
TWENTY FOURTH DAY

House Chamber, Olympia, Wednesday, February 2, 2011

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Sehar Bokhari and Iman Baghai. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Angela Ying, Bethany United Church of Christ, Seattle, Washington.

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

RESOLUTION

HOUSE RESOLUTION NO. 2011-4612, by Representative Probst

WHEREAS, Tens of thousands of Washington motorcyclists travel the roads, streets, and highways of the Evergreen State in their regular work and school commutes, and in their weekend adventures and vacation rides; and

WHEREAS, Motorcycles are fuel-efficient, congestion-busting users of our transportation infrastructure for which they help provide the funding; and

WHEREAS, Our state and nation are world leaders in motorcycle safety and licensing, and in rider training and public awareness; and

WHEREAS, The vast majority of the members of the motorcycling community are genuinely committed to upholding safe and sane policies and procedures for themselves and their passengers, and certainly also for their fellow motorists with whom they share the highways and roads of our state; and

WHEREAS, A recent comprehensive study of crashes involving motorcycles and motor vehicles - the "Motorcycle Accident Cause Factors and Identification of Countermeasures" report - found that in approximately two-thirds of the cases, the driver of the car, pickup, or some other motor vehicle was in fact the cause of the crash; and

WHEREAS, A stronger emphasis on motorcycle safety and awareness will make our roads, streets, and highways safer for everyone; and

WHEREAS, Although every day of the year in a very real sense can and must be considered "Motorcycle Safety Awareness Day," May is in fact a month set aside at the national level for special and particular emphasis on safety on the part of the riders of the road and respect from their fellow users of the road; and

WHEREAS, The month of May enjoys special status as Motorcycle Safety Awareness Month;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives join the rest of the state and nation in saluting and celebrating May - Motorcycle Safety Awareness Month; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted to the AAA Washington office, to the ABATE of Washington office, and to the headquarters of the Washington State Patrol and the Washington State Department of Transportation.

The Speaker (Representative Moeller presiding) stated the question before the House to be adoption of House Resolution No. 4612.

HOUSE RESOLUTION NO. 4612 was adopted.

MESSAGE FROM THE SENATE

February 1, 2011

Mr. Speaker:

The President has signed HOUSE CONCURRENT RESOLUTION 4402 and the same is herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTIONS AND FIRST READING

HB 1776 by Representative Frockt

AN ACT Relating to licensing requirements for child care centers located in publicly owned buildings; and amending RCW 43.215.200.

Referred to Committee on Early Learning & Human Services.

HB 1777 by Representative Kretz

AN ACT Relating to development regulations adopted under the growth management act to protect critical areas that apply to agricultural activities; amending RCW 36.70A.560; amending 2010 c 203 s 3 (uncodified); creating a new section; and providing an expiration date.

Referred to Committee on Local Government.

HB 1778 by Representative Upthegrove

AN ACT Relating to utility services for residential multiunit buildings; adding a new section to chapter 19.27 RCW; adding a new section to chapter 84.36 RCW; adding a new chapter to Title 59 RCW; and providing an effective date.

Referred to Committee on Judiciary.

HB 1779 by Representatives Rivers, Rodne, Johnson, Haler, Klippert, Hope, McCune, Kristiansen, Parker, Kretz, Taylor, Overstreet, Hinkle, Condotta, Chandler, Crouse, Walsh, Hargrove, Dahlquist, Harris, Ross, Orcutt, Alexander, Smith, Schmick, Ahern, Wilcox, Fagan, Asay, Short, Zeiger, Dammeier and Buys

AN ACT Relating to joint and several liability; and amending RCW 4.22.070.

Referred to Committee on Judiciary.

HB 1780 by Representative Takko

AN ACT Relating to authority to impose the sales and use tax for certain regional centers; and amending RCW 82.14.485.

Referred to Committee on Ways & Means.

HB 1781 by Representatives Pearson, Eddy and Kristiansen

AN ACT Relating to alternative fuel vehicle requirements; and amending RCW 43.19.648.

Referred to Committee on Technology, Energy & Communications.

HB 1782 by Representatives Hinkle, Kagi, Orcutt, Hunter, Rodne, Carlyle, Armstrong, Pettigrew, Haler, Green, Angel, Ross, Van De Wege, Bailey, Kenney, Ahern, Ryu, Crouse, Short, Eddy, Nealey, Finn, DeBolt, Condotta, Moeller, Sullivan, Darneille, McCune, Buys, Dahlquist, Alexander, Fagan, Johnson, Sells, Overstreet, Maxwell, Seaquist, Haigh, Blake, Hargrove, Dickerson, Rivers, McCoy, Schmick, Santos, Smith, Zeiger, Tharinger, Wilcox, Dammeier, Rolfes, Warnick, Liias, Kretz, Cody, Parker, Probst, Taylor, Fitzgibbon, Reykdal, Shea, Goodman, Asay, Stanford, Klippert, Walsh, Moscoso, Harris, Takko, Kristiansen, Jacks, Roberts, Orwall, Hasegawa, Ladenburg, Jinkins, Hunt, Billig and Ormsby

AN ACT Relating to constraints of expenditures for WorkFirst and child care programs; and amending RCW 74.08A.340.

Referred to Committee on Early Learning & Human Services.

HB 1783 by Representatives Pedersen, Upthegrove, Takko, Blake, Rodne, Smith, Carlyle, Fitzgibbon, Springer and Angel

AN ACT Relating to houseboats and houseboat moorages; and amending RCW 79.105.060; and 90.58.270.

Referred to Committee on Local Government.

HB 1784 by Representative Orwall

AN ACT Relating to the firefighters' pension fund; and amending RCW 41.16.050.

Referred to Committee on Ways & Means.

HB 1785 by Representative Upthegrove

AN ACT Relating to limiting the use of certain antifouling paints; adding a new chapter to Title 70 RCW; and prescribing penalties.

Referred to Committee on Environment.

HB 1786 by Representatives Seaquist, Finn, Rolfes and Haigh

AN ACT Relating to providing additional property tax levy flexibility in order to preserve and enhance the veterans and human services safety net; amending RCW 84.55.050, 84.55.0101, 71.20.110, 73.08.080, 84.52.069, 84.52.043, and 84.52.010; and creating new sections.

Referred to Committee on Ways & Means.

HB 1787 by Representatives Rolfes, Seaquist and Sullivan

AN ACT Relating to school district employees' reduced compensation; amending RCW 41.35.010; reenacting and amending RCW 41.32.010; and declaring an emergency.

Referred to Committee on Ways & Means.

HB 1788 by Representatives Green, Goodman, Fitzgibbon and Dickerson

AN ACT Relating to the practice of registered interior design; amending RCW 18.235.020; and adding a new chapter to Title 18 RCW.

Referred to Committee on Business & Financial Services.

HB 1789 by Representatives Goodman and Pedersen

AN ACT Relating to accountability for persons driving under the influence of alcohol or drugs; amending RCW 46.20.385, 46.61.502, 46.61.504, 46.61.500, 46.61.5249, 46.20.720, 46.61.5055, 10.05.140, 10.05.010, and 9.94A.533; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1790 by Representatives Dammeier, Sullivan, Hinkle and Green

AN ACT Relating to school district contracts with direct practice health providers; and amending RCW 28A.400.270 and 28A.400.350.

Referred to Committee on Ways & Means.

HB 1791 by Representatives Kirby and Stanford

AN ACT Relating to master application fees; and amending RCW 19.02.075.

Referred to Committee on Ways & Means.

HB 1792 by Representatives Sells, Hope, Dunshee, Haler, McCoy, Moscoso and Liias

AN ACT Relating to expanding opportunities in higher education in north Puget Sound; amending RCW 28B.50.795; adding a new section to chapter 28B.30 RCW; repealing RCW 28B.50.901; and providing an effective date.

Referred to Committee on Higher Education.

HB 1793 by Representative Darneille

AN ACT Relating to restricting access to juvenile records; amending RCW 13.50.010 and 13.50.050; adding new sections to chapter 13.50 RCW; and creating a new section.

Referred to Committee on Early Learning & Human Services.

HB 1794 by Representatives Ladenburg and Klippert

AN ACT Relating to adding court-related employees to the assault in the third degree statute; and amending RCW 9A.36.031.

Referred to Committee on Public Safety & Emergency Preparedness.

HB 1795 by Representatives Carlyle, Seaquist, Haler, Reykdal, Rolfes and Probst

AN ACT Relating to the higher education opportunity act; amending RCW 28B.15.067, 28B.15.068, 28B.76.270, 28B.92.060, and 28B.95.150; adding a new section to chapter 28B.10 RCW; creating new sections; and repealing RCW 28B.10.920, 28B.10.921, and 28B.10.922.

Referred to Committee on Higher Education.

HB 1796 by Representatives Van De Wege, Takko, Upthegrove, Finn, Seaquist, Sullivan, Lias, Jacks, McCoy, Moscoso, Hudgins and Hunt

AN ACT Relating to accessing Washington's heritage; amending RCW 4.24.210, 46.16A.090, 7.84.030, 79A.05.160, 43.12.065, 77.15.020, 77.32.560, 77.32.010, 77.15.750, 43.30.385, 79A.05.215, 77.12.170, and 79A.05.070; adding a new section to chapter 7.84 RCW; adding a new chapter to Title 79A RCW; repealing RCW 77.32.380; prescribing penalties; and providing an effective date.

Referred to Committee on Ways & Means.

HB 1797 by Representatives Green and Hinkle

AN ACT Relating to establishing criteria for prescribing atypical antipsychotic drugs on the state preferred drug list; and amending RCW 69.41.190.

Referred to Committee on Health Care & Wellness.

HB 1798 by Representatives Green and Hinkle

AN ACT Relating to the health technology assessment program; amending RCW 70.14.090 and 70.14.110; and adding a new section to chapter 70.14 RCW.

Referred to Committee on Health Care & Wellness.

HB 1799 by Representatives Stanford, Moscoso and Ryu

AN ACT Relating to the annexation of unincorporated areas served by fire protection districts; and amending RCW 35.13.238, 35A.14.480, and 36.93.105.

Referred to Committee on Local Government.

HB 1800 by Representatives Stanford, Moscoso, Ryu, Rolfes, Lytton, Hunt and Fitzgibbon

AN ACT Relating to creation of an animal abuser registry; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1801 by Representatives Jinkins, Ladenburg, Cody, Billig, Clibborn and Moeller

AN ACT Relating to Washington state food purchasing policy; adding a new section to chapter 43.19 RCW; and adding a new chapter to Title 70 RCW.

Referred to Committee on State Government & Tribal Affairs.

HB 1802 by Representatives Chandler and Blake

AN ACT Relating to changes in the point of diversion under a surface water right permit; and amending RCW 90.03.397.

Referred to Committee on Agriculture & Natural Resources.

HB 1803 by Representatives Chandler, Van De Wege, Blake, Kretz and Warnick

Modifying the Columbia river basin management program.

Referred to Committee on Agriculture & Natural Resources.

HB 1804 by Representative Schmick

AN ACT Relating to the use of state resources for planning or implementation of federal health care reform; adding a new section to chapter 41.05 RCW; adding a new section to chapter 43.20A RCW; adding a new section to chapter 43.41 RCW; adding a new section to chapter 43.70 RCW; and creating a new section.

Referred to Committee on Health Care & Wellness.

HB 1805 by Representative Kelley

AN ACT Relating to increasing the criminal penalty for making unlicensed small loans; amending RCW 31.45.180; and prescribing penalties.

Referred to Committee on Public Safety & Emergency Preparedness.

HB 1806 by Representatives Takko, Short, Morris, Blake, Smith, McCune, Rodne, Dunshee, Haler, Shea, Zeiger, Kristiansen, Fagan, Eddy, Ahern, Jacks, Bailey, Armstrong, Angel and Rolfes

AN ACT Relating to construction and industrial storm water general permits; amending RCW 90.48.555; and providing an expiration date.

Referred to Committee on Agriculture & Natural Resources.

HB 1807 by Representatives Anderson, Orcutt, Ross, Haler, Taylor, Warnick, Rodne and Hargrove

AN ACT Relating to ensuring the imposition of a tax or fee has clear and explicit basis in law; and adding a new chapter to Title 7 RCW.

Referred to Committee on Ways & Means.

HB 1808 by Representatives Lytton, Dammeier, Maxwell, Dahlquist and Sullivan

AN ACT Relating to the opportunity to earn postsecondary credit during high school; amending RCW 28A.230.130; adding a new section to chapter 28B.10 RCW; adding a new section to chapter 28B.76 RCW; and creating new sections.

Referred to Committee on Higher Education.

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.

REPORTS OF STANDING COMMITTEES

January 27, 2011

HB 1037 Prime Sponsor, Representative Ross: Placing restrictions on legal claims initiated by persons serving criminal sentences in correctional facilities. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Goodman, Vice Chair; Eddy; Frockt; Kirby; Nealey; Orwall; Rivers and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Chandler and Klippert.

Referred to Committee on General Government Appropriations & Oversight.

January 27, 2011

HB 1041 Prime Sponsor, Representative Green: Including correctional employees who have completed government-sponsored law enforcement firearms training to the lists of law enforcement personnel that are exempt from certain firearm restrictions. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Chandler; Eddy; Frockt; Kirby; Klippert and Nealey.

MINORITY recommendation: Do not pass. Signed by Representatives Orwall; Rivers and Roberts.

Passed to Committee on Rules for second reading.

January 27, 2011

HB 1053 Prime Sponsor, Representative Moeller: Implementing recommendations from the Washington state bar association elder law section's executive committee report of the guardianship task force. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Goodman, Vice Chair; Eddy; Frockt; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Chandler; Klippert; Nealey and Rivers.

Referred to Committee on General Government Appropriations & Oversight.

January 27, 2011

HB 1103 Prime Sponsor, Representative Kristiansen: Modifying the use of television viewers in motor vehicles. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Billig, Vice Chair; Lias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Asay; Eddy; Finn; Fitzgibbon; Jinkins; Johnson; Klippert; Kristiansen; Ladenburg; McCune; Moeller; Morris; Moscoso; Overstreet; Reykdal; Rivers; Rodne; Ryu; Shea; Takko; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

January 27, 2011

HB 1202 Prime Sponsor, Representative Hunt: Creating a pilot project to allow spirits sampling in state liquor stores and contract stores. Reported by Committee on State Government & Tribal Affairs

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hunt, Chair; Appleton, Vice Chair; Taylor, Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Alexander; Condotta; Hurst and McCoy.

MINORITY recommendation: Do not pass. Signed by Representative Miloscia.

Passed to Committee on Rules for second reading.

January 27, 2011

HB 1217 Prime Sponsor, Representative Ryu: Authorizing local authorities to establish maximum speed limits on certain nonarterial highways. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Billig, Vice Chair; Lias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Asay; Eddy; Finn; Fitzgibbon; Jinkins; Johnson; Klippert; Kristiansen; Ladenburg; McCune; Moeller; Morris; Moscoso; Overstreet; Reykdal; Rivers; Rodne; Ryu; Shea; Takko; Upthegrove and Zeiger.

Passed to Committee on Rules for second reading.

January 27, 2011

HB 1253 Prime Sponsor, Representative Fitzgibbon: Revising the uniform interstate family support act. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Eddy; Frockt; Kirby; Nealey; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Shea, Assistant Ranking Minority Member; Chandler; Klippert and Rivers.

Referred to Committee on Health & Human Services Appropriations & Oversight.

January 27, 2011

HB 1267 Prime Sponsor, Representative Pedersen: Clarifying and expanding the rights and obligations of state registered domestic partners and other couples related to parentage. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pedersen, Chair; Goodman, Vice Chair; Eddy; Frockt; Kirby; Orwall and Roberts.

MINORITY recommendation: Do not pass. Signed by Representatives Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Chandler; Klippert; Nealey and Rivers.

Referred to Committee on General Government Appropriations & Oversight.

January 28, 2011

HB 1274 Prime Sponsor, Representative Smith: Concerning the population restrictions for a geographic area to qualify as a rural public hospital district. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Tharinger, Vice Chair; Angel, Ranking Minority Member; Asay, Assistant Ranking Minority Member; Fitzgibbon; Rodne; Smith; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

January 28, 2011

HB 1280 Prime Sponsor, Representative Springer: Concerning public health district authority as it relates to gifts, grants, conveyances, bequests, and devises of real or personal property. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Tharinger, Vice Chair; Angel, Ranking Minority Member; Asay, Assistant Ranking Minority Member; Fitzgibbon; Rodne; Smith; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

January 27, 2011

HB 1281 Prime Sponsor, Representative McCune: Providing limited access to motor vehicle records for driver and pedestrian safety in private communities. Reported by Committee on Transportation

MAJORITY recommendation: Do pass. Signed by Representatives Clibborn, Chair; Billig, Vice Chair; Liias, Vice Chair; Armstrong, Ranking Minority Member; Angel; Asay; Eddy; Finn; Jinkins; Johnson; Kristiansen; Ladenburg; McCune; Moeller; Moscoso; Reykdal; Rivers; Ryu; Takko; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representatives Hargrove, Assistant Ranking Minority Member; Klippert; Morris; Overstreet; Rodne and Shea.

Passed to Committee on Rules for second reading.

January 28, 2011

HB 1327 Prime Sponsor, Representative Kirby: Increasing the permissible deposit of public funds with credit unions. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Buys, Assistant Ranking Minority Member; Blake; Condotta; Hurst; Parker; Pedersen; Rivers; Ryu and Stanford.

Passed to Committee on Rules for second reading.

January 27, 2011

HB 1328 Prime Sponsor, Representative Van De Wege: Authorizing the temporary local suspension of certain motorcycle provisions for the operation of motorcycles in parades or public demonstrations. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Billig, Vice Chair; Liias, Vice Chair; Armstrong, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Angel; Asay; Eddy; Finn; Jinkins; Johnson; Klippert; Kristiansen; McCune; Moeller; Morris; Moscoso; Overstreet; Reykdal; Rivers; Rodne; Ryu; Shea; Takko; Upthegrove and Zeiger.

MINORITY recommendation: Do not pass. Signed by Representative Ladenburg.

Passed to Committee on Rules for second reading.

January 28, 2011

HB 1332 Prime Sponsor, Representative Eddy: Providing for the joint provision and management of municipal water, wastewater, storm and flood water, and related utility services. Reported by Committee on Local Government

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Takko, Chair; Tharinger, Vice Chair; Angel, Ranking Minority Member; Asay, Assistant Ranking Minority Member; Fitzgibbon; Rodne; Smith; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

January 27, 2011

HB 1345 Prime Sponsor, Representative Rivers: Regarding the uniform unsworn foreign declarations act. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Pedersen, Chair; Goodman, Vice Chair; Rodne, Ranking Minority Member; Shea, Assistant Ranking Minority Member; Chandler; Eddy; Frockt; Kirby; Klippert; Nealey; Orwall; Rivers and Roberts.

Passed to Committee on Rules for second reading.

January 28, 2011

HB 1392 Prime Sponsor, Representative Klippert: Regarding leases of irrigation district property. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Takko, Chair; Tharinger, Vice Chair; Angel, Ranking Minority Member; Asay, Assistant Ranking Minority Member; Fitzgibbon; Rodne; Smith; Springer and Upthegrove.

Passed to Committee on Rules for second reading.

January 28, 2011

HB 1418 Prime Sponsor, Representative Rolfes: Concerning evaluating military training and experience toward meeting certain professional licensing requirements. Reported by Committee on Business & Financial Services

MAJORITY recommendation: Do pass. Signed by Representatives Kirby, Chair; Kelley, Vice Chair; Bailey, Ranking Minority Member; Buys, Assistant Ranking Minority

Member; Blake; Condotta; Hurst; Parker; Pedersen; Rivers; Ryu and Stanford.

Passed to Committee on Rules for second reading.

There being no objection, the bills listed on the day's committee reports under the fifth order of business were referred to the committees so designated.

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

There being no objection, the Committee on Judiciary was relieved of HOUSE BILL NO. 1774, and the bill was referred to the Committee on Early Learning & Human Services.

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., February 3, 2011, the 25th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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