

FIFTY NINTH LEGISLATURE - REGULAR SESSION

EIGHTH DAY

House Chamber, Olympia, Monday, January 17, 2005

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 flag was escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jasmine Jackson and Habiba Mohammed. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Representative Dave Quall. The Total Experience Gospel Choir sang several songs including the National Anthem.

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

RESOLUTION

HOUSE RESOLUTION NO. 2005-4604, By Representatives Ericks, Walsh, Green, Buri, Santos, Nixon, Hasegawa, Rodne, Pettigrew, Grant, Hunt, Sells, Linville, Chase, Eickmeyer, Darneille, Simpson, Lantz, Springer, Dunn, Haigh, Appleton, Upthegrove, Flannigan, Hudgins, Schual-Berke, Conway, Kessler, Morrell, Ormsby, Takko, Strow, Haler, Curtis, McCune, Roberts, Quall, B. Sullivan, Campbell, Jarrett, McIntire, Sommers, Kilmer, Clibborn, P. Sullivan and Williams

WHEREAS, Today, January 17, 2005, communities and neighborhoods all across our state and nation remember, celebrate, and honor the life and work of the Reverend Dr. Martin Luther King, Jr.; and

WHEREAS, Dr. King's commitment to nonviolence was a model of selflessness and sacrifices made so that later generations would live freer and fuller lives in accordance with principles of our democracy and Constitutional guarantees; and

WHEREAS, The Reverend Dr. Martin Luther King, Jr. advanced the goals of peace, justice, and equality with determination, faith, dignity, and courage in the face of life-threatening opposition; and

WHEREAS, Dr. King, born on January 15, 1929, in Atlanta, Georgia, was so violently taken from us on April 4, 1968, at the age of thirty-nine; and

WHEREAS, Dr. King's death was a tragic and irreconcilable loss for our nation and our world; and

WHEREAS, Dr. King was jailed several times throughout his nonviolent struggle to bring to all people the opportunity to live free of racial, ethnic, and religious discrimination; and

WHEREAS, Dr. King raised the consciousness of the nation and of our state to fundamental injustices and inequalities in American society, and moved us forward on the long and unfinished road to racial harmony and reconciliation; and

WHEREAS, The Reverend Dr. Martin Luther King, Jr. fervently advocated nonviolent resistance and protest as the course to end segregation and racial discrimination in America, for which he was awarded the 1964 Nobel Peace Prize; and

WHEREAS, Dr. King was forever celebrated when the Congress of the United States established a permanent federal holiday to commemorate the date of his birth; and

WHEREAS, Dr. King's work and legacy were further recognized by the state of Washington, which honors his remembrance as a state holiday; and

WHEREAS, There is still much work to be done to ensure a color-blind society with full integration of the principles of our democracy;

NOW, THEREFORE, BE IT RESOLVED, That the House of Representatives, on behalf of the people of our state, recognize the importance of the life and work of the Reverend Dr. Martin Luther King, Jr. to the civil society and freedoms of the United States of America and of the state of Washington; and

BE IT FURTHER RESOLVED, That the House of Representatives call on the people of the state of Washington to study, reflect on, and celebrate Dr. King's life and ideals in order to fulfill his dream of civil and human rights for all people.

Representative Ericks moved the adoption of the resolution.

Representatives Ericks, Buri, Green, Nixon, Pettigrew, Walsh, Hasegawa and Dunn spoke in favor of the adoption of the resolution.

HOUSE RESOLUTION NO. 4604 was adopted.

MESSAGE FROM THE SENATE

January 14, 2005

Mr. Speaker:

The President has signed HOUSE CONCURRENT RESOLUTION NO. 4403, and the same is herewith transmitted.

Tom Hoemann, Secretary

INTRODUCTION & FIRST READING

HB 1122 by Representatives Kenney, Priest, Dickerson, Jarrett, Morrell, Wood, Kagi, Ormsby, Williams, Tom, Sells, Shabro, McDermott and Santos

AN ACT Relating to education programs for teachers of the deaf and hard of hearing; and adding new sections to chapter 28B.76 RCW.

Referred to Committee on Higher Education.

HB 1123 by Representatives Kenney, Dickerson, McIntire, Morrell, Santos, Cody, Upthegrove, Hasegawa, Moeller, Kagi, Ormsby, Chase, Williams, O'Brien, Green, P. Sullivan, Schual-Berke, Sells, Wallace, B. Sullivan and McDermott

AN ACT Relating to safe drinking water in schools; adding a new chapter to Title 70 RCW; prescribing penalties; and declaring an emergency.

Referred to Committee on Health Care.

HB 1124 by Representatives Eickmeyer, Buck, Blake, Upthegrove, B. Sullivan, Chase and Dunshee

AN ACT Relating to authorizing the use of signs, banners, or decorations over highways under limited circumstances; amending RCW 47.36.030 and 47.42.020; and declaring an emergency.

Referred to Committee on Transportation.

HB 1125 by Representatives Serben, Lantz, Priest, Shabro and Ahern

AN ACT Relating to trust and estate management; amending RCW 11.02.005, 11.12.110, 11.28.170, 11.40.020, 11.40.030, 11.40.051, 11.40.070, 11.42.020, 11.42.030, 11.42.070, 11.88.080, 11.94.010, 11.98.039, 21.35.005, and 22.28.030; and repealing RCW 11.04.270.

Referred to Committee on Judiciary.

HB 1126 by Representatives Kagi, Fromhold, Simpson, Ormsby, Roberts, O'Brien, McIntire, Wallace, Kenney, Haigh, Darneille, Dickerson, Santos and Linville

AN ACT Relating to the early childhood education and assistance program; amending RCW 28A.215.110, 28A.215.120, and 28A.215.150; adding new sections to chapter 28A.215 RCW; and repealing RCW 28A.215.140 and 28A.215.190.

HB 1127 by Representatives B. Sullivan, Rodne, P. Sullivan, Jarrett, Kirby, Nixon, McCoy and Shabro

AN ACT Relating to public building or construction contracts; amending RCW 48.30.270 and 48.30.270; providing an effective date; and providing an expiration date.

Referred to Committee on State Government Operations & Accountability.

HB 1128 by Representative Nixon

AN ACT Relating to the definition of the term "conviction" in chapter 77.15 RCW; and amending RCW 77.15.050.

Referred to Committee on Natural Resources, Ecology & Parks.

HB 1129 by Representative Nixon

AN ACT Relating to initiative and referendum petitions; and amending RCW 29A.72.100.

Referred to Committee on State Government Operations & Accountability.

HB 1130 by Representatives Nixon, Haigh, Kenney and Shabro

AN ACT Relating to inspection of political candidates' contributions and expenditures; and amending RCW 42.17.080.

Referred to Committee on State Government Operations & Accountability.

HB 1131 by Representatives Nixon, Haigh and Shabro

AN ACT Relating to restrictions on mailing by legislators; and amending RCW 42.52.185.

Referred to Committee on State Government Operations & Accountability.

HB 1132 by Representatives Nixon, Haigh and Shabro

AN ACT Relating to filing declarations of candidacy; and amending RCW 29A.24.070.

Referred to Committee on State Government Operations & Accountability.

HB 1133 by Representatives Nixon, Haigh and Shabro

AN ACT Relating to creating the public records act by recodifying and making technical changes to existing law; amending RCW 42.30.900, 2.64.111, 9.41.097, 9.41.129, 10.29.030, 10.29.090, 10.97.080, 10.97.140, 10.98.200, 10.99.090, 13.40.570, 15.19.080, 15.26.295, 15.28.315, 15.44.185, 15.58.060, 15.65.203, 15.66.105, 15.86.110, 15.88.170, 16.67.180, 18.27.120, 18.32.040, 18.39.450, 18.44.031, 18.51.290, 18.64.420, 18.71.0195, 18.71.340, 18.106.320, 18.130.085, 18.130.095, 18.130.110, 18.130.175, 19.28.171, 19.34.240, 19.80.065, 19.230.190, 21.20.855, 21.30.170, 22.09.640, 26.12.170, 26.23.120, 27.53.070, 28A.320.160, 28A.410.095, 28B.85.020, 28C.10.050, 29A.04.225, 29A.60.070, 29A.60.140, 30.04.075, 30.04.230, 30.04.410, 31.12.565, 31.45.030, 31.45.077, 31.45.090, 32.04.220, 32.32.228, 32.32.275, 33.04.110, 34.05.325, 35.02.130, 35.21.228, 35.21.759, 35.102.040, 35A.21.300, 36.01.210, 36.28A.060, 36.57.120, 36.57A.170, 36.70B.220, 36.70C.120, 36.102.200, 39.10.100, 40.07.040, 41.05.026, 41.06.160, 41.06.167, 41.06.450, 41.06.455, 42.17.245, 42.17.251, 42.17.260, 42.17.270, 42.17.305, 42.17.311, 42.17.340, 42.17.341, 42.17.348, 42.17.945, 42.48.030, 42.52.050, 42.52.810, 43.06A.050, 43.21L.120, 43.22.434, 43.33A.025, 43.43.856, 43.52.570, 43.52.612, 43.70.050, 43.70.510, 44.05.080, 46.12.380, 46.12.390, 46.20.041, 46.20.118, 47.64.220, 48.02.065, 48.20.530, 48.21.330, 48.30A.060, 48.32A.185, 48.44.470, 48.46.540, 48.62.101, 48.94.010, 48.104.050, 50.13.015, 50.13.030, 50.13.040, 50.13.060, 50.13.080, 50.38.060, 51.36.120, 52.14.100, 69.41.044, 69.41.280, 69.45.090, 70.02.090, 70.38.095, 70.41.150, 70.44.315, 70.45.030, 70.47.150, 70.77.455, 70.95C.220, 70.102.020, 70.120.100, 70.148.060, 70.149.090, 70.168.070, 70.168.090, 70.190.060, 72.09.116, 72.09.225, 73.04.030, 74.09A.020, 74.13.500, 74.13.515, 74.13.525, 74.34.063, 74.39A.200, 74.46.820, 76.09.060, 80.04.095, 81.104.115, 81.112.180, 82.32.410, 84.08.210, 84.40.020, 90.14.068, and 90.80.135; reenacting and amending RCW 66.28.180, 71.05.390, 82.32.330, and 42.17.310; adding new sections to chapter 42.30 RCW; creating new sections; recodifying RCW 42.17.250, 42.17.251, 42.17.255, 42.17.258, 42.17.260, 42.17.270, 42.17.280, 42.17.290, 42.17.295, 42.17.300, 42.17.305, 42.17.310, 42.17.311, 42.17.320, 42.17.325, 42.17.330, 42.17.340, 42.17.341, and 42.17.348; repealing RCW 42.17.312, 42.17.313, 42.17.314, 42.17.315, 42.17.316, 42.17.317, 42.17.318, 42.17.319, 42.17.31901, 42.17.31902, 42.17.31903, 42.17.31904, 42.17.31905, 42.17.31906, 42.17.31907, 42.17.31908, 42.17.31909, 42.17.31910, 42.17.31911, 42.17.31912, 42.17.31913, 42.17.31914, 42.17.31915, 42.17.31916, 42.17.31917, 42.17.31918, 42.17.31919, 42.17.31920, and 42.17.31921; and providing an effective date.

Referred to Committee on State Government Operations & Accountability.

HB 1134 by Representatives Nixon, Haigh, Williams, P. Sullivan, Shabro and Linville

AN ACT Relating to an open government ombudsman; amending RCW 42.17.325, 42.17.348, and 42.30.210; adding new sections to chapter 42.17 RCW; and creating a new section.

Referred to Committee on State Government Operations & Accountability.

HB 1135 by Representatives Miloscia, O'Brien, Kirby, Clibborn, Chase, P. Sullivan and McIntire

AN ACT Relating to expansion of the DNA identification system; amending RCW 43.43.735, 43.43.754, 43.43.7532, and 46.63.110; adding a new section to chapter 43.43 RCW; adding a new section to chapter 9.94A RCW; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 1136 by Representatives O'Brien, Darneille, Kirby, Miloscia, Lovick and Chase

AN ACT Relating to studying electronic monitoring as an alternative to incarceration; creating new sections; and providing an expiration date.

Referred to Committee on Criminal Justice & Corrections.

HB 1137 by Representatives Morrell, Orcutt, Cody, McDonald, Green, Campbell, Clibborn, Schindler, Kagi, Woods, Hunt, Miloscia, Linville, Lantz, Moeller, Williams, Wallace and Kenney

AN ACT Relating to physical therapy; amending RCW 18.74.005, 18.74.010, and 18.74.012; and adding new sections to chapter 18.74 RCW.

Referred to Committee on Health Care.

HB 1138 by Representatives Ericksen and Holmquist

AN ACT Relating to the imposition of fees related to the use of automated teller machines; and adding a new chapter to Title 19 RCW.

Referred to Committee on Financial Institutions & Insurance.

HB 1139 by Representative Upthegrove

AN ACT Relating to attorneys serving as pro tempore judges, commissioners, and guardians ad litem; amending RCW 2.08.185; and creating a new section.

Referred to Committee on Judiciary.

HB 1140 by Representatives Bailey, Cody and Wallace

AN ACT Relating to fees for performing independent reviews of health care disputes; and amending RCW 43.70.235.

Referred to Committee on Health Care.

HB 1141 by Representatives Conway, Tom, Wood, Buri, Miloscia, Condotta, Armstrong and Kenney

AN ACT Relating to the Washington real estate research account; amending RCW 18.85.520, 18.85.530, and 18.85.540; and providing expiration dates.

Referred to Committee on Commerce & Labor.

HB 1142 by Representatives Chase, Conway, Pettigrew, Skinner, Ormsby, Condotta, Kessler, Armstrong, Linville, Eickmeyer, Morrell, Kenney and Santos

AN ACT Relating to prohibiting pyramid promotional schemes; adding a new chapter to Title 19 RCW; and repealing RCW 19.102.010 and 19.102.020.

Referred to Committee on Commerce & Labor.

HB 1143 by Representatives Green, Nixon, Haigh, McDermott, Hunt and Morrell; by request of Public Disclosure Commission

AN ACT Relating to penalties for violation of the campaign finance and contribution limits, lobbying, political advertising, and public officials' financial affairs reporting subdivisions of the public disclosure act;

amending RCW 42.17.390, 42.17.395, and 42.17.400; adding a new section to chapter 42.17 RCW; and prescribing penalties.

Referred to Committee on State Government Operations & Accountability.

HB 1144 by Representatives Haigh, Nixon, McDermott, Morrell and Schual-Berke; by request of Public Disclosure Commission

AN ACT Relating to disclosure of and restrictions on campaign funding; amending RCW 42.17.020, 42.17.103, 42.17.110, 42.17.510, and 42.17.530; reenacting and amending RCW 42.17.640; adding new sections to chapter 42.17 RCW; creating a new section; repealing RCW 42.17.505; and providing an effective date.

Referred to Committee on State Government Operations & Accountability.

HB 1145 by Representatives Clibborn, Tom, Morrell, Springer, Curtis, Ormsby, Kagi, Eickmeyer, Kenney and Darneille

AN ACT Relating to donation of unclaimed personal property to nonprofit charitable organizations; amending RCW 63.32.050 and 63.40.060; and adding a new section to chapter 63.35 RCW.

Referred to Committee on Local Government.

HB 1146 by Representatives Roach, Kirby and Simpson

AN ACT Relating to funding group life insurance; and amending RCW 48.24.020 and 48.24.030.

Referred to Committee on Financial Institutions & Insurance.

HB 1147 by Representatives Clements, O'Brien, Skinner, Woods, Pearson, Simpson, Lovick, Tom and B. Sullivan

AN ACT Relating to protecting communities from sex offenders through the establishment of community protection zones; amending RCW 9.94A.030, 9.94A.712, 72.09.340, and 4.24.550; reenacting and amending RCW 9A.44.130 and 9.94A.515; adding a new section to chapter 9.94A RCW; adding a new section to chapter 28A.300 RCW; prescribing penalties; providing an effective date; and declaring an emergency.

Referred to Committee on Criminal Justice & Corrections.

HB 1148 by Representatives Schual-Berke, Bailey, Morrell, Condotta, Cody, Clibborn, Hinkle, Moeller, Kagi, Lantz, McIntire and Armstrong

AN ACT Relating to allowing confidential quality improvement committee meetings, proceedings, and deliberations; and amending RCW 70.44.062.

Referred to Committee on Health Care.

HB 1149 by Representatives Kirby, Orcutt, Blake, Murray, Dunshee, Clements, Conway, Condotta, Walsh, Strow, Morrell, Armstrong, Lovick, Hinkle, Dunn, Grant, Campbell, Newhouse, Holmquist, Chase, Kilmer, Eickmeyer, Woods, B. Sullivan and Darneille

AN ACT Relating to preventing the use of law enforcement profiling on the basis of whether a person is riding a motorcycle or wearing motorcycle-related paraphernalia; and adding a new section to chapter 43.101 RCW.

Referred to Committee on Criminal Justice & Corrections.

HB 1150 by Representatives Kirby, Campbell, Simpson and Murray

AN ACT Relating to dangerous or potentially dangerous dogs; and amending RCW 16.08.070, 16.08.090, and 16.08.080.

Referred to Committee on Judiciary.

HB 1151 by Representatives Lovick, Campbell, Lantz, Jarrett, Simpson, Williams, Murray and B. Sullivan

AN ACT Relating to the keeping of dangerous wild animals; adding a new chapter to Title 16 RCW; and prescribing penalties.

Referred to Committee on Judiciary.

HB 1152 by Representatives Kagi, Fromhold, Jarrett, Schual-Berke, Walsh, Quall, B. Sullivan, Grant, Ormsby, Kessler, Simpson, Moeller, Lovick, Roberts, Chase, Williams, P. Sullivan, Tom, Morrell, McIntire, Kenney, Haigh, McDermott, Dickerson, Santos and Linville

AN ACT Relating to early learning; amending RCW 28B.135.030, 41.04.385, and 74.13.0903; reenacting and amending RCW 74.15.030; adding a new section to chapter 74.15 RCW; adding a new chapter to Title 74 RCW; and repealing RCW 74.13.090 and 74.13.0901.

Referred to Committee on Children & Family Services.

HB 1153 by Representatives Springer, Nixon, Clibborn, Jarrett, Simpson, P. Sullivan, Shabro and B. Sullivan

AN ACT Relating to equalizing the costs of providing municipal services to newly annexed areas; adding a new section to chapter 35.21 RCW; and creating a new section.

Referred to Committee on Local Government.

HB 1154 by Representatives Schual-Berke, Campbell, Kirby, Jarrett, Green, Kessler, Simpson, Clibborn, Hasegawa, Appleton, Moeller, Kagi, Ormsby, Chase, McCoy, Kilmer, Williams, O'Brien, P. Sullivan, Tom, Morrell, Fromhold, Dunshee, Lantz, McIntire, Sells, Murray, Kenney, Haigh, Darneille, McDermott, Dickerson, Santos and Linville

AN ACT Relating to mental health parity; amending RCW 48.21.240, 48.44.340, and 48.46.290; adding new sections to chapter 41.05 RCW; adding a new section to chapter 48.21 RCW; adding a new section to chapter 48.44 RCW; adding a new section to chapter 48.46 RCW; adding new sections to chapter 70.47 RCW; adding a new section to chapter 48.02 RCW; creating a new section; and declaring an emergency.

Referred to Committee on Financial Institutions & Insurance.

HB 1155 by Representatives Upthegrove, Jarrett, B. Sullivan, Haler, Clibborn, Simpson and McIntire

AN ACT Relating to county sales and use taxes; and amending RCW 82.14.450.

Referred to Committee on Local Government.

HB 1156 by Representatives Green, Campbell, Cody and Appleton

AN ACT Relating to providers of dental services; amending RCW 18.29.021, 18.29.045, 18.29.050, 18.29.120, 18.29.140, 18.29.150, 18.29.160, and 18.29.210; adding new sections to chapter 18.29 RCW; adding a new chapter to Title 18 RCW; and repealing RCW 18.29.110, 18.29.130, and 18.29.170.

Referred to Committee on Health Care.

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 except for HOUSE BILL NO. 1126 was held on first reading.

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

COMMITTEE ASSIGNMENT

Representative Ericks was reassigned from the Committee on Local Government to the Committee on Financial Institutions & Insurance.

Representative B. Sullivan was assigned to the Committee on Local Government.

There being no objection, the House adjourned until 9:55 a.m., January 18, 2005, the 9th Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

1122	Introduction & 1st Reading	2
1123	Introduction & 1st Reading	2
1124	Introduction & 1st Reading	2
1125	Introduction & 1st Reading	2
1126	Other Action	8
1127	Introduction & 1st Reading	3
1128	Introduction & 1st Reading	3
1129	Introduction & 1st Reading	3
1130	Introduction & 1st Reading	3
1131	Introduction & 1st Reading	3
1132	Introduction & 1st Reading	3
1133	Introduction & 1st Reading	4
1134	Introduction & 1st Reading	4
1135	Introduction & 1st Reading	4
1136	Introduction & 1st Reading	4
1137	Introduction & 1st Reading	5
1138	Introduction & 1st Reading	5
1139	Introduction & 1st Reading	5
1140	Introduction & 1st Reading	5
1141	Introduction & 1st Reading	5
1142	Introduction & 1st Reading	5
1143	Introduction & 1st Reading	5
1144	Introduction & 1st Reading	6
1145	Introduction & 1st Reading	6
1146	Introduction & 1st Reading	6
1147	Introduction & 1st Reading	6

Introduction & 1st Reading 6

1148 Introduction & 1st Reading 6

1149 Introduction & 1st Reading 6

1150 Introduction & 1st Reading 7

1151 Introduction & 1st Reading 7

1152 Introduction & 1st Reading 7

1153 Introduction & 1st Reading 7

1154 Introduction & 1st Reading 7

1155 Introduction & 1st Reading 7

1156 Introduction & 1st Reading 8

4403 Messages 2

4604 Introduced 1

Adopted 2

HOUSE OF REPRESENTATIVES (Representative Lovick presiding)

Committee Assignments 8

