

SIXTIETH LEGISLATURE - REGULAR SESSION

SIXTY SIXTH DAY

The House was called to order at 10:00 a.m. by the Speaker (Representative Lovick presiding). The Clerk called the roll and a quorum was present.

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Cassandra Garvin and Brett Lundmark. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Other Chaplain Ron Brown, United States Navy, Region Northwest.

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

RESOLUTIONS

HOUSE RESOLUTION NO. 2007-4646, By Representatives Bailey, Seaquist, Rolfes and Hankins

WHEREAS, May 14, 2007, marks a day of celebration for the United States Navy and its members here in Washington state; and

WHEREAS, The Washington State House of Representatives recognizes excellence in all forms of endeavor; and

WHEREAS, The Washington State House of Representatives has always acted to honor those who have served and are serving our country as members of the United States military; and

WHEREAS, The Navy is the military service that secures sea lanes, allowing free flow of commerce to and from our state, and the service whose power capabilities promote stability for our friends and deters aggression from our foes; and

WHEREAS, Washington state is uniquely positioned, politically, economically, and geographically, to deal with the opportunities and challenges presented by Asia and the Pacific Rim countries; and

WHEREAS, Washington state naval bases consistently receive awards for the quality of life they provide to sailors and family members; and

WHEREAS, Washington state Navy installations have also received environmental stewardship awards from local, state, and federal agencies, and are recognized as models for other military facilities; and

House Chamber, Olympia, Wednesday, March 16, 2007

WHEREAS, Washington state-based sailors are serving on the ground in Iraq, Afghanistan, and other areas around the globe; and

WHEREAS, The United States Navy fired the first missiles against the Taliban forces in the opening days of the war on terrorism; and

WHEREAS, Puget Sound is the United States Navy's third largest Fleet Concentration area with 2 aircraft carriers, 5 warships, 13 submarines, and 119 aircraft based in Washington state; and

WHEREAS, The United States Navy spends \$2.8 billion annually in the Pacific Northwest; and

WHEREAS, Washington-based Navy units were the first on-scene to provide relief services after the 2005 Tsunami in southern Asia; and

WHEREAS, Navy personnel donate millions of dollars and thousands of hours to local charities and community programs;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives recognize and honor the United States Navy and all its members for their sacrifices and accomplishments to protect both our freedoms and the freedoms for people around the world; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to Commander of the Navy Region Northwest, RDML William French.

Representative Bailey moved the adoption of the resolution.

Representatives Bailey and Appleton spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4646 was adopted.

HOUSE RESOLUTION NO. 2007-4638, By Representatives Quall, Sells, P. Sullivan, Kenney, Pedersen, Haigh, Takko, Blake, Green, Hasegawa, Fromhold, Alexander, O'Brien, Roberts, Haler, Cody, Lovick, Bailey, McCoy, Curtis, Darneille, Dickerson, Condotta, Skinner, Anderson, Ericks, Kirby, Williams, Ahern, Upthegrove, Simpson, Rolfes, VanDeWege, Hudgins, Schindler, Flannigan, McIntire, Jarrett, Kristiansen, Crouse, Hailey, Newhouse, Hankins, Orcutt, Chase, Conway, Clibborn, Appleton, Moeller, Wallace, Kagi, Schual-Berke, Miloscia, Eddy, Dunshee, Pearson, Strow,

Warnick, Roach, McDonald, Priest, Walsh, McCune and Rodne

WHEREAS, Providing all Washington state children a public education is the paramount duty of the state; and

WHEREAS, It is impossible to provide our children a quality public education if they cannot get to school, if they are hungry during the school day, or if the schools they arrive at are neglected, cold, and unsafe; and

WHEREAS, Classified employees are the bus drivers who are safely transporting, in sometimes dangerous road conditions, over 474,514 students each day in 9,035 buses over 500,000 miles; the child nutrition employees providing breakfast for 113,518 students and lunches for over 440,000 students each day; and the custodian, maintenance, and security employees ensuring that the 2,174 school buildings where our children are receiving their education are functional, warm, clean, and safe; and

WHEREAS, Classified employees are the secretaries who make sure that all parents, staff, and, most importantly, all children receive the necessary support and services, while at the same time providing love and attention to each student's special needs, even if all that is needed is a Band-Aid, a friendly ear, or a reminder; and

WHEREAS, Classified employees are the paraeducators who are increasingly depended upon to provide individualized attention to students in the classroom to ensure they meet the higher academic standards, as well as provide such specialized services as nursing and interpreting for deaf and disabled children and students who speak other languages; and

WHEREAS, Classified employees are normally the first employees called upon when there is a threat to our children's safety and security; and

WHEREAS, It is necessary to employ over 50,000 classified employees to provide these essential support services to the nearly one million students receiving public education; and

WHEREAS, Washington state students have had their education significantly enhanced by the services of classified school employees; and

WHEREAS, Washington state citizens seldom reflect on the critical role classified employees play in providing our children a quality education; and

WHEREAS, Classified school employees across the state are celebrating March 12 through 16, 2007, as classified school employee week;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives honor classified school employees during Classified School Employee Week, March 12 through 16, 2007, and urge all citizens to join in honoring, recognizing, and respecting the dedication and hard work of all classified school employees; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to the Public School Employees of Washington, SEIU Local 1948 and SEIU Local 925.

Representative Quall moved the adoption of the resolution.

Representatives Quall and Alexander spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4638 was adopted.

MESSAGES FROM THE SENATE

March 13, 2007

Mr. Speaker:

The Senate has passed:

ENGROSSED SUBSTITUTE SENATE BILL NO. 5100,
SECOND SUBSTITUTE SENATE BILL NO. 5164,
SENATE BILL NO. 5175,
SUBSTITUTE SENATE BILL NO. 5219,
SUBSTITUTE SENATE BILL NO. 5315,
SENATE BILL NO. 5429,
SUBSTITUTE SENATE BILL NO. 5445,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5452,
SECOND SUBSTITUTE SENATE BILL NO. 5455,
SECOND SUBSTITUTE SENATE BILL NO. 5509,
SUBSTITUTE SENATE BILL NO. 5517,
SUBSTITUTE SENATE BILL NO. 5653,
SUBSTITUTE SENATE BILL NO. 5702,
SUBSTITUTE SENATE BILL NO. 5745,
SUBSTITUTE SENATE BILL NO. 5910,
SUBSTITUTE SENATE BILL NO. 5967,

and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

March 13, 2007

Mr. Speaker:

The Senate has passed the following bills:

SENATE BILL NO. 5014,
SUBSTITUTE SENATE BILL NO. 5097,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5098,
SUBSTITUTE SENATE BILL NO. 5387,
SENATE BILL NO. 5561,
ENGROSSED SENATE BILL NO. 5669,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5774,
SUBSTITUTE SENATE BILL NO. 5844,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5909,
SUBSTITUTE SENATE BILL NO. 5984,
ENGROSSED SENATE BILL NO. 6018,
SENATE BILL NO. 6119,

and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

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

SECOND READING

HOUSE BILL NO. 1450, By Representatives Sells, Strow, Miloscia, Curtis, O'Brien, B. Sullivan, Roberts, Lovick, Appleton, Kenney, Ormsby and Hasegawa

Modifying provisions that exempt housing for very low-income households from taxation.

The bill was read the second time.

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

Representative Sells spoke in favor of passage of the bill.

Representative Orcutt spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1450.

MOTIONS

On motion of Representative Santos, Representative Morris was excused. On motion of Representative Schindler, Representative Curtis was excused.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1450 and the bill passed the House by the following vote: Yeas - 89, Nays - 7, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 89.

Voting nay: Representatives Anderson, Chandler, Dunn, Ericksen, Kretz, Orcutt, and Sump - 7.

Excused: Representatives Curtis and Morris - 2.

HOUSE BILL NO. 1450, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1580, By Representatives Takko, Orcutt, Lovick and Sells

Consolidating designated forest lands and open space timber lands for ease of administration.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1580 was substituted for House Bill No. 1580 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1580 was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1580.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1580 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Curtis and Morris - 2.

SUBSTITUTE HOUSE BILL NO. 1580, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1909, By Representatives Orcutt, B. Sullivan, Roach, Blake, Takko, Pearson, Kristiansen and Hinkle

Protecting from the theft of specialized forest products.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1909 was substituted for House Bill No. 1909 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1909 was read the second time.

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

Representatives Orcutt and B. Sullivan spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1909.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1909 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Curtis and Morris - 2.

SUBSTITUTE HOUSE BILL NO. 1909, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2105, By Representatives Conway, Condotta, Kenney, Simpson and Ormsby

Requiring payment of prescription drugs for industrial insurance medical aid claims for initial visits.

The bill was read the second time.

Representative Conway moved the adoption of amendment (212):

On page 2, after line 32, insert the following:

"NEW SECTION. Sec. 2. By December 1, 2009, the department of labor and industries must report to the senate labor, commerce, research and development committee and the house of representatives commerce and labor committee, or successor committees, on the implementation of this act."

Correct the title.

Representatives Conway and Condotta spoke in favor of the adoption of the amendment.

The amendment was adopted.

Representative Conway moved the adoption of amendment (213):

On page 2, after line 32, insert the following:

"NEW SECTION. Sec. 2. This act takes effect January 1, 2008."

Correct the title.

Representatives Conway and Condotta spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2105.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2105 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-

Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Curtis and Morris - 2.

ENGROSSED HOUSE BILL NO. 2105, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2219, By Representatives Orcutt, B. Sullivan, Kessler and Kretz

Regarding forest practices regulations that apply to small forest landowners.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2219 was substituted for House Bill No. 2219 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2219 was read the second time.

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

Representatives Orcutt and B. Sullivan spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2219.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2219 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Curtis and Morris - 2.

SUBSTITUTE HOUSE BILL NO. 2219, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1879, By Representatives Blake, B. Sullivan, Moeller, Kretz, Morris, Strow, Pettigrew, Orcutt, Armstrong, McCoy, Linville, VanDeWege, Takko, Lovick, Williams, Haigh, P. Sullivan, Sump, Kenney and Ormsby

Authorizing the department of natural resources to give nominally valuable materials to nonprofit organizations.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1879 was substituted for House Bill No. 1879 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1879 was read the second time.

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

MOTION

On motion of Representative Springer, Representative Clibborn was excused.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1879.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1879 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke,

Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Clibborn, Curtis and Morris - 3.

SUBSTITUTE HOUSE BILL NO. 1879, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1896, By Representative Hunt

Creating the legislative gift center committee.

The bill was read the second time.

There being no objection, Second Substitute House Bill No. 1896 was substituted for House Bill No. 1896 and the second substitute bill was placed on the second reading calendar.

SECOND SUBSTITUTE HOUSE BILL NO. 1896 was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Second Substitute House Bill No. 1896.

ROLL CALL

The Clerk called the roll on the final passage of Second Substitute House Bill No. 1896 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Clibborn, Curtis and Morris - 3.

SECOND SUBSTITUTE HOUSE BILL NO. 1896, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1968, By Representatives Simpson, Conway and Ormsby

Requiring certification for sprinkler fitters.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1968 was substituted for House Bill No. 1968 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1968 was read the second time.

Representative Simpson moved the adoption of amendment (411):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec. 1.** The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Certificate" means a certificate of competency granted by the director under the terms of this chapter, and is valid within the state and all political subdivisions, and meets all of the requirements for license or certification that may be applied by the political subdivisions.

(2) "Contractor" means any person, corporation, or other entity, licensed under chapter 18.160 RCW, which performs any work covered by the provisions of this chapter.

(3) "Director" means the state director of fire protection.

(4) "Fire protection sprinkler fitting" means installing, altering, and repairing sprinkler, standpipe, hose, or other hazard systems for fire protection purposes that are an assembly of piping or conduit beginning at the connection to the primary water supply within a building, sprinkler tank heaters, air lines, and all tanks and pumps attached thereto.

(5) "Journey-level sprinkler fitter" means any person who has been issued a certificate by the director as provided by this chapter.

(6) "NFPA 13-D" means the standard in use by the national fire protection association for the installation of fire protection sprinkler systems in one and two-family dwellings and manufactured homes whenever the provisions of this chapter are applied.

(7) "NFPA 13-R" means the standard in use by the national fire protection association for the installation of fire protection sprinkler systems in residential dwellings up to and including four stories in height whenever the provisions of this chapter are applied.

(8) "Person" means a natural person, including an owner, manager, partner, officer, employee, or occupant.

(9) "Residential sprinkler fitter" means anyone who has been issued a certificate by the director limited to installation, maintenance, and repair of the fire protection sprinkler system of residential occupancies as defined by NFPA 13-D and NFPA 13-R.

(10) "Trainee" means anyone who has been issued a training certificate by the director who is learning the fire protection sprinkler fitting trade under the direct supervision of a journey-level sprinkler fitter or residential sprinkler fitter.

NEW SECTION. Sec. 2. (1) This chapter shall be administered by the director.

(2) The director may adopt rules necessary for the administration of this chapter.

NEW SECTION. Sec. 3. (1) No person may engage in the trade of fire protection sprinkler fitting without having a valid journey-level sprinkler fitter certificate, residential sprinkler fitter certificate, training certificate, or temporary certificate, with the exception of a certified plumber installing a residential fire protection sprinkler system connected to potable water requiring a plumbing certificate.

(2) No contractor may employ a person in violation of subsection (1) of this section to perform fire protection sprinkler fitting work.

(3) A person found by the director to have committed an infraction under this chapter shall be assessed a monetary penalty as set by rule.

(4) Each day in which a person engages in the trade of fire protection sprinkler fitting in violation of subsection (1) of this section or employs a person in violation of subsection (2) of this section is considered a separate infraction.

NEW SECTION. Sec. 4. The director shall adopt a written examination to be administered to applicants for certificates.

NEW SECTION. Sec. 5. (1) Every applicant for a certificate shall pay an examination fee and satisfactorily pass an examination as provided by rule.

(2) Every applicant for a certificate shall apply to the director on an application form provided by the director and pay the application fee as provided by rule.

(3)(a) Every applicant for a journey-level sprinkler fitter certificate shall provide evidence to the director on a form provided by the director of at least eight thousand hours of trade-related fire protection sprinkler fitting experience.

(b) Every applicant for a residential sprinkler fitter certificate shall provide evidence to the director on a form provided by the director of at least four thousand hours of trade-related fire protection sprinkler fitting or residential sprinkler fitting experience.

(4) Every applicant for a training certificate shall provide evidence to the director on a form provided by the director of trade-related employment by a contractor.

(5)(a) The director shall grant a journey-level sprinkler fitter certificate without examination to any applicant who, during the ninety days following the effective date of this section, submits an application for such certification and evidence of his or her employment as a journey-level sprinkler fitter for a period of not less than eight thousand hours.

(b) The director shall grant a residential sprinkler fitter certificate without examination to any applicant who, during the ninety days following the effective date of this section, submits an application for such certification and evidence of his or her employment as a journey-level sprinkler fitter or a residential sprinkler fitter for a period of not less than four thousand hours.

(6) The director may grant a certificate without examination to any applicant who is a journey-level sprinkler fitter or residential

sprinkler fitter from a state whose requirements for certification are at least substantially equivalent to the requirements of this state, and which extends the same privileges of reciprocity to journey-level sprinkler fitters or residential sprinkler fitters from this state.

NEW SECTION. Sec. 6. (1) A certificate expires on December 31st.

(2) The certificate shall be renewed every other year.

(3) Before the expiration date of the certificate, every applicant shall reapply to the director on an application form provided by the director and pay the application fee as provided by rule.

(4) If a certificate is not renewed before its expiration date, an applicant must:

(a) Apply to the director on an application form provided by the director;

(b) Pay an application fee to the director as provided by rule;

(c) Pay an examination fee as provided by rule; and

(d) Successfully pass the written examination required by this chapter.

NEW SECTION. Sec. 7. All receipts from fees and charges or from the money generated by the rules adopted under this chapter shall be deposited into the fire protection contractor license fund created in RCW 18.160.050 and used for the purposes authorized under this chapter.

NEW SECTION. Sec. 8. An authorized representative of the director may investigate alleged violations of this chapter. Upon request of an authorized representative, a person performing fire protection sprinkler fitting or residential sprinkler fitting work must produce evidence of a certificate issued by the director in accordance with this chapter. Failure to produce such evidence is an infraction as provided by section 3 of this act.

NEW SECTION. Sec. 9. A person wishing to appeal a determination of infraction under this chapter must file an appeal within twenty days of the date of the notice of infraction in accordance with chapter 34.05 RCW.

NEW SECTION. Sec. 10. The director shall immediately suspend any certificate issued under this chapter if the holder has been certified pursuant to RCW 74.20A.320 by the department of social and health services as a person who is not in compliance with a support order. If the person has continued to meet all other requirements for certification during the suspension, reissuance of the certificate shall be automatic upon the director's receipt of a release issued by the department of social and health services stating that the person is in compliance with the order.

NEW SECTION. Sec. 11. Sections 1 through 10 of this act constitute a new chapter in Title 18 RCW.

NEW SECTION. Sec. 12. This act takes effect January 1, 2009."

Correct the title.

Representatives Simpson and Condotta spoke in favor of the adoption of the amendment.

The amendment was adopted.

With the consent of the House, amendments (373), (374), (375) and (376) were withdrawn.

The bill was ordered engrossed.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1968.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1968 and the bill passed the House by the following vote: Yeas - 74, Nays - 21, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Campbell, Chase, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 74.

Voting nay: Representatives Anderson, Buri, Chandler, Condotta, Crouse, DeBolt, Dunn, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, Newhouse, Orcutt, Pearson, Priest, Ross, Schindler, Skinner, Walsh and Warnick - 21.

Excused: Representatives Clibborn, Curtis and Morris - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1968, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2353, By Representatives McDermott, Cody and Appleton

Regarding passenger-only ferry service.

The bill was read the second time.

Representative Bailey moved the adoption of amendment (280):

Beginning on page 2, line 35, strike all of section 2

Correct the title.

Representative Bailey and DeBolt spoke in favor of the adoption of the amendment.

Representative McDermott spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representative McDermott spoke in favor of passage of the bill.

Representative Ericksen spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the 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 - 75, Nays - 20, Absent - 0, Excused - 3.

Voting yea: Representatives Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chase, Cody, Condotta, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 75.

Voting nay: Representatives Ahern, Anderson, Chandler, Crouse, DeBolt, Dunn, Ericksen, Hailey, Haler, Hinkle, Kretz, Kristiansen, McCune, Newhouse, Orcutt, Pearson, Rodne, Schindler, Sump and Warnick - 20.

Excused: Representatives Clibborn, Curtis and Morris - 3.

HOUSE BILL NO. 2353, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2366, By Representatives Dunshee, Jarrett, Ormsby, Hunter and Kenney

Requiring oversight of state agency housing decisions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2366 was substituted for House Bill No. 2366 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2366 was read the second time.

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

Representatives Fromhold and McDonald spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2366.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2366 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Excused: Representatives Clibborn, Curtis and Morris - 3.

SUBSTITUTE HOUSE BILL NO. 2366, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1667, By Representatives Green, Cody, Morrell, Ormsby, Moeller and Simpson

Regarding fairness and equity in health professions licensing fees.

The bill was read the second time.

Representative Green moved the adoption of amendment (305):

On page 1, line 9, after "members of" strike "~~((that))~~ every" and insert "that"

On page 2, beginning on line 3, after "(2)" strike all material through "programs," on line 17, and insert "For all credentials issued after January 1, 2008, in addition to the credentialing fee, the secretary shall impose an annual surcharge of one dollar and fifty cents on all credentialed health professionals operating under the health professions account created under RCW 43.70.320. The surcharge shall be placed in the health professions account and used to reduce the fee when the annual base renewal fee for any credentialed health profession exceeds five hundred dollars per year to conduct core credentialing and disciplinary activities. Annual base renewal fees do not include special surcharges that may also be collected at the time of the credential renewal. This provision does not apply to regulated business entities whose funds reside with the health professions account.

NEW SECTION. Sec. 2. The department of health shall review the effectiveness of the equity surcharge established in RCW 43.70.250 with respect to eliminating inequities in the level of credentialing fees paid by health care providers regulated by the department of health. The review shall specifically consider the effect of the surcharge in reducing credentialing fees for professions with high fees and increasing the number of health care providers in those professions. The review shall provide any recommendations that would increase administrative efficiency and provide greater equity in credentialing fee amounts. The department of health shall submit its report to the legislature by November 15, 2010.

NEW SECTION. Sec. 3. This act expires on July 1, 2011."

Correct the title.

Representatives Green and Hinkle spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

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

Representatives Hinkle, Ahern and Buri spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1667.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1667 and the bill passed the House by the following vote: Yeas - 71, Nays - 24, Absent - 0, Excused - 3.

Voting yea: Representatives Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Campbell, Chase, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 71.

Voting nay: Representatives Ahern, Anderson, Buri, Chandler, Condotta, Crouse, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, Orcutt, Pearson, Rodne, Ross, Schindler, Skinner, Sump, Walsh, and Warnick - 24.

Excused: Representatives Clibborn, Curtis and Morris - 3.

ENGROSSED HOUSE BILL NO. 1667, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2261, By Representatives Campbell, Hudgins, Morrell, Hunt and Ormsby

Providing for the evaluation of additional measures to reduce wood smoke emissions.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2261 was substituted for House Bill No. 2261 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2261 was read the second time.

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

Representatives Campbell, Newhouse, Hudgins and Sump spoke in favor of passage of the bill.

Representative Orcutt, Pearson, Schindler and Ahern spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2261.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2261 and the bill passed the House by the following vote: Yeas - 64, Nays - 31, Absent - 0, Excused - 3.

Voting yea: Representatives Anderson, Appleton, Barlow, Campbell, Chase, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Upthegrove, Wallace, Williams, Wood and Mr. Speaker - 64.

Voting nay: Representatives Ahern, Alexander, Armstrong, Bailey, Blake, Buri, Chandler, Condotta, Crouse, DeBolt, Dunn, Ericksen, Grant, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, Orcutt, Pearson, Roach, Ross, Schindler, Skinner, Strow, Sump, Takko, Van De Wege, Walsh, and Warnick - 31.

Excused: Representatives Clibborn, Curtis and Morris - 3.

SUBSTITUTE HOUSE BILL NO. 2261, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2357, By Representatives McIntire and Fromhold

Allowing a school district to transfer certain revenue into the district's capital projects account.

The bill was read the second time.

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

Representatives McIntire and McDonald spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 2357.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2357 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt,

Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Curtis and Morris - 2.

HOUSE BILL NO. 2357, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1404, By Representatives Wallace, Hinkle, Condotta, O'Brien, Fromhold, Ahern, McCune and Warnick

Providing a sales tax exemption for certain trail grooming services.

The bill was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1404.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1404 and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Voting nay: Representative Anderson - 1.

Excused: Representatives Curtis and Morris - 2.

HOUSE BILL NO. 1404, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1883, By Representatives Wallace, Anderson, Chase, Jarrett, Moeller, McDermott, Priest, Haigh, Kagi, Roberts, Kenney and Conway

Modifying the higher education coordinating board.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1883 was substituted for House Bill No. 1883 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1883 was read the second time.

Representative Wallace moved the adoption of amendment (217):

On page 3, beginning on line 21, strike all of section 104

Correct the title

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

Representative Anderson spoke against the adoption of the amendment.

The amendment was adopted.

Representative Bailey moved the adoption of amendment (413):

Beginning on page 8, line 34, strike all of section 302

Correct the title.

Representatives Bailey and Anderson spoke in favor of the adoption of the amendment.

Representative Wallace spoke against the adoption of the amendment.

The amendment was not adopted.

The bill was ordered engrossed.

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

Representatives Wallace and Andersen spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1883.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1883 and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Voting nay: Representative Orcutt - 1.

Excused: Representatives Curtis and Morris - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1883, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 14, 2007

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5248,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5659,
ENGROSSED SUBSTITUTE SENATE BILL NO. 5836,
SENATE BILL NO. 5918,
ENGROSSED SECOND SUBSTITUTE SENATE BILL NO. 5923,
SECOND SUBSTITUTE SENATE BILL NO. 6016,
ENGROSSED SUBSTITUTE SENATE BILL NO. 6032,

and the same are herewith transmitted.

Thomas Hoemann, Secretary

SECOND READING

HOUSE BILL NO. 2286, By Representatives Simpson, Kirby, Williams, Kelley and Hunt

Regulating interstate branching.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2286 was substituted for House Bill No. 2286 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2286 was read the second time.

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

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2286.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2286 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Curtis and Morris - 2.

SUBSTITUTE HOUSE BILL NO. 2286, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2107, By Representatives Schual-Berke, B. Sullivan, Blake, Newhouse, Dickerson, Strow, Kagi, Orcutt, McCoy, Cody and VanDeWege

Authorizing the use of innovative settlement agreements in lieu of appeal for violations of chapters 90.48 and 90.56 RCW.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2107 was substituted for House Bill No. 2107 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2107 was read the second time.

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

Representatives Schual-Berke and Newhouse spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2107.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2107 and the bill passed the House by the following vote: Yeas - 96, Nays - 0, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 96.

Excused: Representatives Curtis and Morris - 2.

SUBSTITUTE HOUSE BILL NO. 2107, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1765, By Representatives Lantz, Springer, Williams, Rodne and Moeller

Changing provisions concerning limitation of claims under a construction contract.

The bill was read the second time.

There being no objection, 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.

Representative Lantz moved the adoption of amendment (394):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 4.24 RCW to read as follows:

(1) Subject to the other provisions of this section, any clause in a construction contract that purports to waive, release, or extinguish the claim rights of a contractor, subcontractor, or supplier to damages or an equitable adjustment based on failure to submit claim notice or claim-related documentation in a specified time frame or form is enforceable if the clause includes the following provisions:

(a) Initial notice of an event giving rise to a claim is required to be submitted:

(i) Within seven calendar days following the occurrence of the event;

(ii) In writing; and

(iii) To the party, as specified in the contract, to whom the claim is being made.

(b) Documentation of the claim, as specified in subsection (1)(c) below, is required to be provided:

(i) Within thirty calendar days following the occurrence of the event giving rise to the claim;

(ii) In writing; and

(iii) To the party, as specified in the contract, to whom the claim is being made.

(c) Documentation of the claim is required to be submitted by the claiming party that provides the following information, in sufficient detail and in a format to allow the party to whom the claim is being made to understand the claim and respond:

(i) A detailed factual description of the claim and the bases for the claim, providing all necessary dates, locations, and items of work affected by the claim;

(ii) A description of the specific provisions of the contract that support the claim;

(iii) Identification and copies of any documents that support the claim and a description of any oral communications that support the claim;

(iv) An estimated dollar cost, if any, of the claim and how that estimate was determined; and

(v) An analysis of the progress schedule showing the schedule change or disruption if the party submitting the claim is asserting a schedule change or disruption.

(d) If the claim is continuing, the party to whom the claim is being made may request the information identified above be supplemented.

(2) If a contractor, subcontractor, or supplier fails to meet the notice and documentation requirements of subsection (1), the contractor shall nonetheless be deemed to have complied with those requirements if:

(a) The required initial notice and documentation are given and provided within fifteen days and forty-five days, respectively, following the occurrence of the event giving rise to the claim; and

(b) The party pursuing the claim proves by a preponderance of the evidence that the party receiving the notice or documentation was not prejudiced by the later receipt of the notice or documentation.

(3) Any clause in a construction contract that purports to waive, release, or extinguish the claim rights of a contractor, subcontractor, or supplier to damages or an equitable adjustment based on failure to submit claim notice or claim-related documentation pursuant to provisions that obligate the party pursuing the claim to provide more information than described in subsection (1) above, or provide such information earlier than the time specified in subsection (1) of this section, is enforceable against a contractor, subcontractor, or supplier only if the party to whom the claim is being made is prejudiced as a result of the failure. The party failing to provide such timely notice or documentation has the burden to prove, by a preponderance of the evidence, that the party failing to receive such timely notice or documentation was not prejudiced by such failure. For the purpose of this subsection, "prejudiced" means being deprived of the opportunity to mitigate cost, time, or both cost and time impacts caused by the event or combination of events giving rise to the claim.

(4) Notwithstanding the provisions of subsections (1), (2) and (3) of this section, all claims for damages or an equitable adjustment must be submitted within thirty calendar days of a project's substantial completion, as defined in the construction contract.

(5) Subsections (3) and (4) of this section do not apply to any contractual requirement that a formal claim be submitted within a certain time frame or contain specified documentation following the completion or termination of a contract as a condition precedent to seeking mediation, arbitration, or judicial relief.

(6) For purposes of this section, "construction contract" has the same meaning as the term is defined in RCW 4.24.370.

Sec. 2. RCW 4.24.370 and 1979 ex.s. c 264 s 2 are each amended to read as follows:

"Construction contract" for purposes of RCW 4.24.360 and section 1 of this act means any contract or agreement for the construction, alteration, repair, addition to, subtraction from, improvement to, or maintenance of, any building, highway, road, railroad, excavation, or other structure, project, development, or improvement attached to real estate, including moving and demolition in connection therewith.

Sec. 3. RCW 4.24.380 and 1979 ex.s. c 264 s 3 are each amended to read as follows:

(1) The provisions of RCW 4.24.360 shall apply to contracts or agreements entered into after September 1, 1979.

(2) This act applies to contracts or agreements entered into on or after January 1, 2008."

Representatives Lantz and Rodne spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Lantz, Rodne and Kristiansen spoke in favor of passage of the bill.

Representative Haigh spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1765.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1765 and the bill passed the House by the following vote: Yeas - 95, Nays - 1, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 95.

Voting nay: Representative Haigh - 1.

Excused: Representatives Curtis and Morris - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1765, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1181, By Representatives Ericks, O'Brien, Lovick, Ormsby, McDonald, Haler and Wallace

Modifying the powers and funding of the forensic investigations council.

The bill was read the second time.

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

Representative Ericks spoke in favor of passage of the bill.

Representative Pearson spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1181.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1181 and the bill passed the House by the following vote: Yeas - 83, Nays - 13, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appleton, Armstrong, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 83.

Voting nay: Representatives Ahern, Alexander, Bailey, Condotta, Crouse, DeBolt, Dunn, Ericksen, Kristiansen, Newhouse, Pearson, Roach and Schindler - 13.

Excused: Representatives Curtis and Morris - 2.

HOUSE BILL NO. 1181, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2056, By Representatives Lantz, Goodman, Sells, McCoy, Hunt and Simpson

Requiring recycling receptacles at official gatherings and sports facilities.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2056 was substituted for House Bill No. 2056 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2056 was read the second time.

Representative Ericksen moved the adoption of amendment (414):

On page 2, line 15, after "limited to" strike "fairs."

On page 2, line 18, after "cans," insert "Official gathering does not include rodeos, draft horse plough shows, or agricultural fairs included in RCW 15.76.120."

Representatives Ericksen and Hailey spoke in favor of the adoption of the amendment.

Representative B. Sullivan spoke against the adoption of the amendment.

The amendment was not adopted.

Representative Orcutt moved the adoption of amendment (219):

On page 3, after line 22, strike all material through "vendor." on line 34 and insert the following:

"(1) A recycling program is encouraged at official gatherings and at sports facilities in communities where there is an established curbside service and where recycling service is available to businesses.

(2) A recycling program includes provision of receptacles or reverse vending machines, and provisions to transport and recycle the collected materials. Facility managers or event coordinators are encouraged to work with vendors to coordinate the recycling program. The recycling receptacles or reverse vending machines should be clearly marked, and should be provided for the aluminum, glass, or plastic bottles or cans that contain the beverages sold at the official gathering or sports facility."

Representatives Orcutt, Ericksen and Orcutt (again) spoke in favor of the adoption of the amendment.

Representative B. Sullivan spoke against the adoption of the amendment.

The amendment was not adopted.

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

Representatives Lantz, Orcutt and Simpson spoke in favor of passage of the bill.

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

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Substitute House Bill No. 2056.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 2056 and the bill passed the House by the following vote: Yeas - 71, Nays - 25, Absent - 0, Excused - 2.

Voting yea: Representatives Anderson, Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P.,

Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 71.

Voting nay: Representatives Ahern, Alexander, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, DeBolt, Dunn, Ericksen, Hailey, Hinkle, Kretz, Kristiansen, McCune, Newhouse, Pearson, Roach, Ross, Schindler, Skinner, Strow, Sump, and Warnick - 25.

Excused: Representatives Curtis and Morris - 2.

SUBSTITUTE HOUSE BILL NO. 2056, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1873, By Representatives Ormsby, Haler, Pedersen, Wood, VanDeWege, Campbell, Flannigan, Kessler, Williams and Lantz

Changing the requirements for, and recoveries under, a wrongful injury or death cause of action.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1873 was substituted for House Bill No. 1873 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1873 was read the second time.

Representative Lantz moved the adoption of amendment (407):

Strike everything after the enacting clause and insert the following:

"**Sec. 1.** RCW 4.20.020 and 1985 c 139 s 1 are each amended to read as follows:

Every ~~((such))~~ action under RCW 4.20.010 shall be for the benefit of the ~~((wife, husband, child))~~ spouse or children, including stepchildren, of the person whose death shall have been so caused. If there ~~((be))~~ is no ~~((wife or husband))~~ spouse or ~~((such))~~ child ~~((or children, such))~~, the action may be maintained for the benefit of the parents, sisters, or brothers~~((;))~~ who are dependent upon the deceased person for support ~~((; and who are resident within the United States at the time of his death))~~.

In every such action the jury may ~~((give such))~~ award economic and noneconomic damages as~~((;))~~ under all circumstances of the case~~((;))~~ may to them seem just.

Sec. 2. RCW 4.20.046 and 1993 c 44 s 1 are each amended to read as follows:

(1) All causes of action by a person or persons against another person or persons shall survive to the personal representatives of the former and against the personal representatives of the latter, whether such actions arise on contract or otherwise, and whether or not such actions would have survived at the common law or prior to the date of enactment of this section~~((; PROVIDED, HOWEVER, That))~~.

(2) In addition to recovering economic losses, the personal representative ~~((shall only be))~~ is entitled to recover on behalf of those beneficiaries identified under RCW 4.20.020 any noneconomic

damages for pain and suffering, anxiety, emotional distress, loss of enjoyment of life, shortened life expectancy, or humiliation, personal to ~~((and suffered by a))~~ the deceased ~~((on behalf of those beneficiaries enumerated in RCW 4.20.020, and such))~~ in such amounts as determined by a jury to be just under all the circumstances of the case. Damages under this section are recoverable regardless of whether or not the death was occasioned by the injury that is the basis for the action.

(3) The liability of property of a husband and wife held by them as community property and subject to execution in satisfaction of a claim enforceable against such property so held shall not be affected by the death of either or both spouses; and a cause of action shall remain an asset as though both claiming spouses continued to live despite the death of either or both claiming spouses.

~~((2))~~ (4) Where death or an injury to person or property, resulting from a wrongful act, neglect or default, occurs simultaneously with or after the death of a person who would have been liable therefor if his death had not occurred simultaneously with such death or injury or had not intervened between the wrongful act, neglect or default and the resulting death or injury, an action to recover damages for such death or injury may be maintained against the personal representative of such person.

Sec. 3. RCW 4.20.060 and 1985 c 139 s 2 are each amended to read as follows:

(1) No action for a personal injury to any person occasioning death shall abate, nor shall such right of action ~~((determine))~~ terminate, by reason of ~~((such))~~ the death~~((;))~~ if ~~((such))~~ the person has a surviving ~~((spouse or child living, including stepchildren, or leaving no surviving spouse or such children, if there is dependent upon the deceased for support and resident within the United States at the time of decedent's death, parents, sisters or brothers; but such action may be prosecuted, or commenced and prosecuted, by the executor or administrator))~~ beneficiary in whose favor the action may be brought under subsection (2) of this section.

(2) An action under this section may be brought by the personal representative of the deceased~~((;))~~ in favor of ~~((such))~~ the surviving spouse~~((; or in favor of the surviving spouse))~~ and ~~((such))~~ children~~((; or if))~~. If there is no surviving spouse~~((; in favor of such child))~~ or children, ~~((or if no surviving spouse or such child or children, then))~~ the action may be brought in favor of the decedent's parents, sisters or brothers who ~~((may be))~~ are dependent upon ~~((such person))~~ the decedent for support~~((; and resident in the United States at the time of decedent's death))~~.

(3) In addition to recovering economic losses, the persons identified in subsection (2) of this section are entitled to recover any noneconomic damages personal to the decedent including, but not limited to, damages for the decedent's pain and suffering, anxiety, emotional distress, loss of enjoyment of life, shortened life expectancy, or humiliation, in such amounts as determined by a jury to be just under all the circumstances of the case.

Sec. 4. RCW 4.24.010 and 1998 c 237 s 2 are each amended to read as follows:

(1) A ~~((mother or father, or both;))~~ parent who has regularly contributed to the support of his or her ~~((minor))~~ child who is under the age of twenty-six, ~~((and the mother or father, or both, of a child on whom either, or both, are))~~ or a parent who is dependent on a child for support may maintain or join ~~((as a party))~~ an action as plaintiff for the injury or death of the child.

(2) Each parent, separately from the other parent, is entitled to recover for his or her own loss regardless of marital status, even

~~though this section creates only one cause of action (but if the parents of the child are not married, are separated, or not married to each other damages may be awarded to each plaintiff separately, as the trier of fact finds just and equitable).~~

(3) If one parent brings an action under this section and the other parent is not named as a plaintiff, notice of the institution of the suit, together with a copy of the complaint, shall be served upon the other parent: PROVIDED, That notice shall be required only if parentage has been duly established.

Such notice shall be in compliance with the statutory requirements for a summons. Such notice shall state that the other parent must join as a party to the suit within twenty days or the right to recover damages under this section shall be barred. Failure of the other parent to timely appear shall bar such parent's action to recover any part of an award made to the party instituting the suit.

(4) In ~~((such))~~ an action under this section, in addition to damages for medical, hospital, medication expenses, and loss of services and support, damages may be recovered for the loss of love and companionship of the child and for injury to or destruction of the parent-child relationship in such amount as, under all the circumstances of the case, may be just."

Correct the title.

Representative Walsh moved the adoption of amendment (440) to amendment (407):

On page 1, beginning on line 8 of the amendment, after "so caused." strike all matter through "~~death~~)." on line 12 and insert the following:

"If there ~~((be))~~ is no ~~((wife or husband))~~ spouse or ~~((such))~~ child ~~((or children, such))~~, the action may be maintained for the benefit of the deceased person's: (1) parents((:)) who are dependent upon the deceased person for support; (2) parents who have regularly contributed to the support of the deceased person if the deceased person had a developmental disability as defined in RCW 71A.10.020; or (3) sisters or brothers((:)) who ((may be)) are dependent upon the deceased person for support ((, and who are resident within the United States at the time of his death))."

Beginning on page 2, line 38 of the amendment, after "~~((or if))~~," strike all material through "~~death~~)." on page 3, line 5 and insert the following:

"If there is no surviving spouse((, in favor of such child)) or children, ((or if no surviving spouse or such child or children, then)) the action may be brought in favor of the decedent's: (1) parents((:)) who are dependent upon the decedent for support; (2) parents who have regularly contributed to the support of the decedent if the decedent had a developmental disability as defined in RCW 71A.10.020; or (3) sisters or brothers who ((may be)) are dependent upon ((such person)) the decedent for support((, and resident in the United States at the time of decedent's death))."

On page 3, beginning on line 15 of the amendment, strike all of subsection (1) and insert the following:

"(1) A ~~((mother or father, or both,))~~ parent who has regularly contributed to the support of his or her ~~((minor))~~ child who is under the age of twenty-six or his or her child with a developmental disability as defined in RCW 71A.10.020, ((and the mother or father, or both, of a child on whom either, or both, are)) or a parent who is dependent upon a child for support may maintain or join ((as a party)) an action as plaintiff for the injury or death of the child."

Representatives Walsh and Lantz spoke in favor of the adoption of the amendment to the amendment.

The amendment to the amendment was adopted.

With the consent of the House, amendments (404) and (331) were withdrawn.

The question before the House was the adoption of amendment (407) as amended.

Representatives Lantz and Rodne spoke in favor of the adoption of the amendment as amended.

The amendment as amended was adopted. The bill was ordered engrossed.

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

Representative Ormsby spoke in favor of passage of the bill.

Representative Rodne spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1873.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1873 and the bill passed the House by the following vote: Yeas - 64, Nays - 32, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Appleton, Barlow, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 64.

Voting nay: Representatives Alexander, Anderson, Armstrong, Bailey, Buri, Chandler, Condotta, Crouse, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Kretz, Kristiansen, McCune, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Schual-Berke, Skinner, Strow, Sump, Walsh and Warnick - 32.

Excused: Representatives Curtis and Morris - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1873, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 2111, By Representatives Williams, Conway, Wood, Green, Moeller, Darneille, Miloscia, Dickerson, P. Sullivan, Morrell, McDermott, Grant, Hudgins, Simpson and Ormsby

Making the governor the public employer of adult family home providers.

The bill was read the second time.

There being no objection, Substitute House Bill No. 2111 was substituted for House Bill No. 2111 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2111 was read the second time.

Representative Williams moved the adoption of amendment (410):

On page 2, beginning on line 4, strike all of subsections (a) and (b) and insert the following:

"(a) A statewide unit of all adult family home providers is the only unit appropriate for purposes of collective bargaining under RCW 41.56.060.

(b) The exclusive bargaining representative of adult family home providers in the unit specified in (a) of this subsection shall be the representative chosen in an election conducted pursuant to RCW 41.56.070."

Representatives Williams and Condotta spoke in favor of the adoption of the amendment.

The amendment was adopted.

With the consent of the House, amendments (403), (428), (367), (368), (369), (370), (371) and (380) were adopted.

Representative Condotta moved the adoption of amendment (372):

On page 2, line 13, after "exists." insert the following:

"Neither the commission nor the department of social and health services shall, either directly or indirectly, give a prospective bargaining representative access to lists of home mailing addresses for providers."

Representatives Condotta and Chandler spoke in favor of the adoption of the amendment.

Representative Williams spoke against the adoption of the amendment.

An electronic roll call was requested.

The Speaker (Representative Lovick presiding) stated the question before the House to be adoption of amendment (372) to Engrossed Substitute House Bill No. 2111.

ROLL CALL

The Clerk called the roll on the adoption of amendment (372) to Engrossed Substitute House Bill No. 2111, and the amendment was not adopted by the following vote: Yeas - 37, Nays - 59, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buri, Campbell, Chandler, Chase, Condotta, Crouse, DeBolt, Dunn, Ericksen, Hailey, Haler, Hankins, Hinkle, Hunter, Jarrett, Kretz, Kristiansen, McCune, McDonald, Newhouse, Orcutt, Pearson, Priest, Roach, Rodne, Ross, Schindler, Skinner, Strow, Sump, Walsh, and Warnick - 37.

Voting nay: Representatives Appleton, Barlow, Blake, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Eddy, Eickmeyer, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hasegawa, Hudgins, Hunt, Hurst, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, O'Brien, Ormsby, Pedersen, Pettigrew, Quall, Roberts, Rolfes, Santos, Schual-Berke, Seaquist, Sells, Simpson, Sommers, Springer, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Williams, Wood and Mr. Speaker - 59.

Excused: Representatives Curtis and Morris - 2.

Representative Williams moved the adoption of amendment (441):

On page 2, after line 29, insert the following:

"Bargaining authorization cards furnished as the showing of interest in support of any representation petition or motion for intervention filed under this section shall be exempt from disclosure under chapter 42.56 RCW."

Representatives Williams and Condotta spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

Representative Williams spoke in favor of passage of the bill.

Representative Condotta spoke against the passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2111.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2111 and the bill passed the House by the following vote: Yeas - 80, Nays - 16, Absent - 0, Excused - 2.

Voting yea: Representatives Alexander, Appleton, Bailey, Barlow, Blake, Buri, Campbell, Chandler, Chase, Clibborn, Cody, Conway, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Ericks, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Lantz, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Takko, Upthegrove, Van De Wege, Wallace, Walsh, Williams, Wood and Mr. Speaker - 80.

Voting nay: Representatives Ahern, Anderson, Armstrong, Condotta, Crouse, Eickmeyer, Ericksen, Kretz, Kristiansen, McCune, McDonald, Orcutt, Pearson, Schindler, Sump and Warnick - 16.

Excused: Representatives Curtis and Morris - 2.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2111, having received the necessary constitutional majority, was declared passed.

MESSAGE FROM THE SENATE

March 14, 2007

Mr. Speaker:

The Senate has passed:

- SUBSTITUTE SENATE BILL NO. 5318,
- SENATE BILL NO. 5389,
- SENATE BILL NO. 5551,
- SUBSTITUTE SENATE BILL NO. 5554,
- SUBSTITUTE SENATE BILL NO. 5585,
- SUBSTITUTE SENATE BILL NO. 5619,
- ENGROSSED SENATE BILL NO. 5723,
- SUBSTITUTE SENATE BILL NO. 5869,
- SENATE BILL NO. 5927,
- SUBSTITUTE SENATE BILL NO. 5972,
- SUBSTITUTE SENATE BILL NO. 6053,
- SENATE BILL NO. 6059,
- SUBSTITUTE SENATE BILL NO. 6100,
- SUBSTITUTE SENATE BILL NO. 6141,

and the same are herewith transmitted.

Brad Hendrickson, Deputy Secretary

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

INTRODUCTION & FIRST READING

HB 2383 by Representatives Sells, Conway, Kenney, Appleton, Green, Chase, Campbell, Dunshee, Cody, Ormsby, Wood, VanDeWege, Hasegawa, McDermott, Simpson, Hudgins, Blake, Darneille, Moeller, Hurst, Morrell, Pettigrew, Dickerson, Kirby, Hunt, B. Sullivan, Ericks, Schual-Berke and Williams

AN ACT Relating to prohibiting employers from requiring employees to participate in certain communications about political, religious, or labor organizing matters; adding new sections to chapter 49.44 RCW; providing an effective date; and declaring an emergency.

Referred to Committee on Commerce & Labor.

HB 2384 by Representatives Seaquist and Appleton

AN ACT Relating to limiting the fee of a small loan to ten percent and the amount of a small loan to five hundred dollars; and amending RCW 31.45.073.

Referred to Committee on Insurance, Financial Services & Consumer Protection.

HB 2385 by Representatives Green and Appleton

AN ACT Relating to small loan rollovers; and amending RCW 31.45.010 and 31.45.073.

Referred to Committee on Insurance, Financial Services & Consumer Protection.

HB 2386 by Representative Kristiansen

AN ACT Relating to prohibiting the use of voluntary intoxication as a defense against a criminal charge; and amending RCW 9A.16.090 and 9A.08.010.

Referred to Committee on Judiciary.

HB 2387 by Representatives Sells, Green, Simpson and Appleton

AN ACT Relating to mandatory participation in communications about political, religious, or labor organizing matters; and creating a new section.

Referred to Committee on Commerce & Labor.

HB 2388 by Representatives Alexander, P. Sullivan and Hunter

AN ACT Relating to financing regional centers with seating capacities less than ten thousand that are acquired, constructed, financed, or owned by a public facilities district; amending RCW 35.57.010, 35.57.040, 36.100.010, 36.100.020, 36.100.030, and 82.14.390; and adding a new section to chapter 35.57 RCW.

HB 2389 by Representatives Clibborn, Jarrett, Eddy and Goodman

AN ACT Relating to the state route number 520 bridge replacement and HOV project; adding new sections to chapter 47.01 RCW; and creating new sections.

Referred to Committee on Transportation.

There being no objection, the bills listed on the day's introduction sheet under the fourth order of business were referred to the committees so designated with the exception of HOUSE BILL NO. 2388 which was placed on the Second Reading calendar.

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

SECOND READING

HOUSE BILL NO. 2388, By Representatives Alexander, P. Sullivan and Hunter

Financing regional centers with seating capacities less than ten thousand that are acquired, constructed, financed, or owned by a public facilities district.

The bill was read the second time.

Representative Hunter moved the adoption of amendment (439):

On page 8, line 11, after "35.57" insert "or 36.100"

Representatives Hunter and Alexander spoke in favor of the adoption of the amendment.

The amendment was adopted. The bill was ordered engrossed.

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

Representatives Alexander and B. Sullivan spoke in favor of passage of the bill.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2388.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 2388 and the bill passed the House by the following vote: Yeas - 80, Nays - 16, Absent - 0, Excused - 2.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Chandler, Chase, Clibborn, Cody, Condotta, Conway, DeBolt, Dunn, Eddy, Eickmeyer, Ericks, Ericksen, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kenney, Kessler, Kirby, Kretz, Linville, Lovick, McCoy, McDermott, McDonald, McIntire, Miloscia, Moeller, Newhouse, O'Brien, Orcutt, Ormsby, Pedersen, Pettigrew, Priest, Quall, Roberts, Rodne, Rolfes, Ross, Santos, Schindler, Schual-Berke, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 80.

Voting nay: Representatives Buri, Campbell, Crouse, Darneille, Dickerson, Dunshee, Flannigan, Kelley, Kristiansen, Lantz, McCune, Morrell, Pearson, Roach, Seaquist, and Van De Wege - 16.

Excused: Representatives Curtis and Morris - 2.

ENGROSSED HOUSE BILL NO. 2388, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on ENGROSSED HOUSE BILL NO. 2388.

CHRISTOPHER HURST, 31st District

HOUSE JOINT MEMORIAL NO. 4020, By Representatives Seaquist, Morrell, Bailey, Ericks, Kelley, Roach, Kessler, Green, Campbell, Williams, McDonald, VanDeWege, Hudgins, Chase, Hunt, Dunn, McCune, Buri, Haler, Priest, Kretz, Goodman, Cody, P. Sullivan, Sommers, Hasegawa, Rolfes, Pedersen, Miloscia, Simpson, Sells, Roberts, Lovick, Hunter, Darneille, McCoy, Hurst, Clibborn, Conway, Linville, Kenney, Ormsby, Springer and Santos

Requesting the Washington Air and Army National Guard not be federalized.

The joint memorial was read the second time.

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

Representatives Seaquist, Rodne, Kelley, Morrell, Buri and Campbell spoke in favor of passage of the joint memorial.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

Representative Chandler spoke against the passage of the joint memorial.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Joint Memorial No. 4020.

ROLL CALL

The Clerk called the roll on the final passage of House Joint Memorial No. 4020 and the joint memorial passed the House by the following vote: Yeas - 93, Nays - 3, Absent - 0, Excused - 2.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Barlow, Blake, Buri, Campbell, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eddy, Eickmeyer, Ericks, Ericksen, Flannigan, Fromhold, Goodman, Grant, Green, Haigh, Hailey, Haler, Hankins, Hasegawa, Hinkle, Hudgins, Hunt, Hunter, Hurst, Jarrett, Kagi, Kelley, Kenney, Kessler, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Newhouse, O'Brien, Orcutt, Ormsby, Pearson, Pedersen, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Rolfes, Santos, Schindler, Schual-Berke, Seaquist, Sells, Simpson, Skinner, Sommers, Springer, Strow, Sullivan, B., Sullivan, P., Sump, Takko, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, Williams, Wood and Mr. Speaker - 93.

Voting nay: Representatives Ahern, Chandler and Ross - 3.

Excused: Representatives Curtis and Morris - 2.

HOUSE JOINT MEMORIAL NO. 4020, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Cody

POINT OF PERSONAL PRIVILEGE

Representative Hinkle

POINT OF PERSONAL PRIVILEGE

Representative Ericks

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

There being no objection, the House adjourned until 9:55 a.m., March 15, 2007, the 67th Day of the Regular Session.

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