

FORTY FIFTH DAY

House Chamber, Olympia, Wednesday, February 23, 2011

The House was called to order at 10:00 a.m. by the Speaker (Representative Orwall 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 Margo Pin and David Knecht. The Speaker (Representative Orwall presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Pastor Richard Gordon, River Ridge Covenant Church, Washington.

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

RESOLUTIONS

HOUSE RESOLUTION NO. 2011-4624, by Representatives Chopp, DeBolt, Pearson, Kristiansen, Ahern, Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoco, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rodne, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Uphegrove, Van De Wege, Walsh, Warnick, Wilcox, and Zeiger

WHEREAS, Jayme Biendl was born on February 6, 1976, the oldest of six children; and

WHEREAS, She is survived by her parents, James and Jackie Hamm, and her three sisters and two brothers, Lisa, Christine, James Jr., Deborah, and Wade, and their spouses, Paul Crosby and Edie Hamm; and

WHEREAS, Jayme grew up in Granite Falls, Washington and is remembered as being a quiet, generous human being who loved her family and horses; and

WHEREAS, Following high school, Jamie married her high school sweetheart, John Biendl, and the two worked together at Biendl Poultry but after almost five years of marriage, John and Jayme divorced; and

WHEREAS, Jayme worked a couple of different jobs before accepting a warehouse worker 2 position with the Monroe Correctional Complex in December 2002; and

WHEREAS, Jayme wowed her supervisors with her "excellent work ethic, communication skills, good organizational skills, and pleasant demeanor"; and

WHEREAS, Jayme made it clear to her supervisors and coworkers that she was eager to learn as much as possible about the prison experience and expressed a desire to work hard to earn promotion; and

WHEREAS, Four months after accepting the warehouse worker 2 position, Jayme applied for a correctional officer 1 position as

Jayme's supervisor's described her as "an excellent team member with a willingness to serve as part of the team and that she would be a great asset serving as a correctional officer"; and

WHEREAS, Two months later, in May 2003, Jayme was notified that she had been awarded a temporary appointment as a correctional officer 1 at the Washington State Reformatory Unit; and

WHEREAS, In July 2003, Jayme received notification of her permanent appointment as correctional officer 1; and

WHEREAS, Jayme took every opportunity to learn about the prison experience as she trained and worked as a RDO relief, scanner BFO, A/B Unit officer, and in 2005 she was awarded the position of the Washington State Reformatory Unit's Chapel Officer; and

WHEREAS, Jayme continued to impress her supervisors and was noted as "always being in a positive mood which boosted the morale of the shift; she provided good ideas; was great at multitasking and organization of her work; and she respected her fellow officers"; and

WHEREAS, It was suggested that Jayme consider working as an instructor because she would have "positive influence on new staff entering the department of corrections"; and

WHEREAS, In 2008, Jayme was nominated Correctional Officer of the Year by her peers in recognition of her integrity, professionalism, pride, and consistency that all correctional officers should exhibit and strive for; and

WHEREAS, Jayme was commended as "a highly motivated individual that ensures that the goals and the mission of the department are maintained," her "sense of humor coupled with her sense of responsibility and duty contribute greatly to staff morale," and she "is a positive role model which others should emulate"; and

WHEREAS, During her employment with the department of corrections, Jayme received several letters of appreciation that outlined her success in meeting and going beyond the key competencies expected; and

WHEREAS, In January 2009, Jayme was recognized for her prompt response, competency, and integrity following an offender assault in the A/B dining hall during the dinner meal and again, Monroe Correctional Complex acknowledged "how fortunate we are to have Jayme on our team"; and

WHEREAS, Jayme described herself as being "...firm, fair and consistent...and not easily intimidated" and was proud to become a correctional officer because it was a job with great personal and professional rewards and opportunity for growth; and

WHEREAS, On January 29, 2011, the Monroe Correctional Complex, the Washington state department of corrections, and the residents of Washington state lost a beloved daughter, sister, friend, and peer who will be greatly missed;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives honor Jayme Biendl for her exemplary service on behalf of the citizens of Washington state; and

BE IT FURTHER RESOLVED, That copies of this resolution be immediately transmitted by the Chief Clerk of the House of Representatives to her parents, James and Jackie Hamm, and her three sisters and two brothers, Lisa, Christine, Deborah, James Jr., and Wade.

Representative Pearson moved adoption of HOUSE RESOLUTION NO. 4624

Representatives Pearson, Ladenburg and Kristiansen spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4624 was adopted.

HOUSE RESOLUTION NO. 2011-4631, by Representatives Johnson and Uptegrove

WHEREAS, Civic education is essential to the education and encouragement of an active and informed citizenry; and

WHEREAS, Civic education provides Washington State's youth with a foundation for understanding the political process and, for many, serves as a catalyst for lifelong interest and involvement in government; and

WHEREAS, In the interest of instilling pride and a sense of ownership of our government in our citizens, it is important to have strong academic resources and passionate teachers dedicated to the education of our country's Constitution and political processes; and

WHEREAS, Civic education is a vital tool to promote greater understanding of the role of legislators in a representative democracy and the legislative process; and

WHEREAS, By gathering educators in the state capitol, we recognize the value of civic education in Washington State; and

WHEREAS, By so doing, a forum is established for civic educators across the state to collaborate with legislators and other supporters; and

WHEREAS, Many organizations such as the Legislative Youth Advisory Council, We the People Foundation, Washington Media Association, Washington State Council of Social Studies, 4-H, YMCA Youth & Government, Washington State Bar Association, Office of the Secretary of State, Washington State Historical Society, Legislative Scholars Program, and Service Learning of Washington are dedicated to making civic education a priority for Washington State and its citizens; and

WHEREAS, The contributions of committed teachers, principals, community leaders, parents, state employees, and volunteers contribute to the goals of these laudable organizations to create an engaged citizenry; and

WHEREAS, The Washington State House of Representatives recognizes Kristina Wilkinson of Maple Valley, Washington; Don Smith of Cashmere, Washington; and Gretchen Wulfing of Lacey, Washington as Washington State Legislature's Civic Educators of the Year for 2011; and

WHEREAS, On February 23, 2011, the Washington State House of Representatives honors Civic Education and these three Civic Educators of the Year; and

WHEREAS, The Washington State House of Representatives recognizes the contributions civic educators make towards educating the public and instilling a sense of pride in their government;

NOW, THEREFORE, BE IT RESOLVED, That the Washington State House of Representatives hereby honors, thanks, and celebrates the civic educators of the state.

The Speaker (Representative Orwall presiding) stated the question before the House to be adoption of House Resolution No. 4631.

HOUSE RESOLUTION NO. 4631 was adopted.

INTRODUCTIONS AND FIRST READING

ESB 5005 by Senators Keiser, Honeyford, Pflug, Becker, Regala, Carrell, Hobbs, Nelson, Rockefeller, Shin and Chase

AN ACT Relating to exemption from immunization; and amending RCW 28A.210.090.

Referred to Committee on Health Care & Wellness.

SSB 5029 by Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Kohl-Welles, White, King, Honeyford, Holmquist Newbry, Kline, Conway, Tom, Chase, Hewitt, Harper, Nelson and McAuliffe)

AN ACT Relating to beer and wine tasting at farmers markets; amending RCW 66.24.170 and 66.28.040; reenacting and amending RCW 66.24.244; creating a new section; and providing an expiration date.

Referred to Committee on State Government & Tribal Affairs.

SB 5033 by Senators Pridemore, Swecker, Chase and Nelson

AN ACT Relating to the sale of water-sewer district real property; and amending RCW 57.08.016.

Referred to Committee on Local Government.

SSB 5036 by Senate Committee on Natural Resources & Marine Waters (originally sponsored by Senators Regala, Swecker and Fraser)

AN ACT Relating to the derelict vessel and invasive species removal fee; and amending RCW 88.02.640 and 43.21A.667, 43.43.400, and 77.12.879.

Referred to Committee on General Government Appropriations & Oversight.

SJR 8205 by Senator Carrell

Repealing a conflicting residency requirement for voting in a presidential election.

Referred to Committee on State Government & Tribal Affairs.

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

REPORTS OF STANDING COMMITTEES

February 18, 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 General Government Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Judiciary be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; Blake; Fitzgibbon; Ladenburg; Moscoso; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1132 Prime Sponsor, Representative Haigh: Regarding reducing compensation for educational and academic employees. Reported by Committee on Education Appropriations & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Frockt; Hope; Maxwell; Orwall; Reykdal; Rolfes; Santos; Seaquist; Sells and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Anderson, Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Dahlquist; Hargrove; Nealey and Short.

Referred to Committee on Ways & Means.

February 18, 2011

HB 1163 Prime Sponsor, Representative Liias: Concerning harassment, intimidation, and bullying prevention. Reported by Committee on Education Appropriations & Oversight

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Anderson, Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Frockt; Hope; Maxwell; Orwall; Rolfes; Santos; Seaquist; Sells and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Dahlquist; Fagan; Hargrove; Nealey and Short.

Passed to Committee on Rules for second reading.

February 18, 2011

HB 1206 Prime Sponsor, Representative Dahlquist: Making harassment against criminal justice participants a crime under certain circumstances. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety & Emergency Preparedness. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; McCune, Ranking Minority Member; Blake; Fitzgibbon; Ladenburg; Moscoso; Pedersen; Van De Wege and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representative Taylor, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1311 Prime Sponsor, Representative Cody: Improving health care in the state using evidence-based care. Reported by Committee on Health & Human Services Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chair; Appleton, Vice Chair; Johnson, Ranking Minority Member; Cody; Green; Kagi; Pettigrew and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Schmick, Assistant Ranking Minority Member; Harris and Overstreet.

Passed to Committee on Rules for second reading.

February 18, 2011

HB 1333 Prime Sponsor, Representative Kirby: Addressing motorcycle profiling. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Blake; Fitzgibbon; Ladenburg; Moscoso; Pedersen; Van De Wege and Wilcox.

Passed to Committee on Rules for second reading.

February 17, 2011

HB 1417 Prime Sponsor, Representative Rolfes: Concerning evaluating military training and experience toward meeting licensing requirements in medical professions. Reported by Committee on Health & Human Services Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chair; Johnson, Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Cody; Green; Harris; Kagi; Overstreet; Pettigrew and Walsh.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1421 Prime Sponsor, Representative Rolfes: Providing authority to create a community forest trust. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill by Committee on Agriculture & Natural Resources be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Zeiger, Assistant Ranking Minority Member; Asay; Jacks; Jinkins; Lytton and Tharinger.

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

Passed to Committee on Rules for second reading.

February 17, 2011

HB 1449 Prime Sponsor, Representative Hunter: Establishing a processing fee for educator certificates. Reported by Committee on Education Appropriations & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Anderson, Ranking Minority Member; Dahlquist; Fagan; Frockt; Maxwell; Nealey; Orwall; Reykdal; Rolfes; Santos; Seaquist and Sells.

MINORITY recommendation: Do not pass. Signed by Representatives Dammeier, Assistant Ranking Minority Member; Hargrove; Hope; Short and Stanford.

Referred to Committee on Ways & Means.

February 18, 2011

HB 1507 Prime Sponsor, Representative Ladenburg: Concerning crimes against pharmacies. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Public Safety & Emergency Preparedness. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Blake; Fitzgibbon; Ladenburg; Moscoso; Pedersen; Van De Wege and Wilcox.

Passed to Committee on Rules for second reading.

February 18, 2011

HB 1522 Prime Sponsor, Representative Kenney: Regarding academic credit for prior learning. Reported by Committee on Education Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Higher Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Anderson, Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Dahlquist; Fagan; Frockt; Hargrove; Hope; Maxwell; Nealey; Orwall; Rolfes; Santos; Seaquist; Sells; Short and Stanford.

Passed to Committee on Rules for second reading.

February 18, 2011

HB 1586 Prime Sponsor, Representative Seaquist: Regarding the provision of doctorate programs at the research university branch campuses in Washington. Reported by Committee on Education Appropriations & Oversight

MAJORITY recommendation: Do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Anderson, Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Dahlquist; Fagan; Frockt; Hargrove; Hope; Maxwell; Nealey; Orwall; Rolfes; Santos; Seaquist; Sells; Short and Stanford.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1614 Prime Sponsor, Representative Dickerson: Concerning the traumatic brain injury strategic partnership. Reported by Committee on Health & Human Services Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chair; Appleton, Vice Chair; Johnson, Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Cody; Green; Harris; Kagi; Overstreet; Pettigrew and Walsh.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1645 Prime Sponsor, Representative Green: Transferring certification responsibilities for chemical dependency treatment programs from the department of social and health services to the department of health. Reported by Committee on Health & Human Services Appropriations & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chair; Appleton, Vice Chair; Cody; Green; Kagi; Pettigrew and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Johnson, Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Harris and Overstreet.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1662 Prime Sponsor, Representative Takko: Addressing appeal and permit procedures under the shoreline management act. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Local Government. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; Blake; Fitzgibbon; Ladenburg; Moscoso; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Ahern; Armstrong and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1737 Prime Sponsor, Representative Short: Concerning the department of social and health services' audit program for pharmacy payments. Reported by Committee on Health & Human Services Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Health Care & Wellness be substituted therefor and the substitute bill do pass. Signed by Representatives Dickerson, Chair; Appleton, Vice Chair; Johnson, Ranking Minority Member; Schmick, Assistant Ranking Minority Member; Cody; Green; Harris; Kagi; Overstreet; Pettigrew and Walsh.

Passed to Committee on Rules for second reading.

February 18, 2011

HB 1793 Prime Sponsor, Representative Darneille: Restricting access to juvenile records. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Early Learning & Human Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; Blake; Fitzgibbon; Ladenburg; Moscoso; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1814 Prime Sponsor, Representative Sullivan: Preserving the school district levy base. Reported by Committee on Education Appropriations & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Frockt; Maxwell; Orwall; Reykdal; Rolfes; Santos; Seaquist; Sells and Stanford.

MINORITY recommendation: Do not pass. Signed by Representatives Anderson, Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Dahlquist; Hargrove; Hope; Nealey and Short.

Referred to Committee on Ways & Means.

February 21, 2011

HB 1815 Prime Sponsor, Representative Sullivan: Preserving the school district levy base. Reported by Committee on Education Appropriations & Oversight

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Anderson, Ranking Minority Member; Dammeier, Assistant Ranking Minority Member; Dahlquist; Frockt; Hargrove; Hope; Maxwell; Nealey; Orwall; Reykdal; Rolfes; Santos; Seaquist; Sells; Short and Stanford.

Referred to Committee on Ways & Means.

February 21, 2011

HB 1838 Prime Sponsor, Representative Kelley: Concerning small loan lead generation. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Business & Financial Services be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; Fitzgibbon; Ladenburg; Moscoso; Pedersen and Van De Wege.

MINORITY recommendation: Do not pass. Signed by Representatives McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Ahern; Armstrong; Blake and Wilcox.

Passed to Committee on Rules for second reading.

February 18, 2011

HB 1886 Prime Sponsor, Representative Takko: Implementing recommendations of the Ruckelshaus Center process. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The substitute bill by Committee on Local Government be substituted therefor and the substitute bill do pass. Signed by Representatives Hudgins, Chair; Miloscia, Vice Chair; McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Blake; Fitzgibbon; Ladenburg; Moscoso; Pedersen; Van De Wege and Wilcox.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1901 Prime Sponsor, Representative Cody: Creating flexibility in the delivery of long-term care services. Reported by Committee on Health & Human Services Appropriations & Oversight

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Health Care & Wellness. Signed by Representatives Dickerson, Chair; Appleton, Vice Chair; Johnson, Ranking Minority Member; Cody; Green; Harris; Kagi; Overstreet; Pettigrew and Walsh.

MINORITY recommendation: Without recommendation. Signed by Representative Schmick, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1915 Prime Sponsor, Representative Dunshee: Concerning state assistance for financing local government infrastructure. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Zeiger, Assistant Ranking Minority Member; Jacks; Jinkins; Lytton; Pearson; Smith and Tharinger.

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

Passed to Committee on Rules for second reading.

February 21, 2011

HB 1952 Prime Sponsor, Representative Upthegrove: Streamlining the state environmental policy act process. Reported by Committee on General Government Appropriations & Oversight

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Environment. Signed by Representatives Miloscia, Vice Chair; McCune, Ranking Minority Member; Taylor, Assistant Ranking Minority Member; Ahern; Armstrong; Blake; Moscoso; Pedersen; Van De Wege and Wilcox.

MINORITY recommendation: Do not pass. Signed by Representatives Hudgins, Chair; Fitzgibbon and Ladenburg.

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.

SECOND READING

HOUSE BILL NO. 1127, by Representatives Moeller and Sells

Addressing bargaining with certified exclusive bargaining representatives.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1127 was substituted for House Bill No. 1127 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1127 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 Moeller and Condotta spoke in favor of the passage of the bill.

Representative Klippert spoke against the passage of the bill.

MOTIONS

On motion of Representative Hinkle, Representatives Ahern and Rodne were excused. On motion of Representative Van De Wege, Representative Probst was excused.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1127.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1127, and the bill passed the House by the following vote: Yeas, 93; Nays, 2; Absent, 0; Excused, 3.

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

Voting nay: Representatives Haler and Klippert.

Excused: Representatives Ahern, Probst and Rodne.

SUBSTITUTE HOUSE BILL NO. 1127, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1127.

Representative Ahern, 6th District

SECOND READING

HOUSE BILL NO. 1104, by Representatives Moeller, Walsh, Billig, Kenney, Maxwell and Dammeier

Concerning the protection of vulnerable adults.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1104 was substituted for House Bill No. 1104 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1104 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 Moeller, Shea and Roberts spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Substitute House Bill No. 1104.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1104, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Haler,

Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Excused: Representatives Ahern and Rodne.

SUBSTITUTE HOUSE BILL NO. 1104, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Substitute House Bill No. 1104.
Representative Ahern, 6th District

SECOND READING

HOUSE BILL NO. 1286, by Representatives Orcutt, Hasegawa, Kelley, Santos and Reykdal

Concerning the tax preference review process.

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 Orcutt and Hunter spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1286.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1286, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Ahern and Rodne.

HOUSE BILL NO. 1286, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1286.
Representative Ahern, 6th District

SECOND READING

HOUSE BILL NO. 1521, by Representatives Maxwell, Haigh, Sullivan, Pettigrew, Santos, Kenney, Liias, Frockt, Jacks, Clibborn, Probst, Sells, Lytton, Goodman, Orwall, Van De Wege, Green, Hunt, McCoy, Ladenburg, Billig, Seaquist, Fitzgibbon, Carlyle and Jinkins

Recognizing Washington innovation schools.

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 Maxwell and Dammeier spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1521.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1521, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Ahern and Rodne.

HOUSE BILL NO. 1521, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1521.
Representative Ahern, 6th District

SECOND READING

HOUSE BILL NO. 1014, by Representatives Goodman, Springer, Sullivan, Eddy and Maxwell

Modifying the authority of a watershed management partnership.

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 Goodman spoke in favor of the passage of the bill.

Representative Shea spoke against the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1014.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1014, and the bill passed the House by the following vote: Yeas, 63; Nays, 33; Absent, 0; Excused, 2.

Voting yea: Representatives Anderson, Appleton, Asay, Billig, Blake, Carlyle, Clibborn, Cody, Dahlquist, Dammeier, Darneille, Dickerson, Dunshee, Eddy, Finn, Fitzgibbon, Frockt, Goodman, Green, Haigh, Hasegawa, Hudgins, Hunt, Hunter, Hurst, Jacks, Jinkins, Kagi, Kelley, Kenney, Kirby, Ladenburg, Liias, Lytton, Maxwell, McCoy, Miloscia, Moeller, Morris, Moscoso, Nealey, Ormsby, Orwall, Pedersen, Pettigrew, Probst, Reykdal, Roberts, Rolfes, Ryu, Santos, Seaquist, Sells, Springer, Stanford, Sullivan, Takko, Tharinger, Upthegrove, Van De Wege, Walsh, Zeiger and Mr. Speaker.

Voting nay: Representatives Alexander, Angel, Armstrong, Bailey, Buys, Chandler, Condotta, Crouse, DeBolt, Fagan, Haler, Hargrove, Harris, Hinkle, Hope, Johnson, Klippert, Kretz, Kristiansen, McCune, Orcutt, Overstreet, Parker, Pearson, Rivers, Ross, Schmick, Shea, Short, Smith, Taylor, Warnick and Wilcox.

Excused: Representatives Ahern and Rodne.

HOUSE BILL NO. 1014, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote NAY on House Bill No. 1014.

Representative Ahern, 6th District

SECOND READING

HOUSE BILL NO. 1026, by Representatives Rolfes, Orcutt, Carlyle, Blake, Angel and McCune

Specifying procedures for adverse possession actions. Revised for 1st Substitute: Changing provisions relating to adverse possession claims.

The bill was read the second time.

There being no objection, Substitute House Bill No. 1026 was substituted for House Bill No. 1026 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1026 was read the second time.

Representative Shea moved the adoption of amendment (15).

After the enacting clause strike all material in sections 1 and 2 and insert the following:

"NEW SECTION. Sec. 1. A new section is added to chapter 7.28 RCW to read as follows:

(1) In an action asserting title to real property by adverse possession, the person asserting the claim must prove each element of the claim by clear, cogent, and convincing evidence.

(2) The prevailing party in an action asserting title to real property by adverse possession may request the court to award costs and reasonable attorneys' fees. The court may award all or a portion of costs and reasonable attorneys' fees to the prevailing party if, after considering all the facts, the court determines such an award is equitable and just.

(3) This section does not apply to claims of adverse possession brought under RCW 7.28.050, 7.28.070, or 7.28.085.

NEW SECTION. Sec. 2. A new section is added to chapter 7.28 RCW to read as follows:

(1) A party who prevails against the holder of record title at the time an action asserting title to real property by adverse possession was filed, or against a subsequent purchaser from such holder, may be required to:

(a) Reimburse such holder or purchaser for part or all of any taxes or assessments levied on the real property during the period the prevailing party was in possession of the real property in question and which are proven by competent evidence to have been paid by such holder or purchaser; and

(b) Pay to the treasurer of the county in which the real property is located part or all of any taxes or assessments levied on the real property after the filing of the adverse possession claim and which are due and remain unpaid at the time judgment on the claim is entered.

(2) If the court orders reimbursement for taxes or assessments paid or payment of taxes or assessments due under subsection (1) of this section, the court shall determine how to allocate taxes or assessments between the property acquired by adverse possession and the property retained by the title holder. In making its determination, the court shall consider all the facts and shall order such reimbursement or payment as appears equitable and just."

Correct the title.

Representatives Shea and Pedersen spoke in favor of the adoption of the amendment.

Amendment (15) 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 Rolfes and Orcutt spoke in favor of the passage of the bill.

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1026.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1026, and the bill passed the House by the following vote: Yeas, 95; Nays, 1; Absent, 0; Excused, 2.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Asay, Bailey, Billig, Blake, Buys, Carlyle, Chandler, Clibborn, Cody, Condotta, Crouse, Dahlquist, Dammeier, Darneille, DeBolt, Dickerson, Dunshee, Eddy, Fagan, Finn, Fitzgibbon, Goodman, Green, Haigh, Haler, Hargrove, Harris, Hasegawa, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst,

Jacks, Jinkins, Johnson, Kagi, Kelley, Kenney, Kirby, Klippert, Kretz, Kristiansen, Ladenburg, Liias, Lytton, Maxwell, McCoy, McCune, Miloscia, Moeller, Morris, Moscoso, Nealey, Orcutt, Ormsby, Orwall, Overstreet, Parker, Pearson, Pedersen, Pettigrew, Probst, Reykdal, Rivers, Roberts, Rolfes, Ross, Ryu, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Stanford, Sullivan, Takko, Taylor, Tharinger, Upthegrove, Van De Wege, Walsh, Warnick, Wilcox, Zeiger and Mr. Speaker.

Voting nay: Representative Frockt.

Excused: Representatives Ahern and Rodne.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1026, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on Engrossed Substitute House Bill No. 1026.

Representative Ahern, 6th District

SECOND READING

HOUSE BILL NO. 1031, by Representatives Armstrong, Orwall, Johnson, Crouse, Appleton, Condotta, Eddy, Clibborn, Haler, Ormsby, Nealey, Klippert, Miloscia, Fagan, Alexander, Taylor, Bailey, Angel, Finn, Warnick, Rodne, Orcutt, Walsh, Pearson, Green, McCoy, McCune, Schmick, Smith, Goodman, Asay, Ross, Blake, Short, Kagi, Hope, Takko, Kristiansen, Reykdal, Frockt, Ladenburg, Rolfes, Shea, Hunt, Hurst and Moeller

Requiring the county auditor to send voters a security envelope that conceals the ballot.

The bill was read the second time.

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

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

The Speaker (Representative Orwall presiding) stated the question before the House to be the final passage of House Bill No. 1031.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1031, and the bill passed the House by the following vote: Yeas, 96; Nays, 0; Absent, 0; Excused, 2.

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

Excused: Representatives Ahern and Rodne.

HOUSE BILL NO. 1031, having received the necessary constitutional majority, was declared passed.

STATEMENT FOR THE JOURNAL

I intended to vote YEA on House Bill No. 1031.

Representative Ahern, 6th District

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

There being no objection, the Committee on Health & Human Services Appropriations & Oversight was relieved of HOUSE BILL NO. 1493, and the bill was referred to the Committee on Rules.

There being no objection, the Committee on Health & Human Services Appropriations & Oversight was relieved of HOUSE BILL NO. 1982, and the bill was referred to the Committee on Ways & Means.

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 24, 2011, the 46th Day of the Regular Session.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

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	Third Reading Final Passage	7
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1031	Second Reading	8
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1053	Committee Report	2
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	Introduction & 1st Reading	2
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