in settlement of all claims per Yakima County Superior Court, Cause No. 89-1-00515-3, pursuant to RCW 9A.16.110, including interest	\$	26,582.62
(11) Jacques Gauron, in settlement of all claims per Renton District Court, King County, Cause No. J022378, pursuant to RCW 9A.16.110, including interest	\$	4,123.93
(12) Robert Joswick, in settlement of all claims per Buckley District Court, Pierce County, Cause No. 77334, pursuant to RCW 9A.16.110, including interest	\$	2,527.10

Sec. 707, Section 708, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—EMERGENCY FUND

General Fund Appropriation	\$	2,000,000
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The appropriation in this section is subject to the following conditions and limitations:

(1) The appropriation in this section is for the governor's emergency fund to be allocated for the carrying out of the critically necessary work of any agency.

(2) Any loan from the governor's emergency fund to a city incorporated within three years of the date of the loan shall be forgiven.

Sec. 708, Section 714, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE GOVERNOR—COMPENSATION—SALARY AND INSURANCE BENEFITS

General Fund Appropriation—State	\$	((65,000,000)) 76,130,000
General Fund Appropriation—Federal	\$	((20,015,000)) 24,182,000
Special Fund Salary and Insurance Contribution		
Increase Revolving Fund Appropriation	\$	((47,638,000)) 64,577,000
Wildlife Fund Appropriation—State	\$	1,285,000
Insurance Commissioner's Regulatory Account Appropriation	\$	215,000
Total Appropriation	\$	((132,733,000)) 166,389,000

The appropriations in this section, or so much thereof as may be necessary, shall be expended solely for the purposes designated in this section and are subject to the conditions and limitations specified in this section.

(1) \$40,060,000 of the general fund—state appropriation, \$13,311,000 of the general fund—federal appropriation, and \$31,888,000 of the special fund salary and insurance contribution increase revolving fund appropriation are provided for a 2.5 percent across-the-board salary increase effective January 1, 1990, and an additional 6.0 percent across-the-board salary increase effective January 1, 1991, for all classified and exempt employees under the state personnel board (SPB), and commissioned officers of the Washington state patrol. These increases shall be implemented in compliance and conformity with all requirements of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126, where applicable.

(2) The governor shall allocate to state agencies from the general fund—state appropriation \$3,327,000 for fiscal year 1990 and \$6,654,000 for fiscal year 1991, from the general fund—federal appropriation \$513,000 for fiscal year 1990 and \$1,027,000 for fiscal year 1991, and from the special fund salary and insurance contribution increase revolving fund appropriation \$2,587,000 for fiscal year 1990 and \$5,173,000 for fiscal year 1991 to fulfill the 1989-91 obligations of the comparable worth agreement ratified by 1986 Senate Concurrent Resolution No. 126.

(3)(a) The monthly contributions for insurance benefit premiums shall not exceed \$239.86 per eligible employee for fiscal year 1990, and \$246.24 for fiscal year 1991.

(b) The monthly contributions for the margin in the self-insured medical and dental plans and for the operating costs of the health care authority shall not exceed \$16.21 per eligible employee for fiscal year 1990, and \$9.83 for fiscal year 1991.

(c) Any returns of funds to the health care authority resulting from favorable claims experienced during the 1989-91 biennium shall be held in reserve within the state employees insurance account until appropriated by the legislature.

(d) Funds provided under this section, including funds resulting from dividends or refunds, shall not be used to increase employee insurance benefits over the level of services provided on the effective date of this act. Contributions by any county, municipal, or other political subdivision to which coverage is extended after the effective date of this act shall not receive the benefit of any surplus funds attributable to premiums paid prior to the date on which coverage is extended.

(4) \$285,000 of the general fund—state appropriation and \$1,285,000 of the wildlife fund—state appropriation are provided solely to fund personnel reclassifications for biologists, enforcement personnel, and program managers in the department of wildlife. Expenditure of \$48,000 from the general fund—state appropriation and \$104,000 from the wildlife fund—state appropriation is contingent on state personnel board approval of the program manager reclassification.

(5) \$481,000 of the general fund—state appropriation is provided solely to fund personnel reclassifications for biologists and related job classes in the department of fisheries. Expenditure of these amounts is contingent on personnel board approval of these reclassifications.

(6) \$5,000,000 of the general fund—state appropriation and \$9,450,000 of the special fund salary and insurance contribution increase revolving fund appropriation are provided solely for salary increases effective January 1, 1991, for classified personnel under the state personnel board and under the higher education personnel board.

The amounts provided shall be used for increases for those employees furthest from prevailing rate as determined by the 1988 trend salary survey findings. Increases may be granted only in whole-range increments. To implement these increases, those employees furthest from prevailing rate shall be given a one-range increase. This process shall be repeated until this appropriation is expended or all employee salaries are moved to within twenty percent of prevailing rate, whichever comes first.

The findings of the 1988 salary survey (catch-up plus keep-up), expressed as the number of ranges behind prevailing rate, shall be used to determine which employees are furthest from prevailing rate. In determining salary increases under this subsection, the number of ranges behind prevailing rate shall be the same as the survey findings as originally adopted by the state personnel board and higher education personnel board, unless a job reclassification has been approved subsequent to June 1, 1988. If a reclassification has been approved, the number of ranges behind prevailing rate shall be adjusted based on the change resulting from the reclassification.

Calculations for determining the increases granted in this subsection shall be made subsequent to the calculations for the general salary increases granted in subsection (1) of this section. The general salary increases granted in subsection (1) of this section, and on January 1, 1989, shall not be considered to have reduced the number of ranges between employee salaries and prevailing rate as shown in the findings of the 1988 survey.

In no case may this appropriation be used to close the salary gap to less than twenty percent of prevailing rate. None of these funds may be used to grant salary increases to the attendant counselor job classifications granted salary increases under subsection (8) of this section.

(7) \$2,136,000 of the general fund—state appropriation, \$568,000 of the general fund—federal appropriation, and \$10,000 of the special fund salary and insurance contribution increase revolving fund appropriation are provided solely to implement a new salary range schedule for nurses that provides annual increments for the first ten years of experience, with additional increments at fifteen and twenty years. Expenditure of these amounts is contingent on approval by the state personnel board of the new salary range schedule. These amounts shall be allocated as follows:

(a) \$80,000 from the general fund—state appropriation to the department of corrections;

(b) \$25,000 from the general fund—state appropriation to the department of health;

(c) \$10,000 from the general fund—state appropriation, \$10,000 from the general fund—federal appropriation, and \$10,000 from the special fund salary and insurance contribution increase revolving fund appropriation to the department of veterans' affairs;

(d) \$314,000 from the general fund—state appropriation and \$369,000 from the general fund—federal appropriation to the department of social and health services, division of developmental disabilities;

(e) \$1,458,000 from the general fund—state appropriation and \$41,000 from the general fund—federal appropriation to the department of social and health services, division of mental health;

(f) \$148,000 from the general fund—state appropriation and \$148,000 from the general fund—federal appropriation to the department of social and health services, long-term care program; and

(g) \$101,000 from the general fund—state appropriation to the department of social and health services, division of juvenile rehabilitation.

(8) \$3,093,000 of the general fund—state appropriation and \$3,599,000 of the general fund—federal appropriation are provided solely for salary increases for attendant care counselors in the developmental disabilities program. These increases shall be implemented in two phases of the following amounts: Phase one—\$1,816,000 general fund—state and \$2,101,000 general fund—federal; and phase two—\$1,277,000 general fund—state and \$1,498,000 general fund—federal.

(9) \$215,000 of the insurance commissioner's regulatory account appropriation is provided solely to fund personnel reclassifications for compliance officers, analysts, and actuaries in the office of the insurance commissioner.

(10) To facilitate the transfer of moneys from dedicated funds and accounts, the state treasurer is directed to transfer sufficient moneys from each dedicated fund or account to the special fund salary and insurance contribution increase revolving fund in accordance with schedules provided by the office of financial management.

~~((5))~~ (11) In calculating individual agency allocations for this section, the office of financial management shall calculate the allocation of each subsection separately. The separate allocations for each agency may be combined under a single appropriation code for improved efficiency. The office of financial management shall transmit a list of agency allocations by subsection to the senate committee on ways and means and the house of representatives committee on appropriations.

~~((6))~~ (12) No salary increase may be paid under this section to any person whose salary has been Y-rated pursuant to rules adopted by the state personnel board.

~~((7) Moneys from the)~~ (13) \$4,470,000 of the special fund salary and insurance contribution increase revolving fund appropriation in this section may be expended for salary and benefit increases for ferry workers in accordance with the 1989-91 transportation appropriations act.

Sec. 709, Section 715, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE DEPARTMENT OF RETIREMENT SYSTEMS—CONTRIBUTIONS TO RETIREMENT SYSTEMS

The appropriations in this section are subject to the following conditions and limitations: The appropriations shall be made on a quarterly basis.

(1) There is appropriated for state contributions to the law enforcement officers' and fire fighters' retirement system:

		FY 1990	FY 1991
General Fund Appropriation	\$	63,000,000	((62,167,000))
			3,300,000
Total Appropriation		\$ ((125,167,000))	66,300,000

((The appropriation in this subsection is subject to the following conditions and limitations: If Substitute Senate Bill No. 5418 is enacted before June 30, 1989, the FY 1991 appropriation in this subsection shall lapse.))

(2) There is appropriated for contributions to the judicial retirement system:

		FY 1990	FY 1991
General Fund Appropriation	\$	((1,100,000))	((1,100,000))
		2,400,000	2,592,000
Total Appropriation		\$ ((2,200,000))	4,992,000

The appropriation in this subsection is subject to the following conditions and limitations: \$92,000 is provided solely for implementation of Engrossed House Bill No. 2763. If the bill is not enacted by June 30, 1990, this amount shall lapse.

(3) There is appropriated for contributions to the judges retirement system:

		FY 1990	FY 1991
General Fund Appropriation	\$	250,000	250,000
Total Appropriation		\$500,000	

((If Substitute Senate Bill No. 5418 is enacted by June 30, 1989.)) The initial employer trust fund contribution rate for all employers of members of the retirement system governed by chapter 41.32 RCW (the teachers' retirement system) shall be set at 11.34% of earnable compensation, beginning July 1, 1989, and 12.60% of earnable compensation, beginning September 1, 1990. ((If Substitute Senate Bill No. 5418 is not enacted by June 30, 1989, the initial employer trust fund contribution rate for all employers of members of the retirement system governed by chapter 41.32 RCW (the teachers' retirement system) shall be set at 11.34% of earnable compensation, beginning July 1, 1989.))

((If Substitute Senate Bill No. 5418 is enacted by June 30, 1989.)) The initial employer trust fund contribution rate for all employers of members of the retirement system governed by

chapter 41.40 RCW (the public employees' retirement system) shall be set at 5.99% of compensation earnable, beginning July 1, 1989, and 7.1% of earnable compensation, beginning September 1, 1990. ~~((If Substitute Senate Bill No. 5418 is not enacted by June 30, 1989, the initial employer trust fund contribution rate for all employers of members of the retirement system governed by chapter 41.40 RCW (the public employees' retirement system) shall be set at 5.99% of compensation earnable, beginning July 1, 1989.))~~

(6) The employer rate for all employers of members of the retirement system governed by chapter 43.43 RCW (the state patrol retirement system) shall be set at 19.88% of compensation ~~((for the 1989-91 biennium))~~ beginning July 1, 1989, and 21.47% of compensation beginning September 1, 1990.

Sec. 710. Section 716, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE OFFICE OF FINANCIAL MANAGEMENT—CONTRIBUTIONS TO RETIREMENT SYSTEMS

	FY 1990	FY 1991
General Fund—State Appropriation	\$ 2,334,000	((9,283,000)) 9,313,000
General Fund—Federal Appropriation	\$ 480,000	2,012,000
State Patrol Highway Account	\$	448,000
<hr/>		
Retirement Contribution Increase Revolving Fund		
Appropriation	\$ 1,954,000	9,494,000
Total Appropriation	\$ ((25,557,000))	26,035,000

The appropriation in this section is subject to the following conditions and limitations:

(1) \$231,000 of the general fund—state appropriation, or as much thereof as may be necessary, shall be distributed to state agencies to increase state contributions to the public employees' retirement system.

(2) \$4,108,000 of the general fund—state appropriation, \$948,000 of the general fund—federal appropriation, and \$4,349,000 of the retirement contribution increase revolving fund appropriation, or as much thereof as may be necessary, shall be distributed to state agencies to increase state contributions to the public employees' retirement system resulting from Engrossed Substitute House Bill No. 1322. ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(3) \$6,544,000 of the general fund—state appropriation, \$1,486,000 of the general fund—federal appropriation, and \$7,157,000 of the retirement contribution increase revolving fund appropriation, or as much thereof as may be necessary, shall be distributed to state agencies to increase state contributions to the public employees' retirement system resulting from Engrossed Substitute Senate Bill No. 5418. ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(4) \$343,000, or as much as may be necessary, shall be distributed to state agencies to increase state contributions to the teachers' retirement fund resulting from Engrossed Substitute House Bill No. 1322. ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(5) \$391,000, or as much thereof as may be necessary, shall be distributed to state agencies to increase state contributions to the teachers' retirement fund resulting from Substitute Senate Bill No. 5418. ~~((If the bill is not enacted by June 30, 1989, the amount provided in this subsection shall lapse.))~~

(6) \$30,000 of the general fund—state appropriation, and \$448,000 of the state patrol highway account appropriation, or as much thereof as may be necessary, shall be distributed to state agencies for increased contributions to the Washington state patrol retirement system under chapter 273, Laws of 1989.

Sec. 711. Section 718, chapter 19, Laws of 1989 1st ex. sess. (uncodified) is amended to read as follows:

FOR THE STATE TREASURER—TRANSFERS

((General Fund Appropriation: For transfer to the Institutional Impact Account	\$	332,536))
General Fund Appropriation: For transfer to the Miscellaneous Fund—Tort Claims Revolving Fund	\$	797,000
Liquor Revolving Account Appropriation: For transfer to the Miscellaneous Fund—Tort Claims Revolving Fund	\$	160,000
General Government Special Revenue Fund—State Treasurer's Service Account Appropriation: For transfer to the general fund on or before July 20, 1991, an amount up to \$10,000,000 in excess of the cash requirements in the State Treasurer's Service Account for fiscal year 1992, for credit to the fiscal year in which earned	\$	10,000,000
General Fund Appropriation: For transfer to the Natural Resources Fund—Water Quality Account	\$	15,378,000
Data Processing Revolving Account: For transfer to the General Fund	\$	2,400,000

Public Facilities Construction Loan and Grant Revolving Fund: For transfer to the General Fund	\$	((3,110,000)) <u>2,400,000</u>
Puget Sound Ferry Operations Account: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation, Washington state ferry system during the period July 1, 1989, through June 30, 1991	\$	1,353,000
Motor Vehicle Fund: For transfer to the Tort Claims Revolving Fund for claims paid on behalf of the department of transportation and the state patrol during the period July 1, 1989, through June 30, 1991	\$	14,000,000
Resource Cost Management Cost Account: For transfer to the University of Washington Bond Retirement Account	\$	15,000,000
<u>Resource Management Cost Account: For transfer to the Agricultural College Permanent Account, the Normal School Permanent Account, and the University of Washington Bond Retirement Account a maximum of \$20,000,000. The distribution of the transfer to these beneficiary accounts will be determined by the department of natural resources</u>	\$	<u>20,000,000</u>
Water Quality Account Appropriation: For transfer to the water pollution revolving fund. Transfers shall be made at intervals coinciding with deposits of federal capitalization grant money into the revolving fund. The amounts transferred shall not exceed the match required for each federal deposit	\$	15,800,000
Building Code Council Account Appropriation: For transfer to the general fund	\$	210,000
General Fund Appropriation, FY 1991: For transfer to the law enforcement officers' and fire fighters' retirement system as provided in Substitute Senate Bill No. 5418. ((If the bill is not enacted by June 30, 1989, this appropriation shall lapse))	\$	((62,167,000)) <u>60,267,000</u>
Conservation Areas Account: For transfer to the Natural Resources Conservation Area Stewardship Account	\$	((364,000)) <u>2,832,000</u>

PART VIII
MISCELLANEOUS

NEW SECTION, Sec. 801. 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. 802. 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 shall take effect immediately."

On page 1, line 1 of the title, after "matters;" strike the remainder of the title and insert "amending sections 101, 102, 105, 108, 111, 112, 114, 115, 116, 117, 120, 122, 125, 130, 131, 132, 137, 138, 139, 140, 144, 146, 147, 123, 202, 203, 204, 205, 206, 208, 210, 211, 213, 214, 216, 217, 218, 220, 221, 224, 225, 227, 228, 231, 233, 301, 304, 306, 308, 309, 313, 314, 315, 316, 317, 318, 401, 402, 501, 502, 503, 504, 505, 507, 508, 509, 510, 513, 515, 516, 517, 518, 520, 521, 522, 601, 602, 603, 604, 605, 606, 607, 608, 610, 614, 618, 701, 702, 712, 708, 714, 715, and 716 of chapter 19, Laws of 1989 1st ex. sess. (uncodified); amending section 14, chapter 10, Laws of 1989 1st ex. sess. (uncodified); amending section 402, chapter 271, Laws of 1989 (uncodified); amending section 407, chapter 271, Laws of 1989 (uncodified); amending section 409, chapter 271, Laws of 1989 (uncodified); amending section 414, chapter 271, Laws of 1989 (uncodified); amending section 419, chapter 271, Laws of 1989 (uncodified); amending section 19, chapter 383, Laws of 1989 (uncodified); and amending section 402, chapter 271, Laws of 1989 (uncodified); adding new sections to chapter 19, Laws of 1989 1st ex. sess. (uncodified); repealing section 236, chapter 19, Laws of 1989 1st ex. sess. (uncodified); making appropriations; and declaring an emergency."

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Brekke, Dorn, Ferguson, Hine, Inslee, Peery, Rust, Sayan, Spanel, Sprenkle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Bowman, Doty, May, McLean, Nealey and Padden.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Brough, Doty, May, McLean, Nealey and Padden.

Absent: Representatives Braddock and Holland.

Passed to Committee on Rules for second reading.

February 24, 1990

ESB 6411 Prime Sponsor, Senator Lee: Establishing an employment training program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on Trade & Economic Development (For committee amendments, see Journal, 47th Day, February 23, 1990.) as amended with the following amendment by Committee on Appropriations:

On page 16, line 8, after "July 1," strike "1992" and insert "1991"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden, Peery and Sprengle.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSB 6418 Prime Sponsor, Committee on Ways & Means: Expanding rural health care opportunities. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on Health Care (For committee amendments, see Journal, 47th Day, February 23, 1990.) as amended with the following amendment by Committee on Appropriations:

On page 16, line 16 of the amendment, after "from the" strike "general fund" and insert "insurance commissioner's regulatory account"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Brough, Dorn, Doty, Holland, Padden and Sprengle.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6446 Prime Sponsor, Committee on Energy & Utilities: Revising provisions for public water systems. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6447 Prime Sponsor, Committee on Energy & Utilities: Regarding failing public water systems. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments by Committee on Revenue and without amendments by Committee on Energy & Utilities (For committee amendments, see Journal, 47th Day, February 23, 1990.):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. The legislature finds the best interests of the citizens of the state are served if:

(1) Customers served by public water systems are assured of an adequate quantity and quality of water supply at reasonable rates;

(2) There is improved coordination between state agencies engaged in water system planning and public health regulation and local governments responsible for land use regulation and public health and safety;

(3) Public water systems in violation of health and safety standards adopted under RCW 43.20.050 remain in operation and continue providing water service providing that public health is not compromised, assuming a suitable replacement purveyor is found, and deficiencies are corrected in an expeditious manner consistent with public health and safety; and

(4) The state address, in a systematic and comprehensive fashion, new operating requirements which will be imposed on public water systems under the federal Safe Drinking Water Act.

Sec. 2. Section 14, chapter 72, Laws of 1967 as amended by section 2, chapter 188, Laws of 1975 1st ex. sess. and RCW 36.94.140 are each amended to read as follows:

Every county, in the operation of a system of sewerage and/or water, shall have full jurisdiction and authority to manage, regulate and control it and to fix, alter, regulate and control the rates and charges for the service to those to whom such county service is available, and to levy charges for connection to such system. The rates for availability of service and connection charges so charged must be uniform for the same class of customers or service.

In classifying customers served, service furnished or made available by such system of sewerage and/or water, or the connection charges, the board may consider any or all of the following factors:

(1) The difference in cost of service to the various customers within or without the area;

(2) The difference in cost of maintenance, operation, repair and replacement of the various parts of the systems;

(3) The different character of the service furnished various customers;

(4) The quantity and quality of the sewage and/or water delivered and the time of its delivery;

(5) Capital contributions made to the system or systems, including, but not limited to, assessments; ~~((and))~~

(6) The cost of acquiring the system or portions of the system in making system improvements necessary for the public health and safety; and

(7) Any other matters which present a reasonable difference as a ground for distinction.

Such rates shall produce revenues sufficient to take care of the costs of maintenance and operation, revenue bond and warrant interest and principal amortization requirements, and all other charges necessary for the efficient and proper operation of the system.

Sec. 3. Section 5, chapter 102, Laws of 1967 ex. sess. as last amended by section 258, chapter 9, Laws of 1989 1st ex. sess. and RCW 43.70.190 are each amended to read as follows:

The secretary of health or local health officer may bring an action to enjoin a violation or the threatened violation of any of the provisions of the public health laws of this state or any rules or regulation made by the state board of health or the department of health pursuant to said laws, or may bring any legal proceeding authorized by law, including but not limited to the special proceedings authorized in Title 7 RCW, in the superior court in the county in which such violation occurs or is about to occur, or in the superior court of Thurston county. Upon the filing of any action, the court may, upon a showing of an immediate and serious danger to residents constituting an emergency, issue a temporary injunctive order ex parte.

NEW SECTION, Sec. 4. A new section is added to chapter 43.70 RCW to read as follows:

(1) In any action brought by the secretary of health or by a local health officer pursuant to chapter 7.60 RCW to place a public water system in receivership, the petition shall include the names of one or more suitable candidates for receiver who have consented to assume operation of the water system. The department shall maintain a list of interested and qualified individuals, municipal entities, special purpose districts, and investor-owned water companies with experience in the provision of water service and a history of satisfactory operation of a water system. If there is no other person willing and able to be named as receiver, the court shall appoint the county in which the water system is located as receiver. The county may designate a county agency to operate the system, or it may contract with another individual or public water system to provide management for the system. If the county is appointed as receiver, the secretary of health and the county health officer shall provide regulatory oversight for the agency or other person responsible for managing the water system.

(2) In any petition for receivership under subsection (1) of this section, the department shall recommend that the court grant to the receiver full authority to act in the best interests of the customers served by the public water system. The receiver shall assess the capability, in conjunction with the department and local government, for the system to operate in compliance with health and safety standards, and shall report to the court its recommendations for the system's future operation, including the formation of a water district or other public entity, or ownership by another existing water system capable of providing service.

(3) If a petition for receivership and verifying affidavit executed by an appropriate departmental official allege an immediate and serious danger to residents constituting an

emergency, the court shall set the matter for hearing within three days and may appoint a temporary receiver ex parte upon the strength of such petition and affidavit pending a full evidentiary hearing, which shall be held within fourteen days after receipt of the petition.

(4) A bond, if any is imposed upon a receiver, shall be minimal and shall reasonably relate to the level of operating revenue generated by the system. Any receiver appointed pursuant to this section shall not be held personally liable for any good faith, reasonable effort to assume possession of, and to operate, the system in compliance with the court's orders.

(5) The court shall authorize the receiver to impose reasonable assessments on a water system's customers to recover expenditures for improvements necessary for the public health and safety.

Sec. 5. Section 6, chapter 102, Laws of 1967 ex. sess. as last amended by section 259, chapter 9, Laws of 1989 1st ex. sess. and RCW 43.70.200 are each amended to read as follows:

Upon the request of a local health officer, the secretary of health is hereby authorized and empowered to take legal action to enforce the public health laws and rules and regulations of the state board of health or local rules and regulations within the jurisdiction served by the local health department, and may institute any civil legal proceeding authorized by the laws of the state of Washington, including a proceeding under Title 7 RCW.

Sec. 6. Section 12, chapter 446, Laws of 1985 as last amended by section 3, chapter 93, Laws of 1988 and RCW 43.155.070 are each amended to read as follows:

(1) To qualify for loans or pledges under this chapter the board must determine that a local government meets all of the following conditions:

(a) The city or county must be imposing a tax under chapter 82.46 RCW at a rate of at least one-quarter of one percent;

(b) The local government must have developed a long-term plan for financing public works needs; and

(c) The local government must be using all local revenue sources which are reasonably available for funding public works, taking into consideration local employment and economic factors.

(2) The board shall develop a priority process for public works projects as provided in this section. The intent of the priority process is to maximize the value of public works projects accomplished with assistance under this chapter. The board shall attempt to assure a geographical balance in assigning priorities to projects. The board shall consider at least the following factors in assigning a priority to a project:

(a) Whether the local government receiving assistance has experienced severe fiscal distress resulting from natural disaster or emergency public works needs;

(b) Whether the project is critical in nature and would affect the health and safety of a great number of citizens;

(c) The cost of the project compared to the size of the local government and amount of loan money available;

(d) The number of communities served by or funding the project;

(e) Whether the project is located in an area of high unemployment, compared to the average state unemployment; ~~(and)~~

(f) Whether the project is the acquisition, expansion, improvement, or renovation by a local government of a public water system that is in violation of health and safety standards, including the cost of extending existing service to such a system; and

(g) Other criteria that the board considers advisable.

(3) Existing debt or financial obligations of local governments shall not be refinanced under this chapter. Each local government applicant shall provide documentation of attempts to secure additional local or other sources of funding for each public works project for which financial assistance is sought under this chapter.

(4) Before November 1 of each year, the board shall develop and submit to the chairs of the ways and means committees of the senate and house of representatives a description of the emergency loans made under RCW 43.155.065 during the preceding fiscal year and a prioritized list of projects which are recommended for funding by the legislature, including one copy to the staff of each of the committees. The list shall include, but not be limited to, a description of each project and recommended financing, the terms and conditions of the loan or financial guarantee, the local government jurisdiction and unemployment rate, demonstration of the jurisdiction's critical need for the project and documentation of local funds being used to finance the public works project. The list shall also include measures of fiscal capacity for each jurisdiction recommended for financial assistance, compared to authorized limits and state averages, including local government sales taxes; real estate excise taxes; property taxes; and charges for or taxes on sewerage, water, garbage, and other utilities.

(5) The board shall not sign contracts or otherwise financially obligate funds from the public works assistance account before the legislature has appropriated funds for a specific list of public works projects. The legislature may remove projects from the list recommended by the board. The legislature shall not change the order of the priorities recommended for funding by the board.

(6) Subsections (4) and (5) of this section do not apply to loans made for emergency public works projects under RCW 43.155.065.

Sec. 7. Section 1, chapter 93, Laws of 1988 and RCW 43.155.065 are each amended to read as follows:

The board may make low-interest or interest-free loans to local governments for emergency public works projects. Emergency public works projects shall include the construction, repair, reconstruction, replacement, rehabilitation, or improvement of a public water system that is in violation of health and safety standards and is being operated by a local government on a temporary basis. The loans may be used to help fund all or part of an emergency public works project less any reimbursement from any of the following sources: (1) Federal disaster or emergency funds, including funds from the federal emergency management agency; (2) state disaster or emergency funds; (3) insurance settlements; or (4) litigation. Emergency loans may be made only from those funds specifically appropriated from the public works assistance account for such purpose by the legislature. The amount appropriated from the public works assistance account for emergency loan purposes shall not exceed five percent of the total amount appropriated from this account in any biennium.

Sec. 8. Section 4, chapter 271, Laws of 1986 as amended by section 135, chapter 175, Laws of 1989 and RCW 70.119A.040 are each amended to read as follows:

(1) In addition to or as an alternative to any other penalty provided by law, every person who commits any of the acts or omissions in RCW 70.119A.030 shall be subjected to a penalty in an amount of not less than five hundred dollars. The maximum penalty shall be not more than five thousand dollars per day for every such violation. Every such violation shall be a separate and distinct offense. The amount of fine shall reflect the health significance of the violation and the previous record of compliance on the part of the public water supplier. In case of continuing violation, every day's continuance shall be a separate and distinct violation. Every person who, through an act of commission or omission, procures, aids, or abets in the violation shall be considered to have violated the provisions of this section and shall be subject to the penalty provided in this section.

(2) The penalty provided for in this section shall be imposed by a notice in writing to the person against whom the civil fine is assessed and shall describe the violation. The notice shall be personally served in the manner of service of a summons in a civil action or in a manner that shows proof of receipt. A penalty imposed by this section is due twenty-eight days after receipt of notice unless application for remission or mitigation is made as provided in subsection (3) of this section or unless application for an adjudicative proceeding is filed as provided in subsection (4) of this section.

(3) Within fourteen days after the notice is received, the person incurring the penalty may apply in writing to the department for the remission or mitigation of such penalty. Upon receipt of the application, the department may remit or mitigate the penalty upon whatever terms the department in its discretion deems proper, giving consideration to the degree of hazard associated with the violation, provided the department deems such remission or mitigation to be in the best interests of carrying out the purposes of this chapter. The department shall not mitigate the fines below the minimum penalty prescribed in subsection (1) of this section. The department shall have authority to ascertain the facts regarding all such applications in such reasonable manner as it may deem proper. When an application for remission or mitigation is made, a penalty incurred under this section is due twenty-eight days after receipt of the notice setting forth the disposition of the application, unless an application for an adjudicative proceeding to contest the disposition is filed as provided in subsection (4) of this section.

(4) Within twenty-eight days after notice is received, the person incurring the penalty may file an application for an adjudicative proceeding and may pursue subsequent review as provided in chapter 34.05 RCW and applicable rules of the department or board of health.

(5) A penalty imposed by a final order after an adjudicative proceeding is due upon service of the final order.

(6) The attorney general may bring an action in the name of the department in the superior court of Thurston county, or of any county in which such violator may do business, to collect a penalty.

(7) All penalties imposed under this section shall be payable to the state treasury and credited to the general fund.

NEW SECTION. Sec. 9. A new section is added to chapter 8.25 RCW to read as follows:

Consistent with standard appraisal practices, the valuation of a public water system as defined in RCW 70.119A.020 shall reflect the cost of system improvements necessary to comply with health and safety rules of the state board of health and applicable regulations developed under chapter 43.20, 43.20A, or 70.116 RCW.

Sec. 10. Section 12, chapter 51, Laws of 1967 ex. sess. as last amended by section 7, chapter 25, Laws of 1984 and RCW 70.05.070 are each amended to read as follows:

The local health officer, acting under the direction of the local board of health or under direction of the administrative officer appointed under RCW 70.05.040, if any, shall:

(1) Enforce the public health statutes of the state, rules and regulations of the state board of health and the secretary of social and health services, and all local health rules, regulations

and ordinances within his or her jurisdiction including imposition of penalties authorized under RCW 70.119A.030 and filing of actions authorized by RCW 43.70.190:

(2) Take such action as is necessary to maintain health and sanitation supervision over the territory within his or her jurisdiction;

(3) Control and prevent the spread of any dangerous, contagious or infectious diseases that may occur within his or her jurisdiction;

(4) Inform the public as to the causes, nature, and prevention of disease and disability and the preservation, promotion and improvement of health within his or her jurisdiction;

(5) Prevent, control or abate nuisances which are detrimental to the public health;

(6) Attend all conferences called by the secretary of social and health services or his or her authorized representative;

(7) Collect such fees as are established by the state board of health or the local board of health for the issuance or renewal of licenses or permits or such other fees as may be authorized by law or by the rules and regulations of the state board of health((:));

(8) Inspect, as necessary, expansion or modification of existing public water systems, and the construction of new public water systems, to assure that the expansion, modification, or construction conforms to system design and plans;

(9) Take such measures as he or she deems necessary in order to promote the public health, to participate in the establishment of health educational or training activities, and to authorize the attendance of employees of the local health department or individuals engaged in community health programs related to or part of the programs of the local health department.

NEW SECTION. Sec. 11. The department shall prepare a report for the legislature no later than December 1, 1990, with regard to the problems of small water systems and proposed solutions. Such a report shall be prepared in consultation with the utilities and transportation commission, the department of community development, department of ecology, public works assistance board, and associations of cities, counties, public and private utilities, water districts, local health directors, and other interested groups. The report shall address, at a minimum, the following topics, with alternative approaches or solutions:

(1) The number and locations of existing public systems that do not meet public health and safety standards;

(2) Costs associated with state enforcement of new federal standards under the 1986 amendments to the Safe Drinking Water Act, including expenses and potential financing mechanisms for the operating costs of receivers of water systems when the system revenue is otherwise inadequate to cover the costs;

(3) Available financing for capital improvements for both publicly owned and privately owned water systems;

(4) Legal and regulatory barriers to improved delivery of safe and reliable drinking water supplies to the state's residents and in particular regulating and enforcement overlap between the department and the utilities and transportation commission;

(5) The effect of failing or inadequate water supplies on the ability of an owner to sell, or a buyer to obtain financing to buy, residential real estate in this state;

(6) Staffing levels for both state and local agencies responsible for enforcing the state's drinking water laws, including mechanisms for funding such staff;

(7) Revisions to requirements relating to certification of operators for public water systems, including the utilization state-wide of a system of satellite operators; and

(8) Such other topics as are significant and relevant.

NEW SECTION. Sec. 12. 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. 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 shall take effect immediately."

On page 1, line 1 of the title, after "systems;" strike the remainder of the title and insert "amending RCW 36.94.140, 43.70.190, 43.70.200, 43.155.070, 43.155.065, 70.119A.040, and 70.05-.070; adding a new section to chapter 8.25 RCW; adding a new section to chapter 43.70 RCW; creating new sections; prescribing penalties; and declaring an emergency."

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Appelwick, Basich, Fraser, Fuhrman, Grant, Morris, Phillips, Rust, Silver and H. Sommers.

Absent: Representatives Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Haugen and Van Luven.

Passed to Committee on Rules for second reading.

February 24, 1990

ESSB 6452 Prime Sponsor, Committee on Ways & Means: Clarifying "annual leave" for purposes of the school district leave sharing program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on State Government (For committee amendments, see Journal, 47th Day, February 23, 1990.) as amended with the following amendment by the Committee on Appropriations:

On page 7, after line 9 of the striking amendment by the Committee on State Government insert "Each school district or educational service district that establishes a leave sharing program under this section shall also establish and maintain records on the use of the program, including information on the number of persons requesting and receiving shared leave, the amount of leave received and used, the number of persons donating leave, the amount of leave donated, and the cost of administering the program."

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Brekke, Brough, Dorn, Doty, Hine, Inslee, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Braddock, Ebersole, Hine, Holland and Padden.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6453 Prime Sponsor, Committee on Financial Institutions & Insurance: Authorizing the supervisor of banking to examine agricultural lenders participating in loan guaranty programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden, Sayan and Wang.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6459 Prime Sponsor, Committee on Governmental Operations: Establishing a state recording officer. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Local Government. (For committee amendment, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Brough, Ebersole and Hine.

Passed to Committee on Rules for second reading.

February 24, 1990

ESSB 6501 Prime Sponsor, Committee on Agriculture: Creating a central filing system for security interests in farm crops. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on Judiciary (For committee amendments, see Journal, 47th Day, February 23, 1990.) as amended with the following amendment by Committee on Appropriations:

On page 10, line 12 of the committee amendment after "act." insert "The amount spent shall be repaid to the general fund before the end of the biennium ending June 30, 1993, from the fees imposed pursuant to section 4(8) of this 1990 act."

On page 10, after line 16 add the following:

***NEW SECTION.** Sec. 12. This act may be cited as the Washington central filing of crop liens act."

On page 10, after line 16 add the following:

***NEW SECTION.** Sec. 12. 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."

Signed by Representatives Locke, Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Youngsman, Assistant Ranking Republican Member; McLean and Nealey.

Voting nay: Representatives Grant, Vice Chair; Youngsman, Assistant Ranking Republican Member; McLean and Nealey.

Absent: Representatives Braddock, Holland, Padden and Sprenkle.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6526 Prime Sponsor, Committee on Agriculture: Relating to registration of plant protection products for minor crop uses. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Agriculture & Rural Development. (For committee amendment, see Journal, 43rd Day, February 19, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Belcher and Valle.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

E2SSB 6537 Prime Sponsor, Committee on Ways & Means: Providing for foster care reform and making appropriations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on Human Services (For committee amendments, see Journal, 47th Day, February 23, 1990.) as amended with the following amendments by Committee on Appropriations:

On page 11, line 25 of the amendment, after "15" insert ", 16"

On page 11, line 26 of the amendment, after "15" insert ", 16"

On page 11, line 30 of the amendment, after "15" insert ", 16"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

E2SSB 6538 Prime Sponsor, Committee on Ways & Means: Pertaining to termination of parental rights. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Appelwick, Braddock, Doty, Ebersole, Hine, Holland, Padden, Peery and Wang.

Passed to Committee on Rules for second reading.

February 23, 1990

SB 6562 Prime Sponsor, Senator Craswell: Creating additional superior court positions in Kitsap and Thurston counties. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendments:

On page 1, after line 24, insert the following:

"Sec. 3. Section 1, chapter 126, Laws of 1913 as last amended by section 4, chapter 328, Laws of 1989 and RCW 2.32.180 are each amended to read as follows:

It shall be and is the duty of each and every superior court judge in counties or judicial districts in the state of Washington having a population of over thirty-five thousand inhabitants to appoint, or said judge may, in any county or judicial district having a population of over twenty-five thousand and less than thirty-five thousand, appoint a stenographic reporter to be attached to the court holden by him who shall have had at least three years' experience as a skilled, practical reporter, or who upon examination shall be able to report and transcribe accurately one hundred and seventy-five words per minute of the judge's charge or two hundred words per minute of testimony each for five consecutive minutes; said test of proficiency, in event of inability to meet qualifications as to length of time of experience, to be given by an examining committee composed of one judge of the superior court and two official reporters of the superior court of the state of Washington, appointed by the president judge of the superior court judges association of the state of Washington: PROVIDED, That a stenographic reporter shall not be required to be appointed for the seven additional judges of the superior court authorized for appointment by section 1, chapter 323, Laws of 1987, the additional superior court judge authorized by section 1, chapter 66, Laws of 1988, or the additional superior court judges authorized by sections 2 and 3, chapter 328, Laws of 1989, or the additional superior court judges authorized by sections 1 and 2 of this 1990 act. The initial judicial appointee shall serve for a period of six years; the two initial reporter appointees shall serve for a period of four years and two years, respectively, from September 1, 1987; thereafter on expiration of the first terms of service, each newly appointed member of said examining committee to serve for a period of six years. In the event of death or inability of a member to serve, the president judge shall appoint a reporter or judge, as the case may be, to serve for the balance of the unexpired term of the member whose inability to serve caused such vacancy. The examining committee shall grant certificates to qualified applicants. Administrative and procedural rules and regulations shall be promulgated by said examining committee, subject to approval by the said president judge.

The stenographic reporter upon appointment shall thereupon become an officer of the court and shall be designated and known as the official reporter for the court or judicial district for which he is appointed: PROVIDED, That in no event shall there be appointed more official reporters in any one county or judicial district than there are superior court judges in such county or judicial district; the appointments in each class AA county shall be made by the majority vote of the judges in said county acting en banc; the appointments in class A counties and counties of the first class may be made by each individual judge therein or by the judges in said county acting en banc. Each official reporter so appointed shall hold office during the term of office of the judge or judges appointing him, but may be removed for incompetency, misconduct or neglect of duty, and before entering upon the discharge of his duties shall take an oath to perform faithfully the duties of his office, and file a bond in the sum of two thousand dollars for the faithful discharge of his duties. Such reporter in each court is hereby declared to be a necessary part of the judicial system of the state of Washington."

Renumber the remaining sections consecutively and correct any internal references accordingly.

On page 1, line 1 of the title, after "2.08.062" strike "and 2.08.065" and insert ", 2.08.065, and 2.32.180"

Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member;

Appelwick, Belcher, Bowman, Braddock, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Holland, Inslee, May, McLean, Padden, Peery, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Brough, Dorn, Ebersole and Wang.

Passed to Committee on Rules for second reading.

February 24, 1990

SB 6583 Prime Sponsor, Senator McDonald: Changing provisions relating to air pollution control authorities. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments:

On page 2, beginning on line 29 strike all of section 3 and insert:

*Sec. 3. Section 1, chapter 88, Laws of 1984 and RCW 70.94.0935 are each amended to read as follows:

Revenues collected from sources of air pollution for services rendered on a periodic basis for any authority shall not exceed in any fiscal year ((fifty)) sixty percent of the supplemental income paid by component cities, towns, and counties as defined in RCW 70.94.092 for the same fiscal year. Fees collected under RCW 70.94.152 are exempt from this limitation.*

On page 1, beginning on line 2 of the title strike the remainder of the title and insert "RCW 70.94.0935 and 70.94.431; and adding a new section to chapter 70.94 RCW."

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Appelwick, Basich, Fraser, Grant, Morris, Phillips, Rust and Silver.

Absent: Representatives Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Haugen and Van Luven.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6594 Prime Sponsor, Committee on Ways & Means: Changing provisions relating to the department of retirement systems. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, May, Padden and Sayan.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6600 Prime Sponsor, Committee on Ways & Means: Modifying contribution rates to the state retirement systems. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, May and Padden.

Passed to Committee on Rules for second reading.

February 24, 1990

E2SSB 6610 Prime Sponsor, Committee on Ways & Means: Revising provisions for at-risk youth. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice

Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Appelwick, Braddock, Doty, Ebersole, Hine, Holland, Padden, Peery and Wang.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6626 Prime Sponsor, Committee on Higher Education: Requiring an assessment of higher education needs of placebound students. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 28B.80 RCW to read as follows:

The higher education coordinating board shall study upper division baccalaureate educational needs of placebound students living in areas of the state not currently served by existing postsecondary institutions or branches. The study shall include recommendations on how the needs should be addressed, and which institutions should be responsible for serving specific areas.

NEW SECTION. Sec. 2. The legislature finds that many individuals in the state of Washington have attended college and received an associate of arts degree, or its equivalent, but are placebound.

The legislature further finds that there exists in some public and private institutions of the state of Washington unused capacity which would be available to accommodate these students. The legislature finds that there will be a substantial saving to the state to use existing capacity in lieu of adding capacity to a branch campus or constructing additional public higher education facilities in the central Puget Sound, Tri-Cities, Spokane, southwest Washington, or Yakima areas.

The legislature intends to establish an educational opportunity grant program for placebound students who have completed an associate of arts degree, or its equivalent, in an effort to increase their participation in and completion of upper division programs. The legislature finds that the use of existing capacity for placebound students at the public and private institutions of higher education will achieve a substantial savings and enable placebound students to complete their upper division educational programs.

NEW SECTION. Sec. 3. The educational opportunity grant program is hereby created as a demonstration project to serve placebound financially needy students by assisting them to obtain a baccalaureate degree at public and private institutions of higher education which have the capacity to accommodate such students within existing educational programs and facilities.

NEW SECTION. Sec. 4. (1) For the purposes of this chapter, 'placebound' means unable to relocate to complete a college program because of family or employment commitments, health concerns, monetary inability, or other similar factors.

(2) To be eligible for an educational opportunity grant, applicants must be placebound residents of the state of Washington who are needy students as defined in RCW 28B.10.802(3) and who have completed the associate of arts degree or its equivalent. A placebound resident is one who may be influenced by the receipt of an enhanced student financial aid award to attend an institution that has existing unused capacity rather than attend a branch campus established pursuant to chapter 28B.45 RCW. An eligible placebound applicant is further defined as a person whose residence is located in an area served by a branch campus who, because of family or employment commitments, health concerns, monetary need, or other similar factors, would be unable to complete an upper division course of study but for receipt of an educational opportunity grant.

NEW SECTION. Sec. 5. The higher education coordinating board shall develop and administer the educational opportunity grant program. The board shall adopt necessary rules and guidelines and develop criteria and procedures to select eligible participants in the program. Payment shall be made directly to the eligible participant periodically upon verification of enrollment and satisfactory progress towards degree completion.

NEW SECTION. Sec. 6. Grants may be used by eligible participants to attend any public or private college or university in the state of Washington that has an existing unused capacity. Grants shall not be used to attend any branch campus or educational program established under chapter 28B.45 RCW. The participant shall not be eligible for a grant if it will be used for any programs that include religious worship, exercise, or instruction or to pursue a degree in theology. Each participating student may receive up to two thousand five hundred dollars per academic year, not to exceed the student's demonstrated financial need for the course of study, for a period not to exceed two years.

NEW SECTION. Sec. 7. Sections 2 through 6 of this act shall constitute a new chapter in Title 28B RCW.

NEW SECTION. Sec. 8. The following acts or parts of acts are each repealed:

- (1) Section 12, chapter 7, Laws of 1989 1st ex. sess. and RCW 28B.80.530; and
- (2) Section 13, chapter 7, Laws of 1989 1st ex. sess. and RCW 28B.80.540.

NEW SECTION. Sec. 9. It is the intent of the legislature:

- (1) To protect the health, safety, and welfare of foreign students studying in Washington;
- (2) To promote quality education and living experiences for foreign students living in Washington;
- (3) To promote international awareness among Washington residents, by encouraging Washington residents to interact with foreign students;
- (4) To encourage public confidence in foreign student placement agencies; and
- (5) To encourage and assist with compliance with federal immigration regulations, United States information agency regulations, and nationally established guidelines.

NEW SECTION. Sec. 10. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

- (1) 'Exchange student placement agency' means a foreign student placement agency.
- (2) 'Foreign student placement agency' means a person, partnership, corporation, or other entity that provides services to foreign students under the age of twenty-one for the purpose, in whole or in part, of allowing the students an opportunity to study in the United States, but does not include:

(a) Any nonprofit organization that does not charge an agency administrative fee for the foreign student services and that makes a suitable placement in the home of a member of the nonprofit organization or in a home well known to and recommended by the president of the nonprofit organization;

(b) Any institution of higher education as defined in RCW 28B.10.016;

(c) Any postsecondary private institution which awards an associate of arts or bachelor of arts degree;

(d) Any school which is a component of the Washington common school system; and

(e) Any private school, authorized by law to issue a high school diploma.

(3) 'Department' means the department of licensing.

(4) 'Director' means the director of the department of licensing.

(5) 'Suitable placement' means placement of a foreign student with a host family or a school operated dormitory which provides a healthful and safe living environment, which provides adequate living space and an adequate diet for the student, which supports the educational goals of the student, and which does not require the student to provide services in exchange for the placement.

(6) 'Student' means a foreign student instructed at a postsecondary education institution in Washington for one academic quarter or more; or a foreign student instructed at public or private secondary schools in Washington for one-half an academic year or more.

(7) 'Academic quarter' means fall, winter, spring, or summer academic quarters or terms.

NEW SECTION. Sec. 11. It shall be unlawful for any person or other entity to operate in this state as a foreign student placement agency, unless the agency is licensed pursuant to the provisions of this chapter.

NEW SECTION. Sec. 12. (1) Each foreign student placement agency shall have the following obligations and shall keep records in Washington of services rendered to host families and students. The records and obligations shall include:

(a) The name, home address, and telephone number of the student to whom services are provided or promised;

(b) A statement that in the judgment of the placement agency each student placed in a publicly supported educational institution has sufficient English language capabilities to benefit from the educational program;

(c) The name, address, and phone number of the host family with whom the student is placed, which shall be on file at least seven days prior to the student's arrival in the state of Washington;

(d) The amount of the foreign student placement agency's fee or fees charged to a student by the American and the international organization and an itemization of the services attributable to individual portions of the fee or fees;

(e) A complete copy of any written agreements entered into between the agency and students and the host families which must include a signed agreement from the host family to provide a suitable placement;

(f) Proof of health and accident insurance policies which are in force in the state of Washington for the appropriate period for each student; and

(g) Copies of visas and other federal documents required for the students to remain in the United States.

(2) Unless otherwise provided by the rules adopted by the director, the records shall be maintained for a period of one year from the date on which the student arrives in the state. For purposes of investigating a complaint or otherwise assuring compliance with this chapter and

rules adopted thereunder, the records shall be subject to inspection by the department at the place at which they are kept, upon at least three days written notice.

NEW SECTION. Sec. 13. A foreign student placement agency shall provide each student and host family with an informational document regarding the agency services, in English, which shall have printed on it or attached to it a copy of this chapter and shall contain at a minimum the following:

(1) The name, address, and telephone number of the foreign student placement agency, including an emergency telephone hot-line available twenty-four hours a day, which is regularly answered by agency staff or representatives, or a live answering service, which can page agency staff twenty-four hours a day, and the telephone number of the appropriate division within the department of licensing;

(2) Trade name of the foreign student placement agency, if any;

(3) The amount of the fee to be charged the student, and an itemization of the services attributable to individual portions of the fee or the method of computation of the fee, and the time and method of payments;

(4) The name and address of the financial institution in which the trust account required in section 19 of this act will be deposited;

(5) The name, address, and phone number of the carriers providing insurance coverage as provided in section 12(1)(f) of this act; and

(6) The name, address, and phone number of the agency representative located nearest to the host family.

NEW SECTION. Sec. 14. (1) The director shall administer this chapter and shall adopt rules for enforcing and carrying out this chapter.

(2) The director shall appoint an advisory committee composed of representatives from foreign student placement agencies, United States immigration and naturalization service, office of the superintendent of public instruction, host parents, foreign students, resident students, representatives of public and private high schools and institutions of postsecondary education. These individuals shall advise the director on implementation of this chapter, including development of rules. The members shall serve at the discretion of the director.

(3) The director shall have supervisory and investigative authority over all foreign student placement agencies.

(4) The director may investigate the individuals responsible for screening and selecting host families and determining suitable placement in terms of their suitability and competence to perform these duties.

(5) The director shall have the power to compel the attendance of witnesses and the production of documents by the issuance of subpoenas, to administer oaths, and to take testimony and proofs concerning all matters pertaining to the administration of this chapter.

(6) Upon receipt of a complaint, the director may investigate the living conditions and circumstances of the student. Persons authorized to conduct the investigation must be determined by the department to be competent to conduct such investigation. The investigation may include a criminal background check.

(7) All records and other information received or compiled by the department in the investigation of a complaint, including the complaint itself, shall be exempt from public inspection and copying, pursuant to RCW 42.17.310(1) (d) and (e).

NEW SECTION. Sec. 15. (1) Every applicant for a foreign student placement agency license shall file with the director a written application stating:

(a) The name, address, and phone numbers of the applicant;

(b) The street and number of the building in which the business of the agency is to be conducted;

(c) The name and phone number of the person who is to have the general management of the agency;

(d) The name under which the business of the agency is to be carried on;

(e) The name, address, phone number, and occupation or employer of anyone holding over twenty percent interest in the agency;

(f) The name, address, and phone numbers and occupation or employer of the officers, partners, or members of the board of directors of the agency, which shall be signed and sworn to by the president and secretary of the corporation;

(g) Business relationships with organizations in which officers, board members, or agency employees have a financial interest;

(h) A unified business identifier number;

(i) The type or types of immigration visas used to bring students to the United States;

(j) A student orientation procedure;

(k) The names and addresses of all partners of the business, which shall be signed and sworn to by all of them, and which shall also state whether or not the applicant is, at the time of making the application, or has at any previous time been, engaged in or interested in or employed by anyone engaged in the business of a foreign student placement agency;

(l) The applicant accepts responsibility for assuring suitable placements for all students;

(m) The applicant accepts responsibility for meeting the responsibilities to students that are advertised in agency brochures or other advertisements;

(n) The applicant accepts responsibility for arranging suitable assistance to students upon their arrival and departure from the state;

(o) The applicant has in place a dispute resolution mechanism that allows for both students and host families to express their views to the placement agency as it makes decisions about the suitability of placement of a student;

(p) The name, address, and qualifications of the individuals responsible for screening host families and determining suitable placement; and

(q) The address at which the records required by section 12 of this act are or will be kept. The application shall be signed by the applicant and sworn to before a notary public.

(2) The director shall establish a renewal procedure whereby the licensee shall only be required to update information provided in the original license application.

(3) The application shall require disclosure of any officer, manager, or holder of more than twenty percent interest in the business who has been convicted of a crime involving moral turpitude, dishonesty, or corruption relating to the conduct of a foreign student placement agency or has had any judgment entered against such person in any civil action involving fraud, misrepresentation, or conversion.

(4) The application shall contain a copy of the articles of incorporation or partnership agreement covering the agency.

(5) All applications for foreign student placement agency licenses shall be accompanied by a copy of the form of any agreement and fee schedule to be used between the agency and students or host families.

(6) All applications shall be accompanied by representative samples of all promotional materials and advertisements used in recruiting students.

(7) An organization which sets standards for high quality international educational travel and monitors compliance with those standards may be authorized by an agency to submit a license application on behalf of the agency. However, the agency on whose behalf a license is sought shall certify in writing the accuracy of the information submitted on its behalf. The director shall develop rules for considering the eligibility of such organizations for this application procedure.

NEW SECTION. Sec. 16. A foreign student placement agency license shall expire December 31st of each year. A license shall not be issued upon application for reinstatement until all fees and penalties previously accrued under this chapter have been paid.

NEW SECTION. Sec. 17. A license granted under this chapter is not transferable. A foreign student placement agency shall not permit any person not mentioned in the license application under section 15(1) (e) and (f) of this act to hold a position identified in section 15(1) (e) and (f) of this act without notifying the director and modifying the license application.

NEW SECTION. Sec. 18. The director shall determine the fee to be charged for original applications, renewals, and late renewals. The fees shall be set at a level sufficient to recover the costs of administering this chapter. The director may establish a sliding fee scale based on the number of students placed in Washington.

NEW SECTION. Sec. 19. A separate trust account shall be established and maintained by each license applicant or licensee for all funds to be disbursed to students or host families. The director shall have the authority to examine financial records in such trust accounts. The trust account shall be established and administered pursuant to rules promulgated by the director.

NEW SECTION. Sec. 20. In accordance with chapter 34.05 RCW, the director may by order deny, suspend, or revoke the license of any foreign student placement agency if he or she finds that the applicant or licensee or any director or officer or individual managing a program in Washington:

(1) Was previously the holder of a license issued under this chapter, which was revoked for cause and never reissued by the director, or which license was suspended for cause and the terms of the suspension have not been fulfilled;

(2) Has been found guilty of any crime involving moral turpitude, dishonesty, or corruption relating to the conduct of a foreign student placement agency or has had any judgment entered against such person in any civil action involving fraud, misrepresentation, or conversion. For the purposes of this section, conviction includes all instances in which a plea of guilty or nolo contendere is the basis for conviction and all proceedings in which the sentence is suspended or deferred. Nothing in this section abrogates rights granted under chapter 9.96A RCW;

(3) Has made a false statement of a material fact in his or her application or in any data attached to the application;

(4) Fails to provide a suitable placement for a foreign student with whom the agency has contracted for services unless the contract is terminated pursuant to the contractual agreement of the student and agency;

(5) Has violated any provisions of this chapter, or failed to comply with any rule or regulation issued by the director pursuant to this chapter;

(6) Has violated any requirement of federal law pertaining to students, including but not limited to immigration requirements;

(7) Fails to provide a promised or agreed upon airline ticket for the student's return to his or her home country;

(8) Has failed to make a good faith effort to assure the student's safe and timely departure from the United States; or

(9) Fails to maintain records as required in section 12 of this act.

NEW SECTION. Sec. 21. (1) The director may refer evidence as may be available to the director concerning violations of this chapter or of any rule adopted under this chapter to the attorney general or the prosecuting attorney of the county in which the alleged violation arose. The attorney general or prosecuting attorney may, in his or her discretion, with or without the reference and in addition to any other action that might be commenced, bring an action in the name of the state against any person to restrain the doing of any act or practice prohibited by this chapter. This chapter shall be considered in conjunction with chapters 9.04 and 19.86 RCW and the powers and duties of the attorney general and the prosecuting attorney as provided in chapters 9.04 and 19.86 RCW shall apply against all persons subject to this chapter.

(2) In the enforcement of this chapter, the attorney general or prosecuting attorney may accept an assurance of discontinuance from a person deemed in violation of this chapter. The assurance shall be in writing and shall be filed with and subject to the approval of the superior court of the county in which the alleged violator resides or has the principal place of business, or in Thurston county.

(3) Any person who violates the terms of any court order or temporary or permanent injunction issued under this chapter, shall be subject to a civil penalty of not more than two thousand dollars per violation. For the purpose of this section, the superior court issuing an injunction shall retain continuing jurisdiction and the attorney general or the prosecuting attorney acting in the name of the state may petition for the recovery of civil penalties.

(4) The director may refer evidence as may be available to the director concerning violations of this chapter or of any rule adopted under this chapter to the United States immigration and naturalization service, the United States internal revenue service, or other federal law enforcement agencies.

NEW SECTION. Sec. 22. The director shall reassign students from an agency whose license is suspended or revoked prior to a student's departure from Washington. The director shall reassign students to an appropriate licensed agency, subject to the agreement of the receiving agency.

NEW SECTION. Sec. 23. (1) A foreign student placement agency may not bring or maintain a cause of action in any court of this state for compensation for, or seeking equitable relief in regard to, services rendered to students or host families unless the agency alleges and proves that at the time of rendering the services or contracting for the services, it was validly licensed under this chapter.

(2) Any person who gives consideration of any kind to any foreign student placement agency for the placement of foreign students in this state when the agency is not validly licensed under this chapter shall have a cause of action against the agency. Any court having jurisdiction may enter judgment for treble the amount of the consideration paid, plus reasonable attorneys' fees and costs.

NEW SECTION. Sec. 24. The legislature finds and declares that any violation of this chapter substantially affects the public interest and is an unfair and deceptive act or practice and unfair method of competition in the conduct of trade or commerce as set forth in RCW 19.86.020.

NEW SECTION. Sec. 25. It is a gross misdemeanor for any person to operate a foreign student placement agency in this state unless he or she is licensed as required by this chapter.

Sec. 26. Section 2, chapter 172, Laws of 1967 as last amended by section 912, chapter 176, Laws of 1988 and RCW 74.15.020 are each amended to read as follows:

For the purpose of chapter 74.15 RCW and RCW 74.13.031, and unless otherwise clearly indicated by the context thereof, the following terms shall mean:

(1) 'Department' means the state department of social and health services;

(2) 'Secretary' means the secretary of social and health services;

(3) 'Agency' means any person, firm, partnership, association, corporation, or facility which receives children, expectant mothers, or persons with developmental disabilities for control, care, or maintenance outside their own homes, or which places, arranges the placement of, or assists in the placement of children, expectant mothers, or persons with developmental disabilities for foster care or placement of children for adoption, and shall include the following irrespective of whether there is compensation to the agency or to the children, expectant mothers or persons with developmental disabilities for services rendered:

(a) 'Group-care facility' means an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis;

(b) 'Child-placing agency' means an agency which places a child or children for temporary care, continued care, or for adoption;

(c) 'Maternity service' means an agency which provides or arranges for care or services to expectant mothers, before or during confinement, or which provides care as needed to mothers and their infants after confinement;

(d) 'Day-care center' means an agency which regularly provides care for a group of children for periods of less than twenty-four hours;

(e) 'Foster-family home' means an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with a developmental disability is placed;

(f) 'Crisis residential center' means an agency which is a temporary protective residential facility operated to perform the duties specified in chapter 13.32A RCW, in the manner provided in RCW 74.13.032 through 74.13.036.

(4) 'Agency' shall not include the following:

(a) Persons related by blood or marriage to the child, expectant mother, or persons with developmental disabilities in the following degrees: Parent, grandparent, brother, sister, step-parent, stepbrother, stepsister, uncle, aunt, and/or first cousin;

(b) Persons who are legal guardians of the child, expectant mother, or persons with developmental disabilities;

(c) Persons who care for a neighbor's or friend's child or children, with or without compensation, where the person does not engage in such activity on a regular basis, or where parents on a mutually cooperative basis exchange care of one another's children, or persons who have the care of an exchange student in their own home;

(d) A person, partnership, corporation or other entity that provides services to foreign students under the age of twenty-one for the purpose, in whole or in part, of allowing the students an opportunity to study in the United States;

(e) Nursery schools or kindergartens which are engaged primarily in educational work with preschool children and in which no child is enrolled on a regular basis for more than four hours per day;

~~((f))~~ (f) Schools, including boarding schools, which are engaged primarily in education, operate on a definite school year schedule, follow a stated academic curriculum, accept only school-age children and do not accept custody of children;

~~((g))~~ (g) Seasonal camps of three months' or less duration engaged primarily in recreational or educational activities;

~~((h))~~ (h) Hospitals licensed pursuant to chapter 70.41 RCW when performing functions defined in chapter 70.41 RCW, nursing homes licensed under chapter 18.51 RCW and boarding homes licensed under chapter 18.20 RCW;

~~((i))~~ (i) Licensed physicians or lawyers;

~~((j))~~ (j) Facilities providing care to children for periods of less than twenty-four hours whose parents remain on the premises to participate in activities other than employment;

~~((k))~~ (k) Facilities approved and certified under chapter 71A.22 RCW;

~~((l))~~ (l) Any agency having been in operation in this state ten years prior to June 8, 1967, and not seeking or accepting moneys or assistance from any state or federal agency, and is supported in part by an endowment or trust fund;

~~((m))~~ (m) Persons who have a child in their home for purposes of adoption, if the child was placed in such home by a licensed child-placing agency, an authorized public or tribal agency or court or if a preplacement report has been filed under chapter 26.33 RCW and the placement has been approved by the court;

~~((n))~~ (n) An agency operated by any unit of local, state, or federal government or an agency, located within the boundaries of a federally recognized Indian reservation, licensed by the Indian tribe;

~~((o))~~ (o) An agency located on a federal military reservation, except where the military authorities request that such agency be subject to the licensing requirements of this chapter.

(5) 'Requirement' means any rule, regulation or standard of care to be maintained by an agency.

Sec. 27. Section 4, chapter 273, Laws of 1971 ex. sess. as last amended by section 3, chapter 290, Laws of 1989, and by section 3, chapter 306, Laws of 1989 and RCW 28B.15.014 are each reenacted and amended to read as follows:

The following nonresidents shall be exempted from paying the nonresident tuition and fee differential:

(1) Any person who resides in the state of Washington and who holds a graduate service appointment designated as such by a public institution of higher education or is employed for an academic department in support of the instructional or research programs involving not less than twenty hours per week during the term such person shall hold such appointment.

(2) Any faculty member, classified staff member or administratively exempt employee holding not less than a half time appointment at an institution who resides in the state of Washington, and the dependent children and spouse of such persons.

(3) Active-duty military personnel stationed in the state of Washington and the spouses and dependents of such military personnel.

(4) Any immigrant refugee and the spouse and dependent children of such refugee, if the refugee (a) is on parole status, or (b) has received an immigrant visa, or (c) has applied for United States citizenship.

(5) Domestic exchange students participating in the program created under RCW 28B.15.725.

(6) Any dependent of a member of the United States congress representing the state of Washington.

(7) Any Amerasian immigrant who is financially needy and is being assisted by the bureau of refugee assistance in the department of social and health services.

NEW SECTION. Sec. 28. Sections 9 through 25 of this act shall constitute a new chapter in Title 19 RCW.

NEW SECTION. Sec. 29. Sections 9 through 26 of this act shall take effect January 1, 1991."

On page 1, line 1 of the title, after "education;" strike the remainder of the title and insert "amending RCW 74.15.020: reenacting and amending RCW 28B.15.014: adding a new section to chapter 28B.80 RCW; adding a new chapter to Title 28B RCW; adding a new chapter to Title 19 RCW; repealing RCW 28B.80.530 and 28B.80.540: prescribing penalties; and providing an effective date."

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Bowman, Brekke, Dorn, Ebersole, Ferguson, Hine, Inslee, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Brough, May, McLean and Nealey.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6667

Prime Sponsor, Committee on Ways & Means: Transferring power and duty to enforce cigarette and tobacco laws to the liquor control board. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments by Committee on Revenue and without amendments by Committee on Commerce & Labor (For committee amendments, see Journal, 47th Day, February 23, 1990.):

Strike everything after the enacting clause and insert the following:

NEW SECTION. Sec. 1. The legislature finds that there is a large amount of potential cigarette and tobacco tax revenue that the state is failing to collect. The legislature also finds that the reasons for the failure to collect these revenues are varied and complex. Furthermore, the legislature is cognizant of the importance of stability in the structure of state government and its agencies. Therefore, the legislature finds that it is necessary to study the effect of transferring the responsibility for collecting cigarette taxes from the department of revenue to the liquor control board. This study will be conducted in order to ascertain the potential increase in revenue to the state versus the potential costs, including: The cost of enforcement, the cost of litigation, and the cost in terms of the relationship between the state of Washington and the Indian tribes of the state.

NEW SECTION. Sec. 2. The cigarette and tobacco tax task force is created to conduct a study to determine which agency is best suited to collect and enforce the cigarette and tobacco tax. The task force shall:

(1) Be comprised of seven members, two of whom shall be senators, representing the majority and the minority caucuses, appointed by the president of the senate; two of whom shall be representatives, representing the majority and the minority caucuses, appointed by the speaker of the house of representatives; one of whom shall be a representative of the department of revenue, to be appointed by the director of the department; one of whom shall be a representative of the liquor control board, to be appointed by the chair of the board; and one of whom shall be a representative of the governor, to be appointed by the governor;

(2) Consider at least the following factors in determining which agency is best suited to collect and enforce the cigarette and tobacco tax: (a) Whether one agency will be better able than the other to collect and enforce the tax; (b) whether the costs of enforcement and any attendant litigation will outweigh or greatly reduce the benefit to be derived from any increase in revenue; (c) whether it would be appropriate to transfer responsibilities from one agency to another; and (d) whether increased enforcement of the cigarette and tobacco tax on Indian reservations would be in the best interest of the state of Washington;

(3) Create an advisory committee, including at least two representatives from Indian tribes and two representatives from the tobacco industry, to assist the task force in its study; and

(4) Report its findings and recommendations to the commerce and labor and revenue committees of the house of representatives, and the economic development and labor and ways and means committees of the senate, no later than January 10, 1991."

On page 1, line 1 of the title, after "statutes;" strike the remainder of the title and insert "and creating new sections."

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Appelwick, Basich, Fraser, Grant, Morris, Phillips, Rust, Silver and H. Sommers.

Absent: Representatives Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Fuhrman, Haugen and Van Luvan.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6668 Prime Sponsor, Committee on Ways & Means: Amending crime victims' compensation provisions. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with the following amendments:
On page 3, following line 11, strike all of section 3

On page 1, line 2 of the title, strike "creating a new section;"

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Inslee, May, McLean, Nealey, Padden, Peery, Rust, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

Absent: Representatives Brough, Ebersole and Hine.

Passed to Committee on Rules for second reading.

February 24, 1990

SB 6698 Prime Sponsor, Senator Metcalf: Imposing a fee on the sale of solid fuel burning devices. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments by Committee on Revenue and without amendments by Committee on Environmental Affairs (For committee amendments, see Journal, 47th Day, February 23, 1990.):

Strike everything after the enacting clause and insert the following:

"NEW SECTION, Sec. 1. A new section is added to chapter 70.94 RCW to read as follows:

The joint select task force on clean air established by chapter (Engrossed Substitute House Bill No. 2277), Laws of 1990, has the authority, in addition to all other powers granted the task force, to:

- (1) Review the implementation of this act;
- (2) Review and make recommendations regarding state policies regarding the sale and use of residential solid fuel burning devices; and
- (3) Review and recommend strategies to further advance technology to reduce contaminants from residential solid fuel burning devices, including but not limited to pellet fuel burning devices.

Sec. 2. Section 6, chapter 405, Laws of 1987 and RCW 70.94.473 are each amended to read as follows:

(1) Any person in a residence or commercial establishment which has an adequate source of heat without burning wood shall:

((H)) (a) Not burn wood in any solid fuel ((heating)) burning device whenever the department has determined under RCW 70.94.715 that any air pollution episode exists in that area;

((2)) (b) Not burn wood in any solid fuel ((heating)) burning device((:)) except ((wood stoves)) those which meet the standards set forth in RCW 70.94.457, or a pellet stove either certified or issued an exemption certificate by the United States environmental protection agency in accordance with title 40, Part 60 of the code of federal regulations, in the geographical area and for the period of time that a first stage of impaired air quality has been determined, by the department or any authority, for that area. ((For the purposes of this section, impaired air quality shall mean air contaminant concentrations nearing unhealthful levels concurrent with meteorological conditions that are conducive to an accumulation of air contamination. If, after July 1, 1990, the department determines that there is quantitative evidence that wood stoves meeting the requirements of RCW 70.94.457 are contributing to impaired air quality, the department or any authority may prohibit burning of all solid fuel burning devices as provided by this section including those meeting the requirements of RCW 70.94.457.)) A first stage of

impaired air quality is reached when particulates ten microns and smaller in diameter are at an ambient level of seventy-five micrograms per cubic meter measured on a twenty-four hour average or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume measured on an eight-hour average; and

(c) Not burn wood in any solid fuel burning device, including those which meet the standards set forth in RCW 70.94.457, in a geographical area and for the period of time that a second stage of impaired air quality has been determined by the department or any authority, for that area. A second stage of impaired air quality is reached when particulates ten microns and smaller in diameter are at an ambient level of one hundred five micrograms per cubic meter measured on a twenty-four hour average.

(2) When a local air authority exercises the limitation on solid fuel burning devices specified under RCW 70.94.477(2), a single stage of impaired air quality applies in the geographical area defined by the authority in accordance with RCW 70.94.477(2) and is reached when particulates ten microns and smaller in diameter are at an ambient level of ninety micrograms per cubic meter measured on a twenty-four hour average or when carbon monoxide is at an ambient level of eight parts of contaminant per million parts of air by volume measured on an eight-hour average.

When this single stage of impaired air quality is reached, no person in a residence or commercial establishment which has an adequate source of heat without burning wood shall burn wood in any solid fuel burning device, including those which meet the standards set forth in RCW 70.94.457.

Sec. 3. Section 9, chapter 405, Laws of 1987 and RCW 70.94.477 are each amended to read as follows:

(1) Unless allowed by rule, under chapter 34.05 RCW, a person shall not cause or allow any of the following materials to be burned in any residential solid fuel burning device:

((1)) (a) Garbage;

((2)) (b) Treated wood;

((3)) (c) Plastics;

((4)) (d) Rubber products;

((5)) (e) Animals;

((6)) (f) Asphaltic products;

((7)) (g) Waste petroleum products;

((8)) (h) Paints; or

((9)) (i) Any substance, other than properly seasoned fuel wood, which normally emits dense smoke or obnoxious odors.

(2) On or after July 1, 1995, a local authority may geographically limit the use of solid fuel burning devices, except fireplaces as defined in RCW 70.94.453(3), wood stoves meeting the standards set forth in RCW 70.94.457 or pellet stoves issued an exemption certificate by the United States environmental protection agency in accordance with Title 40, part 60 of the code of federal regulations. An authority shall allow an exemption from this subsection for low-income persons who reside in a geographical area affected by this subsection. In the exercise of this limitation, a local authority shall consider the following factors:

(a) The contribution of solid fuel burning devices that do not meet the standards set forth in RCW 70.94.457 to nonattainment of national ambient air quality standards;

(b) The population density of geographical areas within the local authority's jurisdiction giving greater consideration to urbanized areas; and

(c) The public health effects of use of solid fuel burning devices which do not meet the standards set forth in RCW 70.94.457.

Sec. 4. Section 2, chapter 194, Laws of 1971 ex. sess. and RCW 70.94.715 are each amended to read as follows:

The department of ecology is hereby authorized to develop an episode avoidance plan providing for the phased reduction of emissions wherever and whenever an air pollution episode is forecast. Such an episode avoidance plan shall conform with any applicable federal standards and shall be effective state-wide. The episode avoidance plan may be implemented on an area basis in accordance with the occurrence of air pollution episodes in any given area.

The department of ecology may delegate authority to adopt source emission reduction plans and authority to implement all stages of occurrence up to and including the warning stage, and all intermediate stages up to the warning stage, in any area of the state, to the air pollution control authority with jurisdiction therein.

The episode avoidance plan, which shall be established by regulation in accordance with chapter 34.05 RCW, shall include, but not be limited to the following:

(1) The designation of episode criteria and stages, the occurrence of which will require the carrying out of preplanned episode avoidance procedures. The stages of occurrence shall be (a) forecast, (b) alert, (c) warning, (d) emergency, and such intermediate stages as the department shall designate. 'Forecast' means the presence of meteorological conditions that are conducive to accumulation of air contaminants and is the first stage of an episode. The department shall not call a forecast episode prior to the department or an authority calling a first stage

impaired air quality condition as provided by RCW 70.94.473(1)(b) or calling a single-stage impaired air quality condition as provided by RCW 70.94.473(2). 'Alert' means concentration of air contaminants at levels at which short-term health effects may occur, and is the second stage of an episode. 'Warning' means concentrations are continuing to degrade, contaminant concentrations have reached a level which, if maintained, can result in damage to health, and additional control actions are needed and is the third level of an episode. 'Emergency' means the air quality is posing an imminent and substantial endangerment to public health and is the fourth level of an episode;

(2) The requirement that persons responsible for the operation of air contaminant sources prepare and obtain approval from the director of source emission reduction plans, consistent with good operating practice and safe operating procedures, for reducing emissions during designated episode stages;

(3) Provision for the director of the department of ecology or his authorized representative, or the air pollution control officer if implementation has been delegated, on the satisfaction of applicable criteria, to declare and terminate the forecast, alert, warning and all intermediate stages, up to the warning episode stage, such declarations constituting orders for action in accordance with applicable source emission reduction plans;

(4) Provision for the governor to declare and terminate the emergency stage and all intermediate stages above the warning episode stage, such declarations constituting orders in accordance with applicable source emission reduction plans;

(5) Provisions for enforcement by state and local police, personnel of the departments of ecology and social and health services, and personnel of local air pollution control agencies; and

(6) Provisions for reduction or discontinuance of emissions immediately, consistent with good operating practice and safe operating procedures, under an air pollution emergency as provided in RCW 70.94.720.

Source emission reduction plans shall be considered orders of the department and shall be subject to appeal to the pollution control hearings board according to the procedure in chapter 43.21B RCW.

Sec. 5. Section 10, chapter 405, Laws of 1987 and RCW 70.94.483 are each amended to read as follows:

(1) The wood stove education and enforcement account is hereby created in the general fund. Money placed in the account shall include all money received under subsection (2) of this section and any other money appropriated by the legislature. Money in the account shall be spent for the purposes of the wood stove education program established under RCW 70.94.480 and for enforcement of the wood stove program, and shall be subject to legislative appropriation.

(2) The department of ecology, with the advice of the advisory committee, shall set a flat fee, not to exceed ~~((five))~~ fifteen dollars, on the retail sale, as defined in RCW 82.04.050, of each solid fuel burning device, excepting masonry fireplaces, after January 1, 1988. The fee shall be imposed upon the consumer and shall not be subject to the retail sales tax provisions of chapters 82.08 and 82.12 RCW. The fee may be adjusted annually above ~~((five))~~ fifteen dollars according to changes in the consumer price index after January 1, 1989. The fee shall be collected by the department of revenue in conjunction with the retail sales tax under chapter 82.08 RCW. If the seller fails to collect the fee herein imposed or fails to remit the fee to the department of revenue in the manner prescribed in chapter 82.08 RCW, the seller shall be personally liable to the state for the amount of the fee. The collection provisions of chapter 82.32 RCW shall apply. The department of revenue shall ~~((transmit the moneys to))~~ deposit fees collected under this section in the wood stove education and enforcement account.

Sec. 6. Section 3, chapter 405, Laws of 1987 and RCW 70.94.480 are each amended to read as follows:

(1) The department of ecology shall establish a program to educate wood stove dealers and the public about:

~~((+))~~ (a) The effects of wood stove emissions on health and air quality;

~~((2))~~ (b) Methods of achieving better efficiency and emission performance from wood stoves;

~~((3))~~ (c) Wood stoves that have been approved by the department;

~~((4))~~ (d) The benefits of replacing inefficient wood stoves with stoves approved under RCW 70.94.457.

(2) Persons selling new wood stoves shall distribute and verbally explain educational materials describing when a stove can and cannot be legally used to customers purchasing new wood stoves.

On page 1, line 5 of the title, after "devices;" strike the remainder of the title and insert "amending RCW 70.94.473, 70.94.477, 70.94.715, 70.94.483, and 70.94.480; and adding a new section to chapter 70.94 RCW."

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Appelwick, Fraser, Fuhrman, Grant, Morris, Phillips, Rust, Silver and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representative Basich.

Absent: Representatives Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Haugen and Van Luven.

Passed to Committee on Rules for second reading.

February 24, 1990

ESSB 6726 Prime Sponsor, Committee on Environment & Natural Resources: Providing funds for firearm range facilities. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Fisheries & Wildlife. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Holland, Padden and Sprenkle.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6764 Prime Sponsor, Committee on Education: Creating the learn-in-libraries program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Bowman, Brekke, Brough, Dorn, Inslee, McLean, Nealey, Peery, Rust, Spanel, Sprenkle, Valle, Wang and Wineberry.

Voting nay: Representatives Doty, May and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Braddock, Ebersole, Hine, Holland and Padden.

Passed to Committee on Rules for second reading.

February 24, 1990

E2SSB 6767 Prime Sponsor, Committee on Ways & Means: Creating a juvenile justice review commission. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Human Services. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Ebersole, Hine, Inslee, May, McLean, Nealey, Rust, Spanel, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

ESSB 6771 Prime Sponsor, Committee on Energy & Utilities: Studying the placement of electric transmission lines and magnetic fields. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Energy & Utilities. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Belcher, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, Rust, Sayan, Spanel, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman; May, McLean and Nealey.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSB 6779 Prime Sponsor, Committee on Ways & Means: Providing for regional water resource planning. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Natural Resources & Parks. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Brough, Dorn, Doty, Ferguson, Hine, Inslee, May, McLean, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Braddock, Brough, Ebersole, Hine, Holland, Padden and Wineberry.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSB 6780 Prime Sponsor, Committee on Ways & Means: Establishing farm-worker housing inspection procedures and standards. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Housing. (For committee amendments, see Journal, 46th Day, February 22, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6792 Prime Sponsor, Committee on Economic Development & Labor: Creating the community diversification program. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Trade & Economic Development. (For committee amendments, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Appelwick, Belcher, Brekke, Dorn, Ebersole, Ferguson, Hine, Inslee, Peery, Rust, Sayan, Spanel, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, May, McLean, Nealey and Padden.

Voting nay: Representatives Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Bowman, Doty, Holland, May, McLean, Nealey and Padden.

Absent: Representatives Brough and Sprenkle.

Passed to Committee on Rules for second reading.

February 23, 1990

SSB 6827 Prime Sponsor, Committee on Energy & Utilities: Studying state-wide 911. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Braddock, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Hine, Holland, Inslee, May, McLean, Padden, Peery, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives Brough and Ebersole.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSB 6832 Prime Sponsor, Committee on Ways & Means: Authorizing a study of the state's juvenile rehabilitation system. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brough, Dorn, Ebersole, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representative Brekke.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 24, 1990

ESB 6839 Prime Sponsor, Senator Barr: Providing for protection of the Kettle River. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on Natural Resources & Parks. (For committee amendment, see Journal, 47th Day, February 23, 1990.) Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Appelwick, Belcher, Bowman, Brekke, Brough, Dorn, Doty, Ferguson, Hine, Inslee, May, Nealey, Peery, Rust, Sayan, Spanel, Sprenkle, Valle and Wang.

MINORITY recommendation: Without recommendation. Signed by Representative McLean.

Absent: Representatives Braddock, Ebersole, Holland, Padden, Sprenkle and Wineberry.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6880 Prime Sponsor, Committee on Governmental Operations: Limiting the disclosure of business and residential locations. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass as amended by Committee on State Government (For committee amendments, see Journal, 47th Day, February 23, 1990.) and with the following amendments by Committee on Appropriations:

On page 4, line 19 strike "any person's" and insert "his or her"

On page 4, line 24 after "operation," insert "For purpose of service of process, the secretary of state shall serve as agent for each person who submits a request under this subsection. A request shall be of no force or effect if the requester does not include a statement, along with or part of the request, designating the secretary of state as agent of the requester for purposes of service of process."

Signed by Representatives Locke, Chair; Grant, Vice Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Brekke, Brough, Dorn, Doty, Ebersole, Ferguson, Hine, Inslee, May, McLean, Nealey, Rust, Sayan, Spanel, Sprenkle, Valle, Wang and Wineberry.

Absent: Representatives H. Sommers, Vice Chair; Braddock, Holland and Padden.

Passed to Committee on Rules for second reading.

February 24, 1990

2SSJR 8212 Prime Sponsor, Committee on Ways & Means: Amending the Constitution to allow property devoted to low-income housing to be taxed based on its current use value. Reported by Committee on Revenue

MAJORITY recommendation: Do pass as amended by Committee on Housing. (For committee amendments, see Journal, 46th Day, February 22, 1990.) Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Appelwick, Basich, Fraser, Grant, Morris, Phillips, Rust, Silver and H. Sommers.

Absent: Representatives Holland, Ranking Republican Member; Horn, Assistant Ranking Republican Member; Brumsickle, Fuhrman, Haugen and Van Luven.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Heavey, the bills and resolution listed on today's committee reports under the fifth order of business were referred to the committees so designated.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.
The Speaker called the House to order.

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

SECOND READING

SUBSTITUTE SENATE BILL NO. 5340, by Committee on Financial Institutions & Insurance (originally sponsored by Senators Warnke, Smitherman and Johnson)

Regulating disbursements by escrow agents.

The bill was read the second time. Committee on Financial Institutions & Insurance recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 46th Day, February 22, 1990.)

Mr. Dellwo moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 5340 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprengle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Chandler, King P - 2.

Substitute Senate Bill No. 5340 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 5712, by Senator Kreidler

Changing provisions relating to the environmental hearings office.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 44th Day, February 20, 1990.)

Ms. Rust moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 5712 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Chandler, King P - 2.

Senate Bill No. 5712 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6267, by Senators Moore, Nelson, Wojahn, Amondson, Johnson, Smith, Matson, Bauer and Niemi

Changing provisions regulating occupational therapy.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6267, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Loven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Chandler, King P - 2.

Senate Bill No. 6267, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6464, by Senators Patrick, Vognild, West, Rasmussen and Wøjahn

Exempting law enforcement officers from commercial driver's license requirements.

The bill was read the second time. Committee on Transportation recommendation: Majority, do pass as amended. (For committee amendments, see Journal, 46th Day, February 22, 1990.)

Ms. R. Fisher moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the committee amendment to the title was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6464 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; excused, 2.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Excused: Representatives Chandler, King P - 2.

Senate Bill No. 6464 as amended by the House, having received the constitutional majority, was declared passed.

MOTION

Mr. Ebersole moved that the House defer consideration of Substitute Senate Bill No. 6493 and that the bill hold its place on the second reading calendar. The motion was carried.

Representative P. King appeared at the bar of the House.

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

RESOLUTION

HOUSE FLOOR RESOLUTION NO. 90-4755, by Representatives May, Holland, K. Wilson, Schmidt, Doty, Brooks, Brumsickle, Sayan, Appelwick, Wolfe, Nealey, Fraser, Silver, Fuhrman, Beck, R. King, Hankins, Moyer, Walker, McLean, Hargrove, Anderson, Ballard, Basich, Baugher, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brough, Cantwell, Chandler, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, G. Fisher, R. Fisher, Forner, Gallagher, Grant, Haugen, Heavey, Hine, Horn, Inslee, Jacobsen, Jesernig, Jones, J. King, P. King, Kirby, Kremen, Leonard, Locke, R. Meyers, Miller, Morris, H. Myers, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Schoon, Scott, Smith, D. Sommers, H. Sommers, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Wang, S. Wilson, Wineberry, Winsley, Wood, Youngsman and Zellinsky

WHEREAS, KOMO TV 4 and Group W Television have joined in a comprehensive community outreach and public service campaign to implement a multifaceted series of programs, projects and events under the "For Kid's Sake" umbrella designed, first and foremost, to help kids and second, to create public awareness on issues pertaining to young people and their families; and

WHEREAS, Since the campaign began in April 1987, KOMO TV 4 has broadcast more than twenty-five prime-time specials focusing on problems of children and the family; and

WHEREAS, Since the inception of the "For Kid's Sake" campaign, KOMO NEWS 4 has aired an unprecedented number of series and reports on children and the family; and

WHEREAS, A large percentage of KOMO TV 4's daily management editorials are devoted to children and family issues; and

WHEREAS, KOMO TV 4 has aired well over one-hundred local programs addressing "For Kid's Sake" issues; and

WHEREAS, KOMO TV 4 has produced more than one hundred-fifty public service announcements under the "For Kid's Sake" banner, promoting family ideals and good parenting; and

WHEREAS, KOMO TV 4 has sponsored or cosponsored more than sixty family-oriented events designed to entertain, to educate and to impart a feeling of community in the celebration of children; and

WHEREAS, More than one hundred-fifty KOMO TV 4 employees participated in the Children's Hospital Telethon and raised a record 1.4 million dollars during the 1989, twenty-one hour event; and

WHEREAS, As media sponsor of "For Kid's Sake"/Walk America in 1988, KOMO TV 4 helped raise more than \$530,000 to benefit the March of Dimes in its fight against birth defects; and

WHEREAS, KOMO TV 4 has awarded four one-year, full-time scholarships to minority students interested in broadcasting; and

WHEREAS, Since the beginning of the campaign, KOMO TV 4 on-air personalities and staff members have made more than two hundred-fifty personal appearances to enhance the community's awareness of children and their problems; and

WHEREAS, KOMO TV 4's furry mascot, T. Wheedle, has visited more than three-hundred children's events; and

WHEREAS, KOMO TV 4 has distributed more than 14,000 Latchkey Calendars, which provide kids with safety tips and hundreds of suggestions for positive things to do while home alone; and

WHEREAS, KOMO TV 4 is committed to the "For Kid's Sake" campaign and its positive effect on the well-being of the children of Washington State; and

WHEREAS, "For Kid's Sake" programming has received the endorsement and support of numerous business and community leaders; and

WHEREAS, KOMO TV 4 and its sponsors are leaders in developing direction in addressing matters which affect young people and are willing to continue to act as catalysis and as resources in reaching out to provide a safer, happier and healthier environment for Washington families;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives commend the Group W Television Stations and KOMO TV 4 for implementing the excellent "For Kid's Sake" programming in Washington State; and

BE IT FURTHER RESOLVED, That copies of this Resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Chief Executive Officers of both Group W Television Stations and KOMO TV 4 in recognition of their outstanding community service.

Mr. May moved adoption of the resolution. Representatives May, Walker, Horn and Leonard spoke in favor of the resolution.

On motion of Mr. Baugher, the rules were suspended and the names of all members of the House of Representatives were added as sponsors of the resolution.

Representatives Silver, K. Wilson and Ferguson spoke in favor of the resolution.

House Floor Resolution No. 90-4755 was adopted.

SPEAKER'S PRIVILEGE

The Speaker introduced the following guests who were seated in the North Gallery: Mr. William Krippaehne, Executive Vice President, Fisher Companies; Mr. John Behnke, President and CEO, Fisher Broadcasting, Inc.; Ms. Deb Zeyen, Vice President, Group W, Westinghouse Broadcasting; Mr. Kinne Hawes, Senior Vice

President, Pay 'n Save Stores; Mr. Pat Scott, Vice President and General Manager, KOMO TV 4; Ms. Kerry Brock, KOMO TV News Anchor; and Mr. Ken Schram, KOMO TV Editorial Director.

The Speaker declared the House to be at ease until 1:30 p.m.

AFTERNOON SESSION

The Speaker called the House to order at 1:30 p.m.

MESSAGE FROM THE SENATE

February 26, 1990

Mr. Speaker:

The President has signed:

SECOND SUBSTITUTE SENATE BILL NO. 6259.

and the same is herewith transmitted.

W. D. Naismith, Assistant Secretary.

SIGNED BY THE SPEAKER

The Speaker announced he was signing:

SECOND SUBSTITUTE SENATE BILL NO. 6259.

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

SECOND READING

SENATE BILL NO. 6510, by Senators Benitz, Bluechel and Williams; by request of Utilities and Transportation Commission

Revising provisions for registration of telecommunication companies.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6510, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luvan, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 1.

Senate Bill No. 6510, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6514, by Senators Newhouse and McMullen; by request of Board of Industrial Insurance Appeals

Revising provisions for attorney's fees before the department of labor and industries and the board of industrial insurance appeals.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Cole spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6514, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 1.

Senate Bill No. 6514, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6558, by Senators Conner, Thorsness, McMullen and Sellar; by request of Department of Licensing

Allowing the department of licensing to waive the driving examination for certain driver's license applicants.

The bill was read the second time.

Mr. Beck moved adoption of the following amendment:

On page 1, line 7, strike "No new driver's license may be issued and no previously issued license may be renewed until the applicant therefor has successfully passed a driver licensing examination" and insert "(~~No new driver's license may be issued and no previously issued license may be renewed until the applicant therefor has successfully passed a driver licensing examination~~) No new driver's license may be issued until the applicant has successfully passed a driver licensing examination and no previously issued license may be renewed until the applicant has successfully passed a written driver licensing examination within the preceding ten years."

Mr. Beck spoke in favor of passage of the amendment, and Ms. R. Fisher opposed it. The amendment was not adopted.

The Speaker called on Representative O'Brien to preside.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. R. Fisher spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6558, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Heavey, Phillips, Rust, Wilson K - 4.

Excused: Representative Chandler - 1.

Senate Bill No. 6558, having received the constitutional majority, was declared passed.

SUBSTITUTE SENATE BILL NO. 6572, by Committee on Energy & Utilities (originally sponsored by Senators Benitz, Williams, Patrick, Stratton and Sutherland)

Revising provisions on fraud in obtaining telecommunications services.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Mr. Nelson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Substitute Senate Bill No. 6572, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insole, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 1.

Substitute Senate Bill No. 6572, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6576, by Senator Metcalf

Making changes regarding harvesting of wild mushrooms.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. K. Wilson spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6576, and the bill passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insole, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 1.

Senate Bill No. 6576, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6577, by Senators Metcalf, Kreidler and Benitz

Extending the termination date for the committee for recycling markets.

The bill was read the second time. Committee on Environmental Affairs recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 45th Day, February 21, 1990.)

Ms. Rust moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Ms. Rust spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6577 as amended by the House, and the bill passed the House by the following vote: Yeas, 96; nays, 1; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 96.

Voting nay: Representative Brekke - 1.

Excused: Representative Chandler - 1.

Senate Bill No. 6577 as amended by the House, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6640, by Senator McMullen

Expanding the use of hotel-motel tax revenues to develop tourism strategies.

The bill was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt, Basich and Holland spoke in favor of passage of the bill, and Ms. Silver opposed it.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6640, and the bill passed the House by the following vote: Yeas, 76; nays, 21; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Gallagher, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Leonard, May, Meyers R, Miller, Morris, Myers H, Nealey, Nelson, Nutley, O'Brien, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Walker, Wang, Wilson S, Wineberry, Winsley, Wood, Youngsman, Zellinsky, and Mr. Speaker - 76.

Voting nay: Representatives Ballard, Brekke, Brooks, Brough, Doty, Fuhrman, Grant, Heavey, Kirby, Kremen, Locke, McLean, Moyer, Padden, Rayburn, Silver, Smith, Sommers D, Vekich, Wilson K, Wolfe - 21.

Excused: Representative Chandler - 1.

Senate Bill No. 6640, having received the constitutional majority, was declared passed.

SENATE BILL NO. 6822, by Senators Bluechel, Gaspard, Amondson and Barr

Exempting small timber harvesters from business and occupation tax.

The bill was read the second time. Committee on Revenue recommendation: Majority, do pass as amended. (For committee amendment, see Journal, 46th Day, February 22, 1990.)

Mr. Pruitt moved adoption of the committee amendment and spoke in favor of it. The committee amendment was adopted.

With consent of the House, the rules were suspended, the second reading considered the third, and the bill was placed on final passage.

Representatives Pruitt and Brumsickle spoke in favor of passage of the bill.

ROLL CALL

The Clerk called the roll on the final passage of Senate Bill No. 6822 as amended by the House, and the bill passed the House by the following vote: Yeas, 93; nays, 4; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betzoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Hine, Holland, Horn, Inslée, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller,

Morris, Moyer, Myers H. Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H. Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson S. Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 93.

Voting nay: Representatives Cole, Heavey, Rust, Wilson K - 4.

Excused: Representative Chandler - 1.

Senate Bill No. 6822 as amended by the House, having received the constitutional majority, was declared passed.

SENATE JOINT MEMORIAL NO. 8018, by Senators Conner, Rasmussen and Saling

Requesting congress to pass legislation concerning taxation of pensions.

The memorial was read the second time.

With consent of the House, the rules were suspended, the second reading considered the third, and the memorial was placed on final passage.

Representatives Pruitt, Ferguson and Jones spoke in favor of passage of the memorial.

ROLL CALL

The Clerk called the roll on the final passage of Senate Joint Memorial No. 8018, and the memorial passed the House by the following vote: Yeas, 97; excused, 1.

Voting yea: Representatives Anderson, Appelwick, Ballard, Basich, Baugher, Beck, Belcher, Bennett, Betrozoff, Bowman, Braddock, Brekke, Brooks, Brough, Brumsickle, Cantwell, Cole, Cooper, Crane, Day, Dellwo, Dorn, Doty, Ebersole, Ferguson, Fisher G, Fisher R, Forner, Fraser, Fuhrman, Gallagher, Grant, Hankins, Hargrove, Haugen, Heavey, Hine, Holland, Horn, Insee, Jacobsen, Jesernig, Jones, King P, King R, Kirby, Kremen, Leonard, Locke, May, McLean, Meyers R, Miller, Morris, Moyer, Myers H, Nealey, Nelson, Nutley, O'Brien, Padden, Peery, Phillips, Prentice, Prince, Pruitt, Raiter, Rasmussen, Rayburn, Rector, Rust, Sayan, Schmidt, Schoon, Scott, Silver, Smith, Sommers D, Sommers H, Spanel, Sprenkle, Tate, Todd, Valle, Van Luven, Vekich, Walker, Wang, Wilson K, Wilson S, Wineberry, Winsley, Wolfe, Wood, Youngsman, Zellinsky, and Mr. Speaker - 97.

Excused: Representative Chandler - 1.

Senate Joint Memorial No. 8018, having received the constitutional majority, was declared passed.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Mr. O'Brien presiding) called the House to order.

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

MOTION

On motion of Mr. Ebersole, House Bill No. 2230 was referred from Committee on Rules to Committee on Appropriations.

The Speaker (Mr. O'Brien presiding) declared the House to be at ease.

The Speaker (Ms. R. Fisher presiding) called the House to order.

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

REPORTS OF STANDING COMMITTEES

February 26, 1990

SB 5431 Prime Sponsor, Senator Bauer: Exempting property from the leasehold excise tax. Reported by Committee on Revenue

MAJORITY recommendation: Do pass. Signed by Representatives Wang, Chair; Holland, Ranking Republican Member; Appelwick, Basich, Brumsickle, Fuhrman, Grant, Haugen, Morris, Phillips, Silver and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representative Rust.

Absent: Representatives Horn, Assistant Ranking Republican Member; and Van Luven.

Passed to Committee on Rules for second reading.

February 26, 1990

SB 5593 Prime Sponsor, Senator Patterson: Conforming vehicle length requirements to federal law. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 24, 1990

SSB 6190 Prime Sponsor, Committee on Health & Long-Term Care: Providing for the prevention of head injuries. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass with amendments by Committee on Health Care (For committee amendments, see Journal, 46th Day, February 22, 1990.) as amended with the following amendment by Committee on Appropriations:

On page 7, line 21 of the amendment, after "from the" strike "general fund" and insert "public safety and education account"

Signed by Representatives Locke, Chair; H. Sommers, Vice Chair; Silver, Ranking Republican Member; Belcher, Bowman, Brekke, Ferguson, Hine, Inslee, May, Nealey, Rust, Sayan, Spanel, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Grant, Vice Chair; Youngsman, Assistant Ranking Republican Member; Brough, Dorn, Ebersole and McLean.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 26, 1990

SB 6251 Prime Sponsor, Senator Rasmussen: Revising requirements for special license plates for prisoners of war spouses. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Absent: Representative Todd.

Passed to Committee on Rules for second reading.

February 26, 1990

ESSB 6434 Prime Sponsor, Committee on Transportation: Enhancing bicycle safety. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

*NEW SECTION. Sec. 1. A new section is added to chapter 43.43 RCW to read as follows:

Bicycling is popular for all ages. Almost all families now have bicycles. Bicycling takes more skill than most people realize. Since bicyclists have a low profile in traffic and are unprotected, they need more defensive riding skills than motorists do.

A bicycle awareness program is created within the Washington state patrol. In developing the curriculum for the bicycle awareness program the patrol shall consult with the traffic safety commission and with bicycling groups currently providing bicycle safety education. The patrol shall conduct the program in conjunction with the safety education officer program and may use other law enforcement personnel and volunteers to implement the program for children in grades kindergarten through six. The patrol shall ensure that each safety educator presenting

the bicycle awareness program has received specialized training in bicycle safety education and has been trained in effective defensive bicycle riding skills.

Sec. 2. Section 46.04.670, chapter 12, Laws of 1961 as amended by section 4, chapter 213, Laws of 1979 ex. sess. and RCW 46.04.670 are each amended to read as follows:

'Vehicle' includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, ((excepting)) including bicycles, but not including devices other than bicycles moved by human or animal power or used exclusively upon stationary rails or tracks, except that mopeds shall be considered vehicles or motor vehicles for the purposes of chapter 46.12 RCW, but not for the purposes of chapter 46.70 RCW, and bicycles shall not be considered vehicles for the purposes of chapter 46.12 or 46.70 RCW.

Sec. 3. Section 92, chapter 155, Laws of 1965 ex. sess. and RCW 46.61.990 are each amended to read as follows:

Sections 1 through 52 and 54 through 86 of ((this amendatory act)) chapter 155, Laws of 1965 ex. sess. are added to chapter 12, Laws of 1961 and shall constitute a new chapter in Title 46 of the Revised Code of Washington and sections 54, 55, and 63 as herein amended and RCW 46.48.012, 46.48.014, 46.48.015, 46.48.016, 46.48.023, 46.48.025, 46.48.026, 46.48.041, 46.48.046, 46.48.050, 46.48.060, 46.48.080, 46.48.110, 46.48.120, 46.48.150, 46.48.160, 46.48.340, 46.56.030, 46.56.070, 46.56.100, 46.56.130, 46.56.135, 46.56.190, 46.56.200, 46.56.210, 46.56.220, 46.56.230, 46.56.240, 46.60.260, 46.60.270, 46.60.330, and 46.60.340 shall be recodified as and be a part of said chapter. The sections of the new chapter shall be organized under the following captions: 'OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS', 'TRAFFIC SIGNS, SIGNALS AND MARKINGS', 'DRIVING ON RIGHT SIDE OF ROADWAY—OVERTAKING AND PASSING—USE OF ROADWAY', 'RIGHT OF WAY', 'PEDESTRIANS' RIGHTS AND DUTIES', 'TURNING AND STARTING AND SIGNALS ON STOPPING AND TURNING', 'SPECIAL STOPS REQUIRED', 'SPEED RESTRICTIONS', 'RECKLESS DRIVING, DRIVING WHILE INTOXICATED AND NEGLIGENT HOMICIDE BY VEHICLE', 'STOPPING, STANDING AND PARKING', 'MISCELLANEOUS RULES', and 'OPERATION OF ((BICYCLES AND PLAY)) NONMOTORIZED VEHICLES'. Such captions shall not constitute any part of the law.

NEW SECTION. Sec. 4. The installation of painted reflective stripes along the right edge of roadways can enhance both bicycle and pedestrian safety, but certain types of reflective materials, such as raised pavement markers can cause bicyclists to lose control of their vehicles and fall into the path of oncoming motor vehicle traffic. Therefore it is appropriate to develop uniform guidelines for the installation of reflective edgestripes along urban and rural arterials.

NEW SECTION. Sec. 5. A new section is added to chapter 47.36 RCW to read as follows:

The department of transportation shall, by January 1, 1991, adopt uniform edgestripping standards for principal and minor arterials and collector streets that do not have curbs or sidewalks and are inside urbanized areas or in other areas deemed appropriate by the department. Such arterial and collector streets shall be edgestriped in accordance with the standards by July 1, 1993.

For the purposes of this section, 'urbanized area' means an area designated as such by the United States bureau of census and having a population of more than fifty thousand.

Sec. 6. Section 46.37.480, chapter 12, Laws of 1961 as last amended by section 6, chapter 227, Laws of 1988 and RCW 46.37.480 are each amended to read as follows:

(1) No person shall drive any motor vehicle equipped with any television viewer, screen, or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver's seat, or which is visible to the driver while operating the motor vehicle.

(2) No person shall operate any bicycle or motor vehicle on a public highway while wearing any headset or earphones connected to any electronic device capable of receiving a radio broadcast or playing a sound recording for the purpose of transmitting a sound to the human auditory senses and which headset or earphones muffle or exclude other sounds to both ears. This subsection does not apply to students and instructors participating in a Washington state motorcycle safety program.

(3) This section does not apply to authorized emergency vehicles.

NEW SECTION. Sec. 7. A new section is added to chapter 43.59 RCW to read as follows:

Bicycling is increasing in our state. What used to be simply a children's activity is now a common form of transportation and recreation for children, adults, and families. Increased bicycling has many benefits: It is healthy, nonpolluting, energy efficient, and does not cause wear to the road system. Bicycling is an enjoyable activity that people with a wide range of physical abilities can share. The creation of the state bicycle program specified in section 10 of this act is essential to further the benefits of bicycling to the residents of the state.

NEW SECTION. Sec. 8. A new section is added to chapter 43.59 RCW to read as follows:

(1) The Washington state traffic safety commission is responsible for the initiation and operation of a bicycle program.

(2) To assist the commission in the operation of the bicycle program, a full-time staff position of state bicycle coordinator is established. The coordinator shall be appointed by the commission and paid a salary to be fixed by the governor in accordance with RCW 43.03.040.

(3) The state bicycle coordinator shall coordinate bicycle safety related programs and bicycle tourism programs in all state agencies, encourage the use of bicycling for transportation, assist the department of transportation, and the cities and counties of the state in prioritizing, programming, and developing bicycle-related projects.

NEW SECTION, Sec. 9. A new section is added to chapter 43.59 RCW to read as follows:

The state bicycle coordinator shall:

- (1) Gather bicycle program information and resources;
- (2) Plan bicycle programs;
- (3) Work with other state agencies to develop bicycle programs;
- (4) Provide assistance in revising and updating superintendent of public instruction and state patrol bicycle material; and
- (5) Develop a grant program to distribute funds to local agencies in areas with high bicycle accident rates to create bicycle programs;

NEW SECTION, Sec. 10. Section 1 of this act shall take effect September 1, 1991, but the chief of the Washington state patrol may take any action before that date to ensure that the section is implemented on its effective date. Sections 7 through 9 of this act shall take effect July 1, 1990."

In line 1 of the title, after "safety;" strike the remainder of the title and insert "amending RCW 46.04.670, 46.61.990, and 46.37.480; adding a new section to chapter 47.36 RCW; adding a new section to chapter 43.43 RCW; adding new sections to chapter 43.59 RCW; creating a new section; and providing effective dates."

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Heavey, Jones, Kremen, Nelson, Prentice, Todd and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives Schmidt, Ranking Republican Member; Hankins, Haugen, Smith, D. Sommers, Walker and S. Wilson.

Voting nay: Representatives Schmidt, Ranking Republican Member; Hankins, Haugen, Prince, Smith, D. Sommers, Walker and S. Wilson.

Passed to Committee on Rules for second reading.

February 24, 1990

SB 6520 Prime Sponsor, Senator Lee: Giving the department of health responsibility for matters relating to nonionizing radiation. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Grant, Vice Chair; H. Sommers, Vice Chair; Brekke, Brough, Dorn, Ebersole, Ferguson, Hine, May, Nealey, Sayan, Spanel, Sprengle, Valle, Wang and Wineberry.

MINORITY recommendation: Do not pass. Signed by Representatives Locke, Chair; Silver, Ranking Republican Member; Youngsman, Assistant Ranking Republican Member; Belcher, Bowman, Insee, McLean and Rust.

Absent: Representatives Appelwick, Braddock, Doty, Holland, Padden and Peery.

Passed to Committee on Rules for second reading.

February 26, 1990

SB 6606 Prime Sponsor, Senator Benitz: Modifying exemptions and penalties for tinting or coloring of motor vehicle windows. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 26, 1990

SSB 6639

Prime Sponsor, Committee on Ways & Means: Authorizing a real estate excise tax for the acquisition of conservation areas. Reported by Committee on Revenue

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. The purpose of this act is to provide a mechanism for the acquisition and maintenance of conservation areas through an orderly process that is approved by the voters of a county. The authorities provided in this act are supplemental, and shall not be construed to limit otherwise existing authorities.

NEW SECTION, Sec. 2. A new section is added to chapter 36.32 RCW to read as follows:

The legislative authority of each county may acquire a fee simple interest, or lesser interest, in conservation areas in the county and may maintain the conservation areas. The conservation areas may be acquired and maintained with moneys obtained from the excise tax under section 3 of this act, or any other moneys available for such purposes.

As used in this section, the term 'conservation area' means land and water that has environmental, agricultural, aesthetic, cultural, scientific, historic, scenic, or low-intensity recreational value for existing and future generations, and includes, but is not limited to, open spaces, wetlands, marshes, aquifer recharge areas, shoreline areas, natural areas, and other lands and waters that are important to preserve flora and fauna.

NEW SECTION, Sec. 3. A new section is added to chapter 82.46 RCW to read as follows:

(1) Subject to subsection (2) of this section, the legislative authority of any county may impose an additional excise tax on each sale of real property in the county at a rate not to exceed one-half of one percent of the selling price. The proceeds of the tax shall be used exclusively for the acquisition and maintenance of conservation areas.

The taxes imposed under this subsection shall be imposed in the same manner and on the same occurrences, and are subject to the same conditions, as the taxes under chapter 82.45 RCW, except the tax does not apply to the acquisition of conservation areas by the county or state.

The county may enforce the obligation through an action of debt against the purchaser or may foreclose the lien on the property in the same manner prescribed for the foreclosure of mortgages.

The tax shall take effect thirty days after the election at which the taxes are authorized.

(2) No tax may be imposed under subsection (1) of this section unless approved by a majority of the voters of the county voting thereon for a specified period and maximum rate after:

(a) The adoption of a resolution by the county legislative authority of the county proposing this action; or

(b) The filing of a petition proposing this action with the county auditor, which petition is signed by county voters at least equal in number to ten percent of the total number of voters in the county who voted at the last preceding general election.

The ballot proposition shall be submitted to the voters of the county at the next general election occurring at least sixty days after a petition is filed, or at any special election prior to this general election that has been called for such purpose by the county legislative authority.

(3) A plan for the expenditure of the excise tax proceeds shall be prepared by the county legislative authority at least sixty days before the election if the proposal is initiated by resolution of the county legislative authority, or within six months after the tax has been authorized by the voters if the proposal is initiated by petition. Prior to the adoption of this plan, the elected officials of cities located within the county shall be consulted and a public hearing shall be held to obtain public input. The proceeds of this excise tax must be expended in conformance with this plan.

(4) As used in this section, 'conservation area' has the meaning given under section 2 of this act.

NEW SECTION, Sec. 4. A new section is added to chapter 82.46 RCW to read as follows:

(1) Subject to subsection (2) of this section, the legislative authority of a county may impose an additional excise tax on each sale of real property in the county at a rate not to exceed one-half of one percent of the selling price. The proceeds of the tax shall be used exclusively for the acquisition and maintenance of conservation areas that are critical habitat, natural areas, or urban wildlife habitat. As used in this section:

(a) 'Critical habitat' means lands important for the protection, management, or public enjoyment of certain wildlife species or groups of species, including, but not limited to, wintering range for deer, elk, and other species, waterfowl and upland bird habitat, fish habitat, and habitat for endangered, threatened, or sensitive species.

(b) 'Natural areas' means areas that have, to a significant degree, retained their natural character and are important in preserving rare or vanishing flora, fauna, geological, natural historical, or similar features of scientific or educational value.

(c) 'Urban wildlife habitat' means lands that provide habitat important to wildlife in proximity to a metropolitan area.

(d) 'Conservation area' has the meaning given under section 2 of this act.

(2) The taxes imposed under this section shall be imposed in the same manner and on the same occurrences, and are subject to the same conditions, as the taxes under chapter 82.45 RCW.

(3) If a tax is imposed under this section by counties with a total population greater than fifty percent of the state population, the tax under this section shall be imposed throughout the state at a rate of one-half of one percent and administered by the department of revenue under chapter 82.45 RCW. The proceeds of the tax imposed under this subsection shall be distributed to counties in proportion to the taxable sales in each county.

Sec. 5. Section 14, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.46.040 are each amended to read as follows:

Any tax imposed under (~~RCW 82.46.010~~) this chapter and any interest or penalties thereon is a specific lien upon each piece of real property sold from the time of sale until the tax is paid, which lien may be enforced in the manner prescribed for the foreclosure of mortgages.

Sec. 6. Section 15, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.46.050 are each amended to read as follows:

The taxes levied under (~~RCW 82.46.010~~) this chapter are the obligation of the seller and may be enforced through an action of debt against the seller or in the manner prescribed for the foreclosure of mortgages. Resort to one course of enforcement is not an election not to pursue the other.

Sec. 7. Section 16, chapter 49, Laws of 1982 1st ex. sess. and RCW 82.46.060 are each amended to read as follows:

Any taxes imposed under (~~RCW 82.46.010~~) this chapter shall be paid to and collected by the treasurer of the county within which is located the real property which was sold. The treasurer shall act as agent for any city within the county imposing the tax. The county treasurer shall cause a stamp evidencing satisfaction of the lien to be affixed to the instrument of sale or conveyance prior to its recording or to the real estate excise tax affidavit in the case of used mobile home sales. A receipt issued by the county treasurer for the payment of the tax imposed under (~~RCW 82.46.010~~) this chapter shall be evidence of the satisfaction of the lien imposed in RCW 82.46.040 and may be recorded in the manner prescribed for recording satisfactions of mortgages. No instrument of sale or conveyance evidencing a sale subject to the tax may be accepted by the county auditor for filing or recording until the tax is paid and the stamp affixed thereto; in case the tax is not due on the transfer, the instrument shall not be accepted until suitable notation of this fact is made on the instrument by the treasurer."

On page 1, line 2 of the title, after "areas;" strike the remainder of the title and insert "amending RCW 82.46.040, 82.46.050, and 82.46.060; adding a new section to chapter 36.32 RCW; adding new sections to chapter 82.46 RCW; and creating a new section."

Signed by Representatives Wang, Chair; Pruitt, Vice Chair; Appelwick, Fraser, Haugen, Morris, Phillips, Rust and H. Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Holland, Ranking Republican Member; Brumsickle, Fuhrman and Silver.

Voting nay: Representatives Holland, Ranking Republican Member; Brumsickle, Fuhrman, Grant and Silver.

Absent: Representatives Horn, Assistant Ranking Republican Member; Basich and Van Luven.

Passed to Committee on Rules for second reading.

February 26, 1990

ESSB 6649 Prime Sponsor, Committee on Transportation: Clarifying the status of Adopt-a-Highway signs. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendment:

On page 6, line 19, after "interstate" strike all material through "along" on line 20 and insert "primary and"

Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 26, 1990

SSB 6663

Prime Sponsor, Committee on Transportation: Authorizing special license plates and emblems. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

Strike everything after the enacting clause and insert the following:

NEW SECTION, Sec. 1. A new section is added to chapter 46.16 RCW to read as follows:

(1) The department may create, design, and issue special license plates, upon terms and conditions as may be established by the department, that may be used in lieu of regular or personalized license plates upon vehicles. The special plates may denote the age or type of vehicle or may denote special activities or interests, status, or contribution or sacrifice for the United States, the state of Washington, or the citizens of the state of Washington, of a registered owner of that vehicle.

(2) The department has the sole discretion to determine whether or not to create, design, or issue any series of special license plates and whether any activity, status, contribution, or sacrifice merits the issuance of a series of special license plates. In making this determination, the department shall consider whether or not an activity or interest proposed contributes or has contributed significantly to the public health, safety, or welfare of the citizens of the United States or of this state or to their significant benefit, or whether the activity, interest, contribution, or sacrifice is recognized by the United States, this state, or other states, in other settings or contexts. The department may also consider the potential number of persons who may be eligible for the plates and the cost and efficiency of producing limited numbers of the plates. The design of a special license plate shall conform to all requirements for plates for the type of vehicle for which it is issued, as provided elsewhere in this chapter.

NEW SECTION, Sec. 2. A new section is added to chapter 46.16 RCW to read as follows:

The department shall continue to issue, under section 1 of this act and the department's rules implementing sections 1 through 9 of this act, the categories of special plates issued by the department under the sections repealed under section 13 (1) through (7) of this act. Special license plates issued under those repealed sections before January 1, 1991, are valid to the extent and under the conditions provided in those repealed sections. The following conditions, limitations, or requirements apply to certain special license plates issued after January 1, 1991:

(1) A horseless carriage plate and a plate or plates issued for collectors' vehicles more than thirty years old, upon payment of the initial fees required by law and the additional special license plate fee established by the department, are valid for the life of the vehicle for which application is approved by the department. When a single plate is issued, it shall be displayed on the rear of the vehicle.

(2) The department may issue special license plates denoting amateur radio operator status only to persons having a valid official radio operator license issued for a term of five years by the federal communications commission.

(3) The department shall issue one set of special license plates to each resident of this state who has been awarded the Congressional Medal of Honor for use on a passenger vehicle registered to that person. The department shall issue the plate without the payment of any fees.

(4) The department may issue for use on only one motor vehicle owned by the qualified applicant special license plates denoting that the recipient of the plate is a survivor of the attack on Pearl Harbor on December 7, 1941, to persons meeting all of the following criteria:

(a) Is a resident of this state;

(b) Was a member of the United States Armed Forces on December 7, 1941;

(c) Was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or offshore at a distance not to exceed three miles;

(d) Received an honorable discharge from the United States Armed Forces; and

(e) Is certified by a Washington state chapter of the Pearl Harbor survivors association as satisfying the qualifications in (c) of this subsection.

The department may issue such plates to the surviving spouse of any deceased Pearl Harbor survivor who met the requirements of this subsection. If the surviving spouse remarries, he or she shall return the special plates to the department within fifteen days and apply for regular plates. The surviving spouse must be a resident of this state.

The department shall issue these plates upon payment by the applicant of all other license fees, but the department may not set or charge an additional fee for these special license plates under section 4 of this act.

(5) The department shall replace, free of charge, special license plates issued under subsections (3) and (4) of this section if they are lost, stolen, damaged, defaced, or destroyed. Such plates shall remain with the persons upon transfer or other disposition of the vehicle for which they were initially issued, and may be used on another vehicle registered to the recipient in accordance with the provisions of section 5(1) of this act.

NEW SECTION, Sec. 3. A new section is added to chapter 46.16 RCW to read as follows:

Persons applying to the department for special license plates shall apply on forms obtained from the department and in accordance with RCW 46.16.040. The applicant shall provide all information as is required by the department in order to determine the applicant's eligibility for such special license plates and for administration of sections 1 through 9 of this act.

NEW SECTION. Sec. 4. A new section is added to chapter 46.16 RCW to read as follows:

The department may establish a fee for the issuance of each type of special license plate or plates in an amount calculated to offset the cost of production of the special license plate or plates and the administration of this program. The fee shall not exceed thirty-five dollars and is in addition to all other fees required to register and license the vehicle for which the plates have been requested. All such additional special license plate fees collected by the department shall be deposited in the state treasury and credited to the motor vehicle fund.

NEW SECTION. Sec. 5. A new section is added to chapter 46.16 RCW to read as follows:

Except as provided in section 2 of this act:

(1) When a person who has been issued a special license plate or plates under section 1 of this act sells, trades, or otherwise transfers or releases ownership of the vehicle upon which the special license plate or plates have been displayed, he or she shall immediately report the transfer of such plate or plates to an acquired vehicle or vehicle eligible for such plates pursuant to departmental rule, or he or she shall surrender such plates to the department immediately if such surrender is required by departmental rule. If a person applies for a transfer of the plate or plates to another eligible vehicle, a transfer fee of five dollars shall be charged in addition to all other applicable fees. Such transfer fees shall be deposited in the motor vehicle fund. Failure to surrender the plates when required is a traffic infraction.

(2) If the special license plate or plates issued by the department become lost, defaced, damaged, or destroyed, application for a replacement special license plate or plates shall be made and fees paid as provided by law for the replacement of regular license plates.

NEW SECTION. Sec. 6. A new section is added to chapter 46.16 RCW to read as follows:

(1) The department shall issue upon payment of a fee and proof from an honorably discharged veteran, a remembrance emblem depicting a tribute or message and the American flag.

(2) Veterans who served in our nation's wars and conflicts can, upon request and payment of a fee and proof of service, receive a remembrance emblem depicting the campaign ribbon the veteran was awarded. Only the following campaign ribbon remembrance emblems will be available: World War I victory medal; Asiatic-Pacific campaign medal, WWII; European-African-Middle East campaign medal, WWII; American campaign medal, WWII; Korean service medal; Vietnam service medal; Armed Forces Expeditionary, after 1958.

(3) The remembrance emblem will be displayed upon vehicle license plates in the manner prescribed by the department.

(4) A veteran requesting a remembrance emblem from the department shall provide a copy of his or her discharge papers (DD-214) along with payment of the fee. A veteran requesting a remembrance emblem must be a legal or registered owner of the vehicle on which remembrance emblems are to be displayed.

NEW SECTION. Sec. 7. A new section is added to chapter 46.16 RCW to read as follows:

Any institution of higher education as defined in RCW 28B.10.016 may petition the department to create, design, and issue to that institution a vehicle license plate emblem series that identifies that institution or one of its purposes, programs, projects, or causes. The vehicle license plate emblem issued by the department may display a mascot, slogan, message, or symbol that can be displayed on a vehicle license plate or plates in the manner prescribed by the department. The department has sole discretion in approving or disapproving institutions for participation in the vehicle license plate emblem program. The department also has the sole discretion to determine the significance of the purpose, program, project, or cause and if it merits recognition by issuance of a vehicle license plate emblem.

Application to the department is the exclusive method for an institution to request issuance of a special vehicle license plate emblem series or to obtain such emblems for distribution by approved institutions. All applicants shall apply to the department on a form obtained from the department.

Any approved institution may collect additional fees from any person as a condition for receiving an emblem, to be used for the purposes of the approved institution.

NEW SECTION. Sec. 8. A new section is added to chapter 46.16 RCW to read as follows:

Vehicle license plate emblems and veteran remembrance emblems shall use fully reflectorized materials designed to provide visibility at night. Emblems shall be designed to be affixed to a vehicle license number plate by pressure-sensitive adhesive so as not to obscure the plate identification numbers or letters.

Emblems will be issued for display on the front and rear license number plates. Single emblems will be issued for vehicles authorized to display one license number plate.

NEW SECTION. Sec. 9. A new section is added to chapter 46.16 RCW to read as follows:

(1) The director may adopt fees to be charged by the department for emblems issued by the department under sections 6 and 7 of this act.

(2) The fee for each remembrance emblem issued under section 6 of this act shall be in an amount sufficient to offset the costs of production of remembrance emblems and the administration of that program by the department plus an amount for use by the department of veterans' affairs, not to exceed a total fee of twenty-five dollars per emblem. The fee for each special vehicle license plate emblem issued under section 7 of this act shall be an amount sufficient to offset the cost of production of the emblems and of administering the special vehicle license plate emblem program.

(3) The veterans' emblem account is created in the custody of the state treasurer. All receipts by the department from the issuance of remembrance emblems under section 6 of this act shall be deposited into this fund. Expenditures from the fund may be used only for the costs of production of remembrance emblems and administration of the program by the department of licensing, with the balance used only by the department of veterans' affairs for projects that pay tribute to those living veterans and to those who have died defending freedom in our nation's wars and conflicts and for the upkeep and operations of existing memorials, as well as for planning, acquiring land for, and constructing future memorials. Only the director of licensing, the director of veterans' affairs, or their designees may authorize expenditures from the fund. The fund is subject to allotment procedures under chapter 43.88 RCW, but no appropriation is required for expenditures.

(4) The special vehicle license plate emblem account is established in the state treasury. Fees collected by the department for emblems issued under section 7 of this act shall be deposited into the special vehicle license plate emblem account to be used only to offset the costs of administering the special vehicle license plate emblem program.

NEW SECTION. Sec. 10. A new section is added to chapter 46.16 RCW to read as follows:

The director shall adopt rules to implement sections 1 through 9 of this act, including setting of fees.

Sec. 11. Section 46.16.350, chapter 12, Laws of 1961 as last amended by section 49, chapter 136, Laws of 1979 ex. sess. and RCW 46.16.350 are each amended to read as follows:

Any radio amateur operator who holds a special call letter license plate as issued under ~~((the provisions of RCW 46.16.320 through 46.16.350))~~ sections 1 through 5 of this act, and who has allowed his or her federal communications commission license to expire, or has had it revoked, must notify the director in writing within thirty days and surrender his or her call letter license plate. Failure to do so is a traffic infraction.

NEW SECTION. Sec. 12. The following acts or parts of acts are each repealed:

(1) Section 46.16.310, chapter 12, Laws of 1961, section 1, chapter 114, Laws of 1971 ex. sess., section 1, chapter 143, Laws of 1982, section 1, chapter 15, Laws of 1988 and RCW 46.16.310;

(2) Section 2, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.311;

(3) Section 3, chapter 114, Laws of 1971 ex. sess. and RCW 46.16.315;

(4) Section 46.16.320, chapter 12, Laws of 1961, section 21, chapter 32, Laws of 1967, section 80, chapter 145, Laws of 1967 ex. sess., section 1, chapter 206, Laws of 1969 ex. sess., section 10, chapter 118, Laws of 1975 1st ex. sess. and RCW 46.16.320;

(5) Section 46.16.330, chapter 12, Laws of 1961, section 22, chapter 32, Laws of 1967 and RCW 46.16.330;

(6) Section 1, chapter 77, Laws of 1979 ex. sess. and RCW 46.16.620;

(7) Section 1, chapter 44, Laws of 1987 and RCW 46.16.625; and

(8) Section 2, chapter 280, Laws of 1986 and RCW 46.16.660.

NEW SECTION. Sec. 13. 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. 14. Sections 1 through 9, and 11 through 13 of this act shall take effect on January 1, 1991. Section 10 of this act shall take effect on July 1, 1990."

On page 1, line 2 of the title, after "emblems;" strike the remainder of the title and insert "amending RCW 46.16.350; adding new sections to chapter 46.16 RCW; repealing RCW 46.16.310, 46.16.311, 46.16.315, 46.16.320, 46.16.330, 46.16.620, 46.16.625, and 46.16.660; and providing effective dates."

Signed by Representatives R. Meyers, Vice Chair, Western Washington; Wood, Assistant Ranking Republican Member; Basich, Bennett, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; and Schmidt, Ranking Republican Member.

Voting nay: Representatives R. Fisher, Chair; Schmidt, Ranking Republican Member; Berozoff and Gallagher.

Absent: Representative Haugen.

Passed to Committee on Rules for second reading.

February 26, 1990

SSB 6697 Prime Sponsor, Committee on Transportation: Ordering a study of the need for a second bridge over the Columbia at Longview. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

Passed to Committee on Rules for second reading.

February 26, 1990

SSB 6701 Prime Sponsor, Committee on Transportation: Creating the maritime commission and oil spill response system. Reported by Committee on Transportation

MAJORITY recommendation: Do pass with the following amendments:

On page 5, line 9 after "comprised of" strike "seven" and insert "eight"

On page 5, line 18, after "waters," strike all material through "governor." on page 5, line 21, and insert "One member with maritime, marine labor, or marine spill cleanup experience and one member from the environmental community with marine experience shall be appointed from the public by the governor."

On page 5, line 22, after "and a" strike "licensed steamship pilot" and insert "state pilot licensed under chapter 88.16 RCW,"

On page 5, line 24, after "members," insert "The state-licensed pilot shall be selected by the Washington state board of pilotage commissioners."

Signed by Representatives Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Walker, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative R. Fisher, Chair.

Passed to Committee on Rules for second reading.

February 26, 1990

SB 6777 Prime Sponsor, Senator Madsen: Designating state route number 706 as "The Road to Paradise." Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; R. Meyers, Vice Chair, Western Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Haugen, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Walker, S. Wilson and Zellinsky.

Absent: Representatives Cooper, Todd and S. Wilson.

Passed to Committee on Rules for second reading.

February 26, 1990

SB 6816 Prime Sponsor, Senator Anderson: Exempting milk pumping from the special fuel tax. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives R. Fisher, Chair; Baugher, Vice Chair, Eastern Washington; Schmidt, Ranking Republican Member; Wood, Assistant Ranking Republican Member; Basich, Bennett, Betzoff, Cantwell, Cooper, Day, G. Fisher, Forner, Gallagher, Hankins, Heavey, Jones, Kremen, Nelson, Prentice, Prince, Smith, D. Sommers, Todd, Walker, S. Wilson and Zellinsky.

MINORITY recommendation: Do not pass. Signed by Representative R. Meyers, Vice Chair, Western Washington.

Absent: Representative S. Wilson.

Passed to Committee on Rules for second reading.

MOTION

On motion of Mr. Anderson, the bills listed on today's supplemental committee reports under the fifth order of business were referred to the committees so designated.

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

MOTION

On motion of Mr. Anderson, the House adjourned until 10:00 a.m., Tuesday, February 27, 1990.

JOSEPH E. KING, Speaker

ALAN THOMPSON, Chief Clerk