

FIFTY NINTH LEGISLATURE - REGULAR SESSION

FIFTIETH DAY

House Chamber, Olympia, Monday, February 28, 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 Alysha Curtis and Katherine Shepherd. The Speaker (Representative Lovick presiding) led the Chamber in the Pledge of Allegiance. Prayer was offered by Pastor Terry Kaiser, Faith Assembly of Lacey.

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

MESSAGE FROM THE SENATE

February 25, 2005

Mr. Speaker:

The Senate has passed:

SUBSTITUTE SENATE BILL NO. 5013,
 SUBSTITUTE SENATE BILL NO. 5035,
 SENATE BILL NO. 5070,
 SENATE BILL NO. 5086,
 SENATE BILL NO. 5134,
 SUBSTITUTE SENATE BILL NO. 5290,
 SENATE BILL NO. 5329,
 SENATE BILL NO. 5356,
 SUBSTITUTE SENATE BILL NO. 5390,
 SENATE BILL NO. 5723,

SUBSTITUTE SENATE JOINT MEMORIAL NO. 8018,
 and the same are herewith transmitted.

Thomas Hoemann, Secretary

INTRODUCTION & FIRST READING

HB 2245 by Representatives Quall, Tom, Ormsby, Hunt, Ericks, Haigh and McDermott

AN ACT Relating to middle schools and high schools; and creating a new section.

Referred to Committee on Education.

HB 2246 by Representatives Conway and Wood; by request of Employment Security Department

AN ACT Relating to ensuring employers pay the contribution rate they have earned; amending RCW 50.04.245, 50.04.320, 50.24.170, 50.29.062, and 50.12.220; adding new sections to chapter 50.04 RCW; adding a new section to chapter 50.36 RCW; adding a new section to chapter 50.29

RCW; creating a new section; recodifying RCW 50.12.220; and prescribing penalties.

Referred to Committee on Commerce & Labor.

HB 2247 by Representatives Nixon, Springer, Talcott, Roach and Tom

AN ACT Relating to protecting minors from sexual misconduct; amending RCW 9A.44.093 and 9A.44.096; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

HB 2248 by Representatives Murray and McDermott

AN ACT Relating to collecting the monorail motor vehicle excise tax upon initial registration; amending RCW 35.95A.130; providing an effective date; and declaring an emergency.

Referred to Committee on Transportation.

HB 2249 by Representatives Takko and Haigh

AN ACT Relating to evaluating the need for a new four-year institution of higher education; creating new sections; making an appropriation; and providing an expiration date.

Referred to Committee on Higher Education.

HB 2250 by Representatives Priest, Condotta, Linville and Kessler

AN ACT Relating to unemployment benefit eligibility for apprentices; and amending RCW 50.20.010, 50.20.230, and 50.20.240.

Referred to Committee on Commerce & Labor.

SSB 5013 by Senate Committee on Transportation (originally sponsored by Senators Honeyford and Sheldon)

AN ACT Relating to recreational vehicle logos on highway sign panels; amending RCW 47.36.310; reenacting and amending RCW 47.36.320; and adding a new section to chapter 47.36 RCW.

Referred to Committee on Transportation.

SSB 5035 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Thibaudeau, Brandland and Franklin)

AN ACT Relating to forensic pathology; amending RCW 43.103.030 and 43.79.445; creating a new section; and repealing RCW 28B.20.426.

Referred to Committee on Criminal Justice & Corrections.

SB 5070 by Senators Spanel, Stevens and Haugen; by request of Board For Judicial Administration

AN ACT Relating to superior court judges; amending RCW 2.08.063; and creating a new section.

Referred to Committee on Judiciary.

SB 5086 by Senators Shin, Schoesler and Rasmussen; by request of Department of Community, Trade, and Economic Development

AN ACT Relating to the rural Washington loan fund; amending RCW 43.84.092; reenacting and amending RCW 43.84.092; providing effective dates; providing an expiration date; and declaring an emergency.

Referred to Committee on Economic Development, Agriculture & Trade.

SB 5134 by Senators Jacobsen, Oke and Rasmussen

AN ACT Relating to the disabled hunters and fishers advisory committee; and amending RCW 77.04.150.

Referred to Committee on Natural Resources, Ecology & Parks.

SSB 5290 by Senate Committee on Agriculture & Rural Economic Development (originally sponsored by Senators Delvin, Rasmussen, Schoesler, Shin, Morton, Jacobsen and Mulliken)

AN ACT Relating to theft of or damage to livestock; amending RCW 9A.56.080 and 4.24.320; and prescribing penalties.

Referred to Committee on Criminal Justice & Corrections.

SB 5329 by Senators Pflug, Shin, Esser, Schoesler, Roach, Rasmussen, Rockefeller, Berkey and Mulliken

AN ACT Relating to cluster-based economic development; amending RCW 43.330.090; and creating a new section.

Referred to Committee on Economic Development, Agriculture & Trade.

SB 5356 by Senator Brown; by request of Transportation Improvement Board

AN ACT Relating to the alignment of state route number 290; and amending RCW 47.17.520.

Referred to Committee on Transportation.

SSB 5390 by Senate Committee on Health & Long-Term Care (originally sponsored by Senators Keiser, Parlette, Franklin, Kastama, Johnson, Shin, Kohl-Welles and Kline)

AN ACT Relating to incentives to improve quality of care in state purchased health care programs; amending RCW 41.05.021 and 41.05.075; and adding a new section to chapter 74.09 RCW.

Referred to Committee on Health Care.

SB 5723 by Senators Delvin, Rasmussen, Schoesler, Mulliken and Rockefeller

AN ACT Relating to standards and grades for fruits and vegetables; and amending 2004 c 211 s 2 (uncodified).

Referred to Committee on Economic Development, Agriculture & Trade.

SSJM 8018 by Senate Committee on Water, Energy & Environment (originally sponsored by Senators Fraser, Parlette, Poulsen, Hewitt, Berkey, Zarelli, Prentice, Doumit, Rockefeller, Fairley, Rasmussen, Kohl-Welles, Schoesler, Brandland, Schmidt, Shin, Pridemore, Mulliken, Honeyford, Brown, Kline and Regala)

Requesting that the proposal to transition the Bonneville Power Administration from cost-based rates to market-based rates be rejected.

Referred to Committee on Technology, Energy & Communications.

There being no objection, the bills and memorial 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 24, 2005

HB 1010 Prime Sponsor, Representative Morris: Concerning energy efficiency and renewable

energy standards. Reported by Committee on Technology, Energy & Communications

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chairman; Kilmer, Vice Chairman; Crouse, Ranking Minority Member; Ericks; Hudgins; P. Sullivan; Takko and Wallace.

MINORITY recommendation: Without recommendation. Signed by Representatives Haler, Assistant Ranking Minority Member; Sump.

Passed to Committee on Rules for second reading.

February 23, 2005

HB 1031 Prime Sponsor, Representative Conway: Providing long-term funding for problem gambling. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Hudgins and McCoy.

MINORITY recommendation: Do not pass. Signed by Representatives Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse.

Referred to Committee on Finance.

February 24, 2005

HB 1068 Prime Sponsor, Representative Quall: Eliminating mandatory norm-referenced student assessments. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Quall, Chairman; P. Sullivan, Vice Chairman; Haigh; Hunter; McDermott and Santos.

MINORITY recommendation: Do not pass. Signed by Representatives Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis; Shabro and Tom.

Referred to Committee on Appropriations.

February 23, 2005

HB 1074 Prime Sponsor, Representative Dunshee: Increasing the administrative cap on the housing assistance program and the affordable housing program. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Representatives Miloscia, Chairman; Springer, Vice Chairman; Holmquist, Ranking Minority Member; McCune; Ormsby; Pettigrew; Schindler and Sells.

MINORITY recommendation: Without recommendation. Signed by Representatives Dunn, Assistant Ranking Minority Member.

Referred to Committee on Capital Budget.

February 24, 2005

HB 1102 Prime Sponsor, Representative DeBolt: Reimbursing political subdivisions for criminal justice costs incurred in an institution under the jurisdiction of the secretary of the department of social and health services. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chairman; Clibborn, Vice Chairman; Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; B. Sullivan and Takko.

Referred to Committee on Appropriations.

February 24, 2005

HB 1103 Prime Sponsor, Representative DeBolt: Authorizing forest products operations of statewide significance. Reported by Committee on Natural Resources, Ecology & Parks

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives B. Sullivan, Chairman; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake; DeBolt; Eickmeyer; Hunt; Orcutt and Williams.

MINORITY recommendation: Without recommendation. Signed by Representatives Uptegrove, Vice Chairman; Dickerson.

Referred to Committee on Finance.

February 24, 2005

HB 1314 Prime Sponsor, Representative Dickerson: Creating the domestic violence prevention account. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass substitute bill proposed by the Committee on Juvenile Justice & Family Law. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Buri; Clements; Cody;

Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Hunter; Kessler; Linville; McDermott; McIntire; Miloscia; Schual-Berke and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Bailey; McDonald; Pearson; Priest and Talcott.

Passed to Committee on Rules for second reading.

February 21, 2005

HB 1394 Prime Sponsor, Representative Conway: Creating the business and professions account. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse; Hudgins and McCoy.

Referred to Committee on Appropriations.

February 24, 2005

HB 1413 Prime Sponsor, Representative Dunshee: Expanding the criteria for habitat conservation programs. Reported by Committee on Appropriations

MAJORITY recommendation: Do pass substitute bill proposed by the Committee on Capital Budget. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Anderson, Assistant Ranking Minority Member; Bailey; Buri; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hunter; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Priest; Schual-Berke and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander, Ranking Minority Member; Clements; Hinkle; Pearson and Talcott.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1486 Prime Sponsor, Representative Conway: Requiring applicants for state purchased health care benefits or uncompensated hospital care to identify the employer of the proposed beneficiary of the benefits or care. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed

by Representatives Cody, Chairman; Campbell, Vice Chairman; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander; Appleton; Clibborn; Condotta; Green; Hinkle; Lantz; Moeller; Morrell and Schual-Berke.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1492 Prime Sponsor, Representative Williams: Developing a single pilot mitigation bank on state-owned aquatic lands. Reported by Committee on Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute do pass and do not pass the substitute bill by Committee on Natural Resources, Ecology & Parks. Signed by Representatives Sommers, Chairman; Fromhold, Vice Chairman; Alexander, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Bailey; Buri; Cody; Conway; Darneille; Dunshee; Grant; Haigh; Hinkle; Hunter; Kessler; Linville; McDermott; McDonald; McIntire; Miloscia; Pearson; Priest; Schual-Berke; Talcott and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Clements.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1516 Prime Sponsor, Representative Schual-Berke: Increasing access to health services for children through the "kids get care" service delivery model. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Appleton; Clibborn; Condotta; Green; Hinkle; Lantz; Moeller; Morrell and Schual-Berke.

MINORITY recommendation: Do not pass. Signed by Representatives Alexander.

Referred to Committee on Appropriations.

February 24, 2005

HB 1560 Prime Sponsor, Representative Sells: Authorizing community colleges to deduct certain payments from tuition waivers. Reported by Committee on Higher Education

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Kenney, Chairman; Sells, Vice Chairman; Cox, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Buri; Dunn; Fromhold; Hasegawa; Jarrett; Ormsby; Roberts and Sommers.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1579 Prime Sponsor, Representative Campbell: Expanding the crime of animal fighting. Reported by Committee on Criminal Justice & Corrections

MAJORITY recommendation: Do pass. Signed by Representatives O'Brien, Chairman; Darneille, Vice Chairman; Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi; Kirby and Strow.

MINORITY recommendation: Do not pass. Signed by Representatives Darneille, Vice Chairman; Kagi.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1622 Prime Sponsor, Representative P. Sullivan: Regulating liquified petroleum gas. Reported by Committee on Technology, Energy & Communications

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Morris, Chairman; Kilmer, Vice Chairman; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Ericks; Hudgins; P. Sullivan; Sump; Takko and Wallace.

Referred to Committee on Appropriations.

February 24, 2005

HB 1652 Prime Sponsor, Representative Ericks: Authorizing fire protection districts to establish or participate in health clinic services. Reported by Committee on Health Care

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander; Appleton; Clibborn; Condotta; Green; Hinkle; Lantz; Moeller; Morrell and Schual-Berke.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1691 Prime Sponsor, Representative Orcutt: Concerning the distribution of moneys from state forest lands. Reported by Committee on Natural Resources, Ecology & Parks

MAJORITY recommendation: Do pass. Signed by Representatives B. Sullivan, Chairman; Buck, Ranking Minority Member; Kretz, Assistant Ranking Minority Member; Blake; DeBolt; Eickmeyer; Orcutt and Williams.

MINORITY recommendation: Do not pass. Signed by Representatives Upthegrove, Vice Chairman; Dickerson and Hunt.

Referred to Committee on Appropriations.

February 24, 2005

HB 1702 Prime Sponsor, Representative Cody: Creating the "Health Care Responsibility Act" to expand access to health insurance coverage. Reported by Committee on Health Care

MAJORITY recommendation: Do pass. Signed by Representatives Cody, Chairman; Campbell, Vice Chairman; Appleton; Clibborn; Green; Lantz; Moeller; Morrell and Schual-Berke.

MINORITY recommendation: Do not pass. Signed by Representatives Bailey, Ranking Minority Member; Curtis, Assistant Ranking Minority Member; Alexander; Condotta and Hinkle.

Referred to Committee on Appropriations.

February 24, 2005

HB 1793 Prime Sponsor, Representative Simpson: Allowing fire protection facilities to use impact fees. Reported by Committee on Local Government

MAJORITY recommendation: Do pass. Signed by Representatives Simpson, Chairman; Clibborn, Vice Chairman; B. Sullivan and Takko.

MINORITY recommendation: Do not pass. Signed by Representatives Schindler, Ranking Minority Member; Ahern, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 25, 2005

HB 1837 Prime Sponsor, Representative Rodne: Providing for child witnesses. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

February 23, 2005

HB 1841 Prime Sponsor, Representative Wood: Revising provisions for electrical trainees. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Conway, Chairman; Wood, Vice Chairman; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse; Hudgins and McCoy.

Passed to Committee on Rules for second reading.

February 25, 2005

HB 1872 Prime Sponsor, Representative Ericks: Revising provisions relating to ignition interlock devices. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1934 Prime Sponsor, Representative Lovick: Increasing penalties for assaulting a peace officer with a stun gun. Reported by Committee on Criminal Justice & Corrections

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives O'Brien, Chairman; Ahern, Assistant Ranking Minority Member; Kagi; Kirby and Strow.

MINORITY recommendation: Without recommendation. Signed by Representatives Darneille, Vice Chairman; Pearson, Ranking Minority Member.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1941 Prime Sponsor, Representative P. Sullivan: Making the superintendent of public instruction a voting member of the state board of education. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Quall, Chairman; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis; Haigh; Hunter; McDermott; Santos; Shabro and Tom.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1952 Prime Sponsor, Representative Morris: Establishing a local government interoperability pilot program. Reported by Committee on Technology, Energy & Communications

MAJORITY recommendation: Do pass. Signed by Representatives Morris, Chairman; Kilmer, Vice Chairman; Crouse, Ranking Minority Member; Haler, Assistant Ranking Minority Member; Ericks; Hudgins; P. Sullivan; Sump; Takko and Wallace.

Referred to Committee on Appropriations.

February 24, 2005

HB 1966 Prime Sponsor, Representative Ericks: Classifying identity theft as a crime against persons. Reported by Committee on Criminal Justice & Corrections

MAJORITY recommendation: Do pass. Signed by Representatives O'Brien, Chairman; Darneille, Vice Chairman; Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; Kagi; Kirby and Strow.

Referred to Committee on Appropriations.

February 24, 2005

HB 1986 Prime Sponsor, Representative Roberts: Requiring a review of tuition waivers. Reported by Committee on Higher Education

MAJORITY recommendation: Do pass. Signed by Representatives Kenney, Chairman; Sells, Vice Chairman; Cox, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Buri; Fromhold; Hasegawa; Jarrett; Ormsby; Priest; Roberts and Sommers.

MINORITY recommendation: Do not pass. Signed by Representatives Dunn and Jarrett.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 1998 Prime Sponsor, Representative P. Sullivan: Creating the apple award program. Reported by Committee on Education

MAJORITY recommendation: Do pass. Signed by Representatives Quall, Chairman; P. Sullivan, Vice Chairman; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis; Haigh; Hunter; McDermott; Santos; Shabro and Tom.

Referred to Committee on Capital Budget.

February 25, 2005

HB 2028 Prime Sponsor, Representative Kagi: Regarding the advisory committee of the office of public defense. Reported by Committee on Judiciary

MAJORITY recommendation: Do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Priest, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Campbell; Kirby; Serben; Springer; Williams and Wood.

Passed to Committee on Rules for second reading.

February 25, 2005

HB 2029 Prime Sponsor, Representative Kagi: Requiring the director of the office of public defense to oversee and monitor legal representation of parents in dependency and termination proceedings. Reported by Committee on Judiciary

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Lantz, Chairman; Flannigan, Vice Chairman; Rodne, Assistant Ranking Minority Member; Campbell; Kirby; Springer; Williams and Wood.

MINORITY recommendation: Do not pass. Signed by Representatives Priest, Ranking Minority Member; Serben.

Referred to Committee on Appropriations.

February 23, 2005

HB 2070 Prime Sponsor, Representative Cody: Authorizing horse racing handicapping contests. Reported by Committee on Commerce & Labor

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Conway, Chairman; Wood, Vice

Chairman; Condotta, Ranking Minority Member; Sump, Assistant Ranking Minority Member; Crouse; Hudgins and McCoy.

Passed to Committee on Rules for second reading.

February 24, 2005

HB 2163 Prime Sponsor, Representative Ormsby: Establishing a homeless housing program. Reported by Committee on Housing

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Miloscia, Chairman; Springer, Vice Chairman; Ormsby; Pettigrew and Sells.

MINORITY recommendation: Do not pass. Signed by Representatives Holmquist, Ranking Minority Member; Dunn, Assistant Ranking Minority Member; McCune and Schindler.

Referred to Committee on Appropriations.

February 23, 2005

ESB 5049 Prime Sponsor, Senator Kohl-Welles: Requiring the disclosure of information about mold in residential dwelling units. Reported by Committee on Housing

MAJORITY recommendation: Do pass as amended. Signed by Representatives Miloscia, Chairman; Springer, Vice Chairman; Holmquist, Ranking Minority Member; McCune; Ormsby; Pettigrew; Schindler and Sells.

MINORITY recommendation: Do not pass. Signed by Representatives Dunn, Assistant Ranking Minority Member.

Passed to Committee on Rules for second reading.

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

SECOND READING SUSPENSION

HOUSE BILL NO. 1160, By Representatives Conway, Wood, Green, Hudgins, McCoy, Lovick, Darneille, Morrell, Chase, Cody, Kenney and Sells

Reducing workplace violence in state hospitals.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representative Conway spoke in favor of passage of the bill.

MOTIONS

On motion of Representative Santos, Representatives Flannigan and Upthegrove were excused. On motion of Representative Clements, Representatives Cox, Crouse, DeBolt, Jarrett and Schindler were excused. With the consent of the House, Representatives Ahern, Campbell, Ericksen, McIntire, Quall and Simpson were excused.

The Speaker (Representative Lovick presiding) stated the question before the House to be the final passage of House Bill No. 1160.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1160 and the bill passed the House by the following vote: Yeas - 85, Nays - 0, Absent - 0, Excused - 13.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Curtis, Darneille, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 85.

Excused: Representatives Ahern, Campbell, Cox, Crouse, DeBolt, Ericksen, Flannigan, Jarrett, McIntire, Quall, Schindler, Simpson and Upthegrove - 13.

HOUSE BILL NO. 1160, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1161, By Representatives Buri, O'Brien, Walsh, Ericks, Darneille, McCoy, Clements, Serben, Pearson, Strow, Kristiansen, Moeller, Lovick, Simpson, Campbell, Tom, Morrell, Chase, Ahern, Newhouse, Armstrong, Woods, Sells and Ormsby

Adding entities entitled to notification about sex offenders and kidnapping offenders.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Buri and O'Brien 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. 1161.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1161 and the bill passed the House by the following vote: Yeas - 87, Nays - 0, Absent - 0, Excused - 11.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 87.

Excused: Representatives Ahern, Campbell, Cox, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler, Simpson and Upthegrove - 11.

HOUSE BILL NO. 1161, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1171, By Representatives Dickerson, Moeller, Cody, Roberts, Schual-Berke, Appleton, Morrell, Darneille, Chase, Kenney and Ormsby

Limiting the court's discretion concerning denial of dissolution decrees.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1171 was read the second time.

The bill was placed on final passage.

Representatives Dickerson 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. 1171.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1171 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler, and Upthegrove - 9.

SUBSTITUTE HOUSE BILL NO. 1171, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1198, By Representatives Linville, Bailey and Cody

Regarding speech-language pathologists and audiologists.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Linville and Bailey 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. 1198.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1198 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler, and Upthegrove - 9.

HOUSE BILL NO. 1198, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Clements congratulated Representative Buri on the passage of his first bill through the House, and asked the Chamber to acknowledge his accomplishment.

HOUSE BILL NO. 1269, By Representatives Conway, Curtis, Simpson, Hinkle, Upthegrove, Moeller, Morrell, Green, O'Brien, P. Sullivan, Kenney, McDonald, Campbell, Chase, B. Sullivan, Ormsby, Kilmer, McCoy, Jarrett, Wallace, Serben and Strow; by request of LEOFF Plan 2 Retirement Board

Permitting members of the law enforcement officers' and fire fighters' retirement system plan 2 to make a one-time purchase of additional service credit.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Conway and Alexander 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. 1269.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1269 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Erickson, Flannigan, Jarrett, McIntire, Schindler, and Upthegrove - 9.

HOUSE BILL NO. 1269, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1279, By Representatives Kagi, Hinkle, Dickerson, McDonald, Clibborn, P. Sullivan, Pettigrew, Roach, Orcutt, Morrell, Kenney, Wallace and Chase

Revising provisions relating to public access to child in need of services and at-risk youth hearings.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Kagi 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. 1279.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1279 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson,

Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Erickson, Flannigan, Jarrett, McIntire, Schindler, and Upthegrove - 9.

HOUSE BILL NO. 1279, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1280, By Representatives Pettigrew, Hinkle, Kagi, Walsh, Schual-Berke, McDonald, Clibborn, Dickerson, P. Sullivan, Roach, Orcutt, Darneille, Morrell, Wallace and Santos

Extending the kinship care oversight committee and its duties.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1280 was read the second time.

The bill was placed on final passage.

Representatives Pettigrew 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 Substitute House Bill No. 1280.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1280 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson,

Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler, and Upthegrove - 9.

SUBSTITUTE HOUSE BILL NO. 1280, having received the necessary constitutional majority, was declared passed.

There being no objection, the House deferred action on HOUSE BILL NO. 1297, and the bill held its place on the Second Reading calendar.

HOUSE BILL NO. 1312, By Representatives Wood, Condotta and Linville

Modifying the boilers and unfired pressure vessel law.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Wood 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 House Bill No. 1312.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1312 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler and Upthegrove - 9.

HOUSE BILL NO. 1312, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1328, By Representatives Conway, Crouse, Simpson and Chase; by request of Select Committee on Pension Policy

Establishing the composition and jurisdiction of city and county disability boards.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Conway and Alexander 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. 1328.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1328 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler and Upthegrove - 9.

HOUSE BILL NO. 1328, having received the necessary constitutional majority, was declared passed.

There being no objection, HOUSE BILL NO. 1329 was returned to the Rules Committee.

HOUSE BILL NO. 1337, By Representatives O'Brien, Pearson and Darneille

Regulating storage of sex offender records.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1337 was read the second time.

The bill was placed on final passage.

Representatives O'Brien and Pearson 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. 1337.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1337 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler and Upthegrove - 9.

SUBSTITUTE HOUSE BILL NO. 1337, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1348, By Representatives Williams, Newhouse and Lantz

Providing a uniform method of transferring a municipal court judgment into district court.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTE HOUSE BILL NO. 1348 was read the second time.

The bill was placed on final passage.

Representatives Williams 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. 1348.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1348 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler and Upthegrove - 9.

SUBSTITUTE HOUSE BILL NO. 1348, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1403, By Representatives Dickerson, McDonald and Chase

Authorizing service by publication in actions to establish or modify parenting plans, for legal separation or invalidity of marriage, and for nonparental custody.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Dickerson 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. 1403.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1403 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler and Upthegrove - 9.

HOUSE BILL NO. 1403, having received the necessary constitutional majority, was declared passed.

The Speaker assumed the chair.

HOUSE BILL NO. 1426, By Representatives Roberts, McDonald, Kagi, Nixon, Pettigrew, Dickerson, Darneille, Tom, Rodne, Hasegawa, O'Brien, Lovick, Ormsby, Morrell, Chase and Santos

Establishing an interagency plan for children of incarcerated parents.

The bill was read the second time.

There being no objection, the committee recommendation was adopted and SUBSTITUTION HOUSE BILL NO. 1426 was read the second time.

The bill was placed on final passage.

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

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1426.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1426 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler and Upthegrove - 9.

SUBSTITUTION HOUSE BILL NO. 1426, having received the necessary constitutional majority, was declared passed.

POINT OF PERSONAL PRIVILEGE

Representative Hunt congratulated Representative Roberts on the passage of her first bill through the House, and asked the Chamber to acknowledge her accomplishment.

HOUSE BILL NO. 1471, By Representatives Lovick, McDonald and Takko

Changing provisions relating to authentication of documents.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Lovick and Priest spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1471.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1471 and the bill passed the House by the following vote: Yeas - 89, Nays - 0, Absent - 0, Excused - 9.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 89.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, McIntire, Schindler and Upthegrove - 9.

HOUSE BILL NO. 1471, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1668, By Representatives Lantz and Priest; by request of Board For Judicial Administration

Changing provisions relating to the administrative office of the courts.

The bill was read the second time.

There being no objection, the committee recommendation was adopted.

The bill was placed on final passage.

Representatives Lantz and Priest spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1668.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1668 and the bill passed the House by the following vote: Yeas - 90, Nays - 0, Absent - 0, Excused - 8.

Voting yea: Representatives Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Fromhold, Grant, Green, Haigh, Haler,

Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 90.

Excused: Representatives Ahern, Campbell, Crouse, Ericksen, Flannigan, Jarrett, Schindler and Upthegrove - 8.

HOUSE BILL NO. 1668, having received the necessary constitutional majority, was declared passed.

SENATE AMENDMENTS TO HOUSE BILL

February 16, 2005

Mr. Speaker:

The Senate has passed SUBSTITUTE HOUSE BILL NO. 1014, with the following amendment::

Strike everything after the enacting clause and insert the following:

"Sec. 1. RCW 10.73.170 and 2003 c 100 s 1 are each amended to read as follows:

(1) ~~(On or before December 31, 2004, a person in this state who has been convicted of a felony and is currently serving a term of imprisonment and who has been denied postconviction DNA testing may submit a request to the state Office of Public Defense, which will transmit the request to the county prosecutor in the county where the conviction was obtained for postconviction DNA testing, if DNA evidence was not admitted because the court ruled DNA testing did not meet acceptable scientific standards or DNA testing technology was not sufficiently developed to test the DNA evidence in the case. On and after January 1, 2005, a person must raise the DNA issues at trial or on appeal.~~

~~(2) The prosecutor shall screen the request. The request shall be reviewed based upon the likelihood that the DNA evidence would demonstrate innocence on a more probable than not basis. The prosecutor shall inform the requestor and the state Office of Public Defense of the decision, and shall, in the case of an adverse decision, advise the requestor of appeals rights. Upon determining that testing should occur and the evidence still exists, the prosecutor shall request DNA testing by the Washington state patrol crime laboratory. Contact with victims shall be handled through victim/witness divisions.~~

~~(3) A person denied a request made pursuant to subsections (1) and (2) of this section has a right to appeal his or her request within thirty days of denial of the request by the prosecutor. The appeal shall be to the attorney general's office. If the attorney general's office determines that it is likely that the DNA testing would demonstrate innocence on a more probable than not basis, then the attorney general's office shall request DNA testing by the Washington state patrol crime laboratory.~~

~~(4) Notwithstanding any other provision of law, any biological material that has been secured in connection with a criminal case prior to July 22, 2001, may not be destroyed before January 1,~~

~~2005-))~~ A person convicted of a felony in a Washington state court who currently is serving a term of imprisonment may submit to the court that entered the judgment of conviction a verified written motion requesting DNA testing, with a copy of the motion provided to the state office of public defense.

(2) The motion shall:

(a) State that:

(i) The court ruled that DNA testing did not meet acceptable scientific standards; or

(ii) DNA testing technology was not sufficiently developed to test the DNA evidence in the case; or

(iii) The DNA testing now requested would be significantly more accurate than prior DNA testing or would provide significant new information;

(b) Explain why DNA evidence is material to the identity of the perpetrator of, or accomplice to, the crime, or to sentence enhancement; and

(c) Comply with all other procedural requirements established by court rule.

(3) The court shall grant a motion requesting DNA testing under this section if such motion is in the form required by subsection (2) of this section, and the convicted person has shown the likelihood that the DNA evidence would demonstrate innocence on a more probable than not basis.

(4) Upon written request to the court that entered a judgment of conviction, a convicted person who demonstrates that he or she is indigent under RCW 10.101.010 may request appointment of counsel solely to prepare and present a motion under this section, and the court, in its discretion, may grant the request. Such motion for appointment of counsel shall comply with all procedural requirements established by court rule.

(5) DNA testing ordered under this section shall be performed by the Washington state patrol crime laboratory. Contact with victims shall be handled through victim/witness divisions.

(6) Notwithstanding any other provision of law, upon motion of defense counsel or the court's own motion, a sentencing court in a felony case may order the preservation of any biological material that has been secured in connection with a criminal case, or evidence samples sufficient for testing, in accordance with any court rule adopted for the preservation of evidence. The court must specify the samples to be maintained and the length of time the samples must be preserved.

NEW SECTION. Sec. 2. This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately."

On page 1, line 1 of the title, after "testing;" strike the remainder of the title and insert "amending RCW 10.73.170; and declaring an emergency."

and the same is herewith transmitted.

Thomas Hoemann, Secretary

Representative O'Brien moved that the House concurred in the Senate amendment(s) to SUBSTITUTE HOUSE BILL NO. 1014 and advanced the bill as amended by the Senate to final passage.

Representatives O'Brien and Pearson spoke in favor of the motion. The motion was adopted and the bill as amended by the Senate was passed to final passage.

Representative Darneille spoke in favor of the passage of the bill as amended by the Senate.

The Speaker stated the question before the House to be final passage of Substitute House Bill No. 1014, as amended by the Senate.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1014, as amended by the Senate 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Uptegrove - 3.

SUBSTITUTE HOUSE BILL NO. 1014, as amended by the Senate having received the constitutional majority, was declared passed.

HOUSE BILL NO. 1009, By Representatives Morris, Uptegrove, Conway, Hudgins, Morrell, Kenney, P. Sullivan, B. Sullivan, Dunn, McCoy, Wallace and Chase

Allowing electronic payment of utility bills.

The bill was read the second time. There being no objection, Substitute House Bill No. 1009 was substituted for House Bill No. 1009 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1009 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 Morris spoke in favor of passage of the bill.

Representative Nixon spoke against the passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1009.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1009 and the bill passed the House by the following vote: Yeas - 53, Nays - 42, Absent - 0, Excused - 3.

Voting yea: Representatives Appleton, Blake, Campbell, Chase, Clibborn, Cody, Conway, Darneille, Dickerson, Dunshee, Ericks, Fromhold, Grant, Green, Haigh, Hankins, Hasegawa, Hudgins, Hunt, Kagi, Kenney, Kessler, Kilmer, Kirby, Linville, Lovick, McCoy, McDermott, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, O'Brien, Ormsby, Pettigrew, Quall, Roberts, Santos, Schindler, Schual-Berke, Sells, Simpson, Sommers, Springer, B. Sullivan, P. Sullivan, Takko, Wallace, Williams, Wood, and Mr. Speaker - 53.

Voting nay: Representatives Ahern, Alexander, Anderson, Armstrong, Bailey, Buck, Buri, Chandler, Clements, Condotta, Cox, Crouse, Curtis, DeBolt, Dunn, Eickmeyer, Ericksen, Haler, Hinkle, Holmquist, Hunter, Kretz, Kristiansen, Lantz, McCune, McDonald, Newhouse, Nixon, Orcutt, Pearson, Priest, Roach, Rodne, Serben, Shabro, Skinner, Strow, Sump, Talcott, Tom, Walsh, and Woods - 42.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

SUBSTITUTE HOUSE BILL NO. 1009, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1020, By Representatives Morris and B. Sullivan

Regarding electrical transmission.

The bill was read the second time.

On motion of Representative Morris, Substitute House Bill No. 1020 was substituted for House Bill No. 1020 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1020 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 Morris and Crouse spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1020.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1020 and the bill passed the House by the following vote: Yeas - 93, Nays - 2, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 93.

Voting nay: Representatives Chase and Hasegawa - 2.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

SUBSTITUTE HOUSE BILL NO. 1020, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1054, By Representatives Lantz, Priest and Morrell

Enacting the revised Uniform Arbitration Act.

The bill was read the second time.

On motion of Representative Lantz, Substitute House Bill No. 1054 was substituted for House Bill No. 1054 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1054 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 Lantz and Priest spoke in favor of passage of the bill.

COLLOQUY

Representative Priest: "Does subsection (1) of section 21, as amended, mean that an arbitrator cannot award punitive

damages or other exemplary relief unless, under the applicable law, a court hearing the same claim could award such relief?"

Representative Lantz: "Yes. The Key question is what is the applicable law. If Washington law applied to the issues in dispute, Washington common law does not recognize punitive damages so neither a trial court nor an arbitrator could award them on the basis. Where a specific Washington statute applied to the issues in dispute and provided for punitive or exemplary damages, (for example the consumer protection act), the trial court and therefore the arbitrator could award damages under that statute.

If the arbitration is in Washington, but the substantive law of another state is applied to the issues in dispute (for example, the contract contains a choice of law provision), then the issue of punitive and exemplary damages is controlled by the law of that other state."

Representative Priest: "Does subsection (2) of section 21, as amended, mean that an arbitrator cannot award attorney fees and other reasonable expenses of arbitration unless, under the applicable law, a court hearing the same claim could award such relief?"

Representative Lantz: "Yes. The analysis parallels the analysis for punitive and exemplary damages I just explained."

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1054.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1054 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

SUBSTITUTE HOUSE BILL NO. 1054, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1055, By Representatives Lantz, Priest and Morrell

Enacting the Uniform Mediation Act.

The bill was read the second time.

On motion of Representative Lantz, Substitute House Bill No. 1055 was substituted for House Bill No. 1055 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1055 was read the second time.

Representative Lantz moved the adoption of amendment (038):

Strike everything after the enacting clause and insert the following:

"NEW SECTION. Sec. 1. TITLE. This act may be cited as the Uniform Mediation Act.

NEW SECTION. Sec. 2. DEFINITIONS. In this chapter:

(1) "Mediation" means a process in which a mediator facilitates communication and negotiation between parties to assist them in reaching a voluntary agreement regarding their dispute.

(2) "Mediation communication" means a statement, whether oral or in a record or verbal or nonverbal, that occurs during a mediation or is made for purposes of considering, conducting, participating in, initiating, continuing, or reconvening a mediation or retaining a mediator.

(3) "Mediator" means an individual who conducts a mediation.

(4) "Nonparty participant" means a person, other than a party or mediator, that participates in a mediation.

(5) "Mediation party" means a person that participates in a mediation and whose agreement is necessary to resolve the dispute.

(6) "Person" means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, government; governmental subdivision, agency, or instrumentality; or public corporation, or any other legal or commercial entity.

(7) "Proceeding" means:

(a) A judicial, administrative, arbitral, or other adjudicative process, including related prehearing and posthearing motions, conferences, and discovery; or

(b) A legislative hearing or similar process.

(8) "Record" means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(9) "Sign" means:

(a) To execute or adopt a tangible symbol with the present intent to authenticate a record; or

(b) To attach or logically associate an electronic symbol, sound, or process to or with a record with the present intent to authenticate a record.

NEW SECTION. Sec. 3. SCOPE. (1) Except as otherwise provided in subsection (2) or (3) of this section, this chapter applies to a mediation in which:

(a) The mediation parties are required to mediate by statute or court or administrative agency rule or referred to mediation by a court, administrative agency, or arbitrator;

(b) The mediation parties and the mediator agree to mediate in a record that demonstrates an expectation that mediation communications will be privileged against disclosure; or

(c) The mediation parties use as a mediator an individual who holds himself or herself out as a mediator or the mediation is provided by a person that holds itself out as providing mediation.

(2) This chapter does not apply to a mediation:

(a) Conducted by a judge who might make a ruling on the case;

or

(b) Conducted under the auspices of:

(i) A primary or secondary school if all the parties are students;

or

(ii) A correctional institution for youths if all the parties are residents of that institution.

(3) If the parties agree in advance in a signed record, or a record of proceeding reflects agreement by the parties, that all or part of a mediation is not privileged, the privileges under sections 4 through 6 of this act do not apply to the mediation or part agreed upon. However, sections 4 through 6 of this act apply to a mediation communication made by a person that has not received actual notice of the agreement before the communication is made.

NEW SECTION. Sec. 4. PRIVILEGE AGAINST DISCLOSURE; ADMISSIBILITY; DISCOVERY. (1) Except as otherwise provided in section 6 of this act, a mediation communication is privileged as provided in subsection (2) of this section and is not subject to discovery or admissible in evidence in a proceeding unless waived or precluded as provided by section 5 of this act.

(2) In a proceeding, the following privileges apply:

(a) A mediation party may refuse to disclose, and may prevent any other person from disclosing, a mediation communication;

(b) A mediator may refuse to disclose a mediation communication, and may prevent any other person from disclosing a mediation communication of the mediator; and

(c) A nonparty participant may refuse to disclose, and may prevent any other person from disclosing, a mediation communication of the nonparty participant.

(3) Evidence or information that is otherwise admissible or subject to discovery does not become inadmissible or protected from discovery solely by reason of its disclosure or use in a mediation.

NEW SECTION. Sec. 5. WAIVER AND PRECLUSION OF PRIVILEGE. (1) A privilege under section 4 of this act may be waived in a record or orally during a proceeding if it is expressly waived by all parties to the mediation and:

(a) In the case of the privilege of a mediator, it is expressly waived by the mediator; and

(b) In the case of the privilege of a nonparty participant, it is expressly waived by the nonparty participant.

(2) A person that discloses or makes a representation about a mediation communication which prejudices another person in a proceeding is precluded from asserting a privilege under section 4 of this act, but only to the extent necessary for the person prejudiced to respond to the representation or disclosure.

(3) A person that intentionally uses a mediation to plan, attempt to commit, or commit a crime, or to conceal an ongoing crime or ongoing criminal activity is precluded from asserting a privilege under section 4 of this act.

NEW SECTION. Sec. 6. EXCEPTIONS TO PRIVILEGE. (1) There is no privilege under section 4 of this act for a mediation communication that is:

(a) In an agreement evidenced by a record signed by all parties to the agreement;

(b) Made during a session of a mediation which is open, or is required by law to be open, to the public;

(c) A threat or statement of a plan to inflict bodily injury or commit a crime of violence;

(d) Intentionally used to plan a crime, attempt to commit a crime, or to conceal an ongoing crime or ongoing criminal activity;

(e) Sought or offered to prove or disprove a claim or complaint of professional misconduct or malpractice filed against a mediator;

(f) Except as otherwise provided in subsection (3) of this section, sought or offered to prove or disprove a claim or complaint of professional misconduct or malpractice filed against a mediation party, nonparty participant, or representative of a party based on conduct occurring during a mediation; or

(g) Sought or offered to prove or disprove abuse, neglect, abandonment, or exploitation in a proceeding in which a child or adult protective services agency is a party, unless the public agency participates in the child or adult protection mediation.

(2) There is no privilege under section 4 of this act if a court finds, after a hearing in camera, that the party seeking discovery or the proponent of the evidence has shown that the evidence is not otherwise available, that there is a need for the evidence that substantially outweighs the interest in protecting confidentiality, and that the mediation communication is sought or offered in:

(a) A criminal court proceeding involving a felony; or

(b) Except as otherwise provided in subsection (3) of this section, a proceeding to prove a claim to rescind or reform or a defense to avoid liability on a contract arising out of the mediation.

(3) A mediator may not be compelled to provide evidence of a mediation communication referred to in subsection (1)(f) or (2)(b) of this section.

(4) If a mediation communication is not privileged under subsection (1) or (2) of this section, only the portion of the communication necessary for the application of the exception from nondisclosure may be admitted. Admission of evidence under subsection (1) or (2) of this section does not render the evidence, or any other mediation communication, discoverable or admissible for any other purpose.

(5) Records of mediation communications that are privileged under this chapter are exempt from the requirements of chapter 42.17 RCW.

NEW SECTION. Sec. 7. PROHIBITED MEDIATOR REPORTS. (1) Except as provided in subsection (2) of this section, a mediator may not make a report, assessment, evaluation, recommendation, finding, or other communication regarding a mediation to a court, administrative agency, or other authority that may make a ruling on the dispute that is the subject of the mediation.

(2) A mediator may disclose:

(a) Whether the mediation occurred or has terminated, whether a settlement was reached, attendance, and efforts to schedule a

mediation ordered by a court, administrative agency, or other authority that may make a ruling on the dispute;

(b) A mediation communication as permitted under section 6 of this act; or

(c) A mediation communication evidencing abuse, neglect, abandonment, or exploitation of an individual to a public agency responsible for protecting individuals against such mistreatment.

(3) A communication made in violation of subsection (1) of this section may not be considered by a court, administrative agency, or arbitrator.

NEW SECTION. Sec. 8. CONFIDENTIALITY. Unless subject to chapter 42.30 RCW, mediation communications are confidential to the extent agreed by the parties or provided by other law or rule of this state.

NEW SECTION. Sec. 9. MEDIATOR'S DISCLOSURE OF CONFLICTS OF INTEREST; BACKGROUND. (1) Before accepting a mediation, an individual who is requested to serve as a mediator shall:

(a) Make an inquiry that is reasonable under the circumstances to determine whether there are any known facts that a reasonable individual would consider likely to affect the impartiality of the mediator, including a financial or personal interest in the outcome of the mediation and an existing or past relationship with a mediation party or foreseeable participant in the mediation; and

(b) Disclose any such known fact to the mediation parties as soon as is practical before accepting a mediation.

(2) If a mediator learns any fact described in subsection (1)(a) of this section after accepting a mediation, the mediator shall disclose it as soon as is practicable.

(3) At the request of a mediation party, an individual who is requested to serve as a mediator shall disclose the mediator's qualifications to mediate a dispute.

(4) A person that violates subsection (1) or (2) of this section is precluded by the violation from asserting a privilege under section 4 of this act.

(5) Subsections (1) through (3) of this section do not apply to an individual acting as a judge.

(6) This chapter does not require that a mediator have a special qualification by background or profession.

NEW SECTION. Sec. 10. PARTICIPATION IN MEDIATION. An attorney or other individual designated by a party may accompany the party to and participate in a mediation, except that if the dispute being mediated is the subject of pending proceedings under chapter 12.40 RCW, then a party may not be represented by an attorney in mediation unless the party may be represented by an attorney in the proceedings under chapter 12.40 RCW. A waiver of participation given before the mediation may be rescinded.

NEW SECTION. Sec. 11. RELATION TO ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT. This chapter modifies, limits, or supersedes the federal electronic signatures in global and national commerce act (15 U.S.C. Sec. 7001 et seq.), but this chapter does not modify, limit, or supersede section 101(c) of that act or authorize electronic delivery of any of the notices described in section 103(b) of that act.

NEW SECTION. Sec. 12. UNIFORMITY OF APPLICATION AND CONSTRUCTION. In applying and construing this chapter,

consideration should be given to the need to promote uniformity of the law with respect to its subject matter among states that enact it.

Sec. 13. RCW 42.17.310 and 2003 c 277 s 3 and 2003 c 124 s 1 are each reenacted and amended to read as follows:

(1) The following are exempt from public inspection and copying:

(a) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, or welfare recipients.

(b) Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

(c) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would (i) be prohibited to such persons by RCW 84.08.210, 82.32.330, 84.40.020, or 84.40.340 or (ii) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer.

(d) Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

(e) Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the public disclosure commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim or witness indicates a desire for disclosure or nondisclosure, such desire shall govern. However, all complaints filed with the public disclosure commission about any elected official or candidate for public office must be made in writing and signed by the complainant under oath.

(f) Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.

(g) Except as provided by chapter 8.26 RCW, the contents of real estate appraisals, made for or by any agency relative to the acquisition or sale of property, until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the sale appraisal relates is sold, but in no event shall disclosure be denied for more than three years after the appraisal.

(h) Valuable formulae, designs, drawings, computer source code or object code, and research data obtained by any agency within five years of the request for disclosure when disclosure would produce private gain and public loss.

(i) Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by an agency in connection with any agency action.

(j) Records which are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts.

(k) Records, maps, or other information identifying the location of archaeological sites in order to avoid the looting or depredation of such sites.

(l) Any library record, the primary purpose of which is to maintain control of library materials, or to gain access to information,

which discloses or could be used to disclose the identity of a library user.

(m) Financial information supplied by or on behalf of a person, firm, or corporation for the purpose of qualifying to submit a bid or proposal for (i) a ferry system construction or repair contract as required by RCW 47.60.680 through 47.60.750 or (ii) highway construction or improvement as required by RCW 47.28.070.

(n) Railroad company contracts filed prior to July 28, 1991, with the utilities and transportation commission under RCW 81.34.070, except that the summaries of the contracts are open to public inspection and copying as otherwise provided by this chapter.

(o) Financial and commercial information and records supplied by private persons pertaining to export services provided pursuant to chapter 43.163 RCW and chapter 53.31 RCW, and by persons pertaining to export projects pursuant to RCW 43.23.035.

(p) Financial disclosures filed by private vocational schools under chapters 28B.85 and 28C.10 RCW.

(q) Records filed with the utilities and transportation commission or attorney general under RCW 80.04.095 that a court has determined are confidential under RCW 80.04.095.

(r) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency.

(s) Membership lists or lists of members or owners of interests of units in timeshare projects, subdivisions, camping resorts, condominiums, land developments, or common-interest communities affiliated with such projects, regulated by the department of licensing, in the files or possession of the department.

(t) All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

(u) The residential addresses or residential telephone numbers of employees or volunteers of a public agency which are held by any public agency in personnel records, public employment related records, or volunteer rosters, or are included in any mailing list of employees or volunteers of any public agency.

(v) The residential addresses and residential telephone numbers of the customers of a public utility contained in the records or lists held by the public utility of which they are customers, except that this information may be released to the division of child support or the agency or firm providing child support enforcement for another state under Title IV-D of the federal social security act, for the establishment, enforcement, or modification of a support order.

(w)(i) The federal social security number of individuals governed under chapter 18.130 RCW maintained in the files of the department of health, except this exemption does not apply to requests made directly to the department from federal, state, and local agencies of government, and national and state licensing, credentialing, investigatory, disciplinary, and examination organizations; (ii) the current residential address and current residential telephone number of a health care provider governed under chapter 18.130 RCW maintained in the files of the department, if the provider requests that this information be withheld from public inspection and copying, and provides to the department an accurate alternate or business address and business telephone number. On or after January 1, 1995, the current residential address and residential telephone number of a health care provider governed under RCW 18.130.040 maintained in the files of the department shall automatically be withheld from public inspection and copying unless

the provider specifically requests the information be released, and except as provided for under RCW 42.17.260(9).

(x) Information obtained by the board of pharmacy as provided in RCW 69.45.090.

(y) Information obtained by the board of pharmacy or the department of health and its representatives as provided in RCW 69.41.044, 69.41.280, and 18.64.420.

(z) Financial information, business plans, examination reports, and any information produced or obtained in evaluating or examining a business and industrial development corporation organized or seeking certification under chapter 31.24 RCW.

(aa) Financial and commercial information supplied to the state investment board by any person when the information relates to the investment of public trust or retirement funds and when disclosure would result in loss to such funds or in private loss to the providers of this information.

(bb) Financial and valuable trade information under RCW 51.36.120.

(cc) Client records maintained by an agency that is a domestic violence program as defined in RCW 70.123.020 or 70.123.075 or a rape crisis center as defined in RCW 70.125.030.

(dd) Information that identifies a person who, while an agency employee: (i) Seeks advice, under an informal process established by the employing agency, in order to ascertain his or her rights in connection with a possible unfair practice under chapter 49.60 RCW against the person; and (ii) requests his or her identity or any identifying information not be disclosed.

(ee) Investigative records compiled by an employing agency conducting a current investigation of a possible unfair practice under chapter 49.60 RCW or of a possible violation of other federal, state, or local laws prohibiting discrimination in employment.

(ff) Business related information protected from public inspection and copying under RCW 15.86.110.

(gg) Financial, commercial, operations, and technical and research information and data submitted to or obtained by the clean Washington center in applications for, or delivery of, program services under chapter 70.95H RCW.

(hh) Information and documents created specifically for, and collected and maintained by a quality improvement committee pursuant to RCW 43.70.510 or 70.41.200, or by a peer review committee under RCW 4.24.250, regardless of which agency is in possession of the information and documents.

(ii) Personal information in files maintained in a data base created under RCW 43.07.360.

(jj) Financial and commercial information requested by the public stadium authority from any person or organization that leases or uses the stadium and exhibition center as defined in RCW 36.102.010.

(kk) Names of individuals residing in emergency or transitional housing that are furnished to the department of revenue or a county assessor in order to substantiate a claim for property tax exemption under RCW 84.36.043.

(ll) The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program or service. However, these records may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides.

(mm) The personally identifying information of current or former participants or applicants in a paratransit or other transit

service operated for the benefit of persons with disabilities or elderly persons.

(nn) The personally identifying information of persons who acquire and use transit passes and other fare payment media including, but not limited to, stored value smart cards and magnetic strip cards, except that an agency may disclose this information to a person, employer, educational institution, or other entity that is responsible, in whole or in part, for payment of the cost of acquiring or using a transit pass or other fare payment media, or to the news media when reporting on public transportation or public safety. This information may also be disclosed at the agency's discretion to governmental agencies or groups concerned with public transportation or public safety.

(oo) Proprietary financial and commercial information that the submitting entity, with review by the department of health, specifically identifies at the time it is submitted and that is provided to or obtained by the department of health in connection with an application for, or the supervision of, an antitrust exemption sought by the submitting entity under RCW 43.72.310. If a request for such information is received, the submitting entity must be notified of the request. Within ten business days of receipt of the notice, the submitting entity shall provide a written statement of the continuing need for confidentiality, which shall be provided to the requester. Upon receipt of such notice, the department of health shall continue to treat information designated under this section as exempt from disclosure. If the requester initiates an action to compel disclosure under this chapter, the submitting entity must be joined as a party to demonstrate the continuing need for confidentiality.

(pp) Records maintained by the board of industrial insurance appeals that are related to appeals of crime victims' compensation claims filed with the board under RCW 7.68.110.

(qq) Financial and commercial information supplied by or on behalf of a person, firm, corporation, or entity under chapter 28B.95 RCW relating to the purchase or sale of tuition units and contracts for the purchase of multiple tuition units.

(rr) Any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b).

(ss) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial account numbers, except when disclosure is expressly required by or governed by other law.

(tt) Financial information, including but not limited to account numbers and values, and other identification numbers supplied by or on behalf of a person, firm, corporation, limited liability company, partnership, or other entity related to an application for a liquor license, gambling license, or lottery retail license.

(uu) Records maintained by the employment security department and subject to chapter 50.13 RCW if provided to another individual or organization for operational, research, or evaluation purposes.

(vv) Individually identifiable information received by the work force training and education coordinating board for research or evaluation purposes.

(ww) Those portions of records assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts, which are acts that significantly disrupt the conduct of government or of the general civilian population of the state or the United States and that manifest an extreme indifference to human life, the public

disclosure of which would have a substantial likelihood of threatening public safety, consisting of:

(i) Specific and unique vulnerability assessments or specific and unique response or deployment plans, including compiled underlying data collected in preparation of or essential to the assessments, or to the response or deployment plans; and

(ii) Records not subject to public disclosure under federal law that are shared by federal or international agencies, and information prepared from national security briefings provided to state or local government officials related to domestic preparedness for acts of terrorism.

(xx) Commercial fishing catch data from logbooks required to be provided to the department of fish and wildlife under RCW 77.12.047, when the data identifies specific catch location, timing, or methodology and the release of which would result in unfair competitive disadvantage to the commercial fisher providing the catch data. However, this information may be released to government agencies concerned with the management of fish and wildlife resources.

(yy) Sensitive wildlife data obtained by the department of fish and wildlife. However, sensitive wildlife data may be released to government agencies concerned with the management of fish and wildlife resources. Sensitive wildlife data includes:

(i) The nesting sites or specific locations of endangered species designated under RCW 77.12.020, or threatened or sensitive species classified by rule of the department of fish and wildlife;

(ii) Radio frequencies used in, or locational data generated by, telemetry studies; or

(iii) Other location data that could compromise the viability of a specific fish or wildlife population, and where at least one of the following criteria are met:

(A) The species has a known commercial or black market value;

(B) There is a history of malicious take of that species; or

(C) There is a known demand to visit, take, or disturb, and the species behavior or ecology renders it especially vulnerable or the species has an extremely limited distribution and concentration.

(zz) The personally identifying information of persons who acquire recreational licenses under RCW 77.32.010 or commercial licenses under chapter 77.65 or 77.70 RCW, except name, address of contact used by the department, and type of license, endorsement, or tag. However, the department of fish and wildlife may disclose personally identifying information to:

(i) Government agencies concerned with the management of fish and wildlife resources;

(ii) The department of social and health services, child support division, and to the department of licensing in order to implement RCW 77.32.014 and 46.20.291; and

(iii) Law enforcement agencies for the purpose of firearm possession enforcement under RCW 9.41.040.

(aaa)(i) Discharge papers of a veteran of the armed forces of the United States filed at the office of the county auditor before July 1, 2002, that have not been commingled with other recorded documents. These records will be available only to the veteran, the veteran's next of kin, a deceased veteran's properly appointed personal representative or executor, a person holding that veteran's general power of attorney, or to anyone else designated in writing by that veteran to receive the records.

(ii) Discharge papers of a veteran of the armed forces of the United States filed at the office of the county auditor before July 1, 2002, that have been commingled with other records, if the veteran has recorded a "request for exemption from public disclosure of discharge papers" with the county auditor. If such a request has been

recorded, these records may be released only to the veteran filing the papers, the veteran's next of kin, a deceased veteran's properly appointed personal representative or executor, a person holding the veteran's general power of attorney, or anyone else designated in writing by the veteran to receive the records.

(iii) Discharge papers of a veteran filed at the office of the county auditor after June 30, 2002, are not public records, but will be available only to the veteran, the veteran's next of kin, a deceased veteran's properly appointed personal representative or executor, a person holding the veteran's general power of attorney, or anyone else designated in writing by the veteran to receive the records.

(iv) For the purposes of this subsection (1)(aaa), next of kin of deceased veterans have the same rights to full access to the record. Next of kin are the veteran's widow or widower who has not remarried, son, daughter, father, mother, brother, and sister.

(bbb) Those portions of records containing specific and unique vulnerability assessments or specific and unique emergency and escape response plans at a city, county, or state adult or juvenile correctional facility, the public disclosure of which would have a substantial likelihood of threatening the security of a city, county, or state adult or juvenile correctional facility or any individual's safety.

(ccc) Information compiled by school districts or schools in the development of their comprehensive safe school plans pursuant to RCW 28A.320.125, to the extent that they identify specific vulnerabilities of school districts and each individual school.

(ddd) Information regarding the infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities.

(eee) Information obtained and exempted or withheld from public inspection by the health care authority under RCW 41.05.026, whether retained by the authority, transferred to another state purchased health care program by the authority, or transferred by the authority to a technical review committee created to facilitate the development, acquisition, or implementation of state purchased health care under chapter 41.05 RCW.

(fff) Proprietary data, trade secrets, or other information that relates to: (i) A vendor's unique methods of conducting business; (ii) data unique to the product or services of the vendor; or (iii) determining prices or rates to be charged for services, submitted by any vendor to the department of social and health services for purposes of the development, acquisition, or implementation of state purchased health care as defined in RCW 41.05.011.

(ggg) Records of mediation communications that are privileged under chapter 7.-- RCW (sections 1 through 12 and 20 through 23 of this act).

(2) Except for information described in subsection (1)(c)(i) of this section and confidential income data exempted from public inspection pursuant to RCW 84.40.020, the exemptions of this section are inapplicable to the extent that information, the disclosure of which would violate personal privacy or vital governmental interests, can be deleted from the specific records sought. No exemption may be construed to permit the nondisclosure of statistical information not descriptive of any readily identifiable person or persons.

(3) Inspection or copying of any specific records exempt under the provisions of this section may be permitted if the superior court in the county in which the record is maintained finds, after a hearing with notice thereof to every person in interest and the agency, that the

exemption of such records is clearly unnecessary to protect any individual's right of privacy or any vital governmental function.

(4) Agency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part) and a brief explanation of how the exemption applies to the record withheld.

Sec. 14. RCW 5.60.070 and 1993 c 492 s 422 are each amended to read as follows:

(1) If there is a court order to mediate, a written agreement between the parties to mediate, or if mediation is mandated under RCW 7.70.100, then any communication made or materials submitted in, or in connection with, the mediation proceeding, whether made or submitted to or by the mediator, a mediation organization, a party, or any person present, are privileged and confidential and are not subject to disclosure in any judicial or administrative proceeding except:

(a) When all parties to the mediation agree, in writing, to disclosure;

(b) When the written materials or tangible evidence are otherwise subject to discovery, and were not prepared specifically for use in and actually used in the mediation proceeding;

(c) When a written agreement to mediate permits disclosure;

(d) When disclosure is mandated by statute;

(e) When the written materials consist of a written settlement agreement or other agreement signed by the parties resulting from a mediation proceeding;

(f) When those communications or written materials pertain solely to administrative matters incidental to the mediation proceeding, including the agreement to mediate; or

(g) In a subsequent action between the mediator and a party to the mediation arising out of the mediation.

(2) When there is a court order, a written agreement to mediate, or when mediation is mandated under RCW 7.70.100, as described in subsection (1) of this section, the mediator or a representative of a mediation organization shall not testify in any judicial or administrative proceeding unless:

(a) All parties to the mediation and the mediator agree in writing; or

(b) In an action described in subsection (1)(g) of this section.

(3) Beginning on January 1, 2006, this section governs only mediations pursuant to a referral or an agreement made before January 1, 2006. Mediations pursuant to a referral or an agreement made on or after January 1, 2006, are governed by chapter 7.-- RCW (sections 1 through 12 and 20 through 23 of this act).

Sec. 15. RCW 5.60.072 and 1991 c 321 s 2 are each amended to read as follows:

Notwithstanding the provisions of RCW 5.60.070 and chapter 7.-- RCW (sections 1 through 12 and 20 through 23 of this act), when any party participates in mediation conducted by a state or federal agency under the provisions of a collective bargaining law or similar statute, the agency's rules govern questions of privilege and confidentiality.

Sec. 16. RCW 7.75.050 and 1984 c 258 s 505 are each amended to read as follows:

Regardless of any provision to the contrary in chapter 42.17 RCW, all memoranda, work notes or products, or case files of centers established under this chapter are confidential and privileged and are not subject to disclosure in any judicial or administrative proceeding unless the court or administrative tribunal determines that the

materials were submitted by a participant to the center for the purpose of avoiding discovery of the material in a subsequent proceeding. ~~((Any communication relating to the subject matter of the resolution made during the resolution process by any participant, mediator, or any other person is a privileged communication and is not subject to disclosure in any judicial or administrative proceeding unless all parties to the communication waive the privilege. The foregoing privilege and limitation on evidentiary use does not apply to any communication of a threat that injury or damage may be inflicted on any person or on the property of a party to the dispute, to the extent the communication may be relevant evidence in a criminal matter.))~~ In all other respects, chapter 7.-- RCW, (sections 1 through 12 and 20 through 23 of this act), shall govern the privilege and confidentiality to be accorded to communications made in conjunction with a mediation conducted by a dispute resolution center established under this chapter.

Sec. 17. RCW 26.09.015 and 1991 c 367 s 2 are each amended to read as follows:

(1) In any proceeding under this chapter, the matter may be set for mediation of the contested issues before or concurrent with the setting of the matter for hearing. The purpose of the mediation proceeding shall be to reduce acrimony which may exist between the parties and to develop an agreement assuring the child's close and continuing contact with both parents after the marriage is dissolved. The mediator shall use his or her best efforts to effect a settlement of the dispute.

(2) Each superior court may make available a mediator. The mediator may be a member of the professional staff of a family court or mental health services agency, or may be any other person or agency designated by the court. In order to provide mediation services, the court is not required to institute a family court.

~~(3)(a) Mediation proceedings under this chapter shall be (held in private and shall be confidential. The mediator shall not testify as to any aspect of the mediation proceedings. This subsection shall not apply to postdecree mediation required pursuant to a parenting plan) governed in all respects by chapter 7.-- RCW (sections 1 through 12 and 20 through 23 of this act), except as follows:~~

~~(i) Mediation communications in postdecree mediations mandated by a parenting plan are admissible in subsequent proceedings for the limited purpose of proving:~~

~~(A) Abuse, neglect, abandonment, exploitation, or unlawful harassment as defined in RCW 9A.46.020(1), of a child;~~

~~(B) Abuse or unlawful harassment as defined in RCW 9A.46.020(1), of a family or household member as defined in RCW 26.50.010(2); or~~

~~(C) That a parent used or frustrated the dispute resolution process without good reason for purposes of RCW 26.09.184(3)(d).~~

~~(ii) If a postdecree mediation-arbitration proceeding is required pursuant to a parenting plan and the same person acts as both mediator and arbitrator, mediation communications in the mediation phase of such a proceeding may be admitted during the arbitration phase, and shall be admissible in the judicial review of such a proceeding under RCW 26.09.184(3)(e) to the extent necessary for such review to be effective.~~

~~(b) None of the exceptions under (a)(i) and (ii) of this subsection shall subject a mediator to compulsory process to testify except by court order for good cause shown, taking into consideration the need for the mediator's testimony and the interest in the mediator maintaining an appearance of impartiality. If a mediation communication is not privileged under (a)(i) of this subsection or that portion of (a)(ii) of this subsection pertaining to judicial review, only~~

the portion of the communication necessary for the application of the exception may be admitted, and such admission of evidence shall not render any other mediation communication discoverable or admissible except as may be provided in chapter 7.-- RCW (sections 1 through 12 and 20 through 23 of this act).

(4) The mediator shall assess the needs and interests of the child or children involved in the controversy and may interview the child or children if the mediator deems such interview appropriate or necessary.

(5) Any agreement reached by the parties as a result of mediation shall be reported to the court and to counsel for the parties by the mediator on the day set for mediation or any time thereafter designated by the court.

Sec. 18. RCW 35.63.260 and 1998 c 119 s 1 are each amended to read as follows:

(1) Prior to filing an appeal of a final decision by a hearing examiner involving a conditional or special use permit application requested by a party that is licensed or certified by the department of social and health services or the department of corrections, the aggrieved party must, within five days after the final decision, initiate formal mediation procedures in an attempt to resolve the parties' differences. If, after initial evaluation of the dispute, the parties agree to proceed with a mediation, the mediation shall be conducted by a trained mediator selected by agreement of the parties. The agreement to mediate shall be in writing and subject to ~~((RCW 5.60.070)) chapter 7.-- RCW (sections 1 through 12 and 20 through 23 of this act).~~ If the parties are unable to agree on a mediator, each party shall nominate a mediator and the mediator shall be selected by lot from among the nominees. The mediator must be selected within five days after formal mediation procedures are initiated. The mediation process must be completed within fourteen days from the time the mediator is selected except that the mediation process may extend beyond fourteen days by agreement of the parties. The mediator shall, within the fourteen-day period or within the extension if an extension is agreed to, provide the parties with a written summary of the issues and any agreements reached. If the parties agree, the mediation report shall be made available to the governing jurisdiction. The cost of the mediation shall be shared by the parties.

(2) Any time limits for filing of appeals are tolled during the pendency of the mediation process.

(3) As used in this section, "party" does not include county, city, or town.

Sec. 19. RCW 48.43.055 and 2002 c 300 s 6 are each amended to read as follows:

Each health carrier as defined under RCW 48.43.005 shall file with the commissioner its procedures for review and adjudication of complaints initiated by health care providers. Procedures filed under this section shall provide a fair review for consideration of complaints. Every health carrier shall provide reasonable means allowing any health care provider aggrieved by actions of the health carrier to be heard after submitting a written request for review. If the health carrier fails to grant or reject a request within thirty days after it is made, the complaining health care provider may proceed as if the complaint had been rejected. A complaint that has been rejected by the health carrier may be submitted to nonbinding mediation. Mediation shall be conducted under ~~((mediation rules similar to those of the American arbitration association, the center for public resources, the judicial arbitration and mediation service, RCW 7.70.100)) chapter 7.-- RCW (sections 1 through 12 and 20 through 23 of this act,~~ or any other rules of mediation agreed to by the parties.

This section is solely for resolution of provider complaints. Complaints by, or on behalf of, a covered person are subject to the grievance processes in RCW 48.43.530.

NEW SECTION. Sec. 20. CAPTIONS NOT LAW. Captions used in this act are not any part of the law.

NEW SECTION. Sec. 21. SEVERABILITY CLAUSE. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 22. APPLICATION TO EXISTING AGREEMENTS OR REFERRALS. (1) This chapter governs a mediation pursuant to a referral or an agreement to mediate made on or after January 1, 2006.

(2) If all parties agree in a signed record or a record of proceeding reflects such an agreement by all parties, then this chapter governs a mediation pursuant to a referral or an agreement to mediate whenever made.

NEW SECTION. Sec. 23. EFFECTIVE DATE. This act takes effect January 1, 2006.

NEW SECTION. Sec. 24. Sections 1 through 12 and 20 through 23 of this act constitute a new chapter in Title 7 RCW."

Correct the title.

Representatives Lantz and Priest 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 and Priest spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 1055.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 1055 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler,

Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 1055, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1082, By Representatives Moeller, McDonald, Hasegawa, Roach, Jarrett, Takko and Chase

Reorganizing provisions concerning mental health services for minors.

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 Moeller and McDonald spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1082.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1082 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

HOUSE BILL NO. 1082, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1086, By Representatives Linville, Kristiansen and Pettigrew; by request of Department of Agriculture

Regulating commercial feed.

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 Pettigrew and Kristiansen spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1086.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1086 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

HOUSE BILL NO. 1086, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1092, By Representatives Grant, Newhouse, Kristiansen and Linville; by request of Department of Community, Trade, and Economic Development

Modifying rural Washington loan fund provisions.

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 Grant and Newhouse spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1092.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1092 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

HOUSE BILL NO. 1092, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1131, By Representatives Nixon, Haigh and Shabro

Regulating mail to constituents.

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 Nixon spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1131.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1131 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

HOUSE BILL NO. 1131, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1157, By Representatives Roach and Kirby

Allowing title insurance companies to provide a guarantee covering its agents.

The bill was read the second time.

On motion of Representative Kirby, the committee amendment by the Committee on Financial Institutions & Insurance was adopted. (For committee amendment, see Journal, 19th Day, January 29, 2005.)

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 Roach and Kirby spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Engrossed House Bill No. 1157.

ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1157 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, Blake, Buck, Buri, Campbell,

Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

ENGROSSED HOUSE BILL NO. 1157, having received the necessary constitutional majority, was declared passed.

There being no objection, the House deferred action on HOUSE BILL NO. 1197, and the bill held its place on the Second Reading calendar.

HOUSE BILL NO. 1307, By Representatives Haigh, Eickmeyer, Wallace, P. Sullivan, Morrell, Sells, Miloscia, Takko, Ormsby, McCoy, Conway, McDermott and Chase

Defining veteran for certain purposes.

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 Haigh and Nixon spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of House Bill No. 1307.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1307 and the bill passed the House by the following vote: Yeas - 95, Nays - 0, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien,

Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

HOUSE BILL NO. 1307, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1310, By Representatives Hudgins, Conway, McCoy, Condotta, Wood and Chase; by request of Department of Labor & Industries

Requiring mandatory electronic data reporting under Title 51 RCW for workers' compensation self-insurers.

The bill was read the second time.

On motion of Representative Conway, Substitute House Bill No. 1310 was substituted for House Bill No. 1310 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 1310 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 Hudgins and Condotta spoke in favor of passage of the bill.

The Speaker stated the question before the House to be the final passage of Substitute House Bill No. 1310.

ROLL CALL

The Clerk called the roll on the final passage of Substitute House Bill No. 1310 and the bill passed the House by the following vote: Yeas - 94, Nays - 1, Absent - 0, Excused - 3.

Voting yea: Representatives Ahern, Alexander, Anderson, Appleton, Armstrong, Bailey, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P.

Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 94.

Voting nay: Representative Dunn - 1.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

SUBSTITUTE HOUSE BILL NO. 1310, having received the necessary constitutional majority, was declared passed.

HOUSE BILL NO. 1331, By Representatives Conway, Alexander, Wood, DeBolt, Simpson, Strow, Chase and Ormsby

Requiring electrical contractors to be licensed before advertising.

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

The Speaker stated the question before the House to be the final passage of House Bill No. 1331.

ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1331 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, Blake, Buck, Buri, Campbell, Chandler, Chase, Clements, Clibborn, Cody, Condotta, Conway, Cox, Crouse, Curtis, Darneille, DeBolt, Dickerson, Dunn, Dunshee, Eickmeyer, Ericks, Ericksen, Fromhold, Grant, Green, Haigh, Haler, Hankins, Hasegawa, Hinkle, Holmquist, Hudgins, Hunt, Hunter, Kagi, Kenney, Kessler, Kilmer, Kirby, Kretz, Kristiansen, Lantz, Linville, Lovick, McCoy, McCune, McDermott, McDonald, McIntire, Miloscia, Moeller, Morrell, Morris, Murray, Newhouse, Nixon, O'Brien, Orcutt, Ormsby, Pearson, Pettigrew, Priest, Quall, Roach, Roberts, Rodne, Santos, Schindler, Schual-Berke, Sells, Serben, Shabro, Simpson, Skinner, Sommers, Springer, Strow, B. Sullivan, P. Sullivan, Sump, Takko, Talcott, Tom, Wallace, Walsh, Williams, Wood, Woods and Mr. Speaker - 95.

Excused: Representatives Flannigan, Jarrett and Upthegrove - 3.

HOUSE BILL NO. 1331, having received the necessary constitutional majority, was declared passed.

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 1, 2005, the 51st Day of the Regular Session.

FRANK CHOPP, Speaker

RICHARD NAFZIGER, Chief Clerk

1009
 Second Reading 20

1009-S
 Second Reading 20
 Third Reading Final Passage 21

1010
 Committee Report 3

1014-S
 Final Passage 20
 Other Action 20
 Messages 19

1020
 Second Reading 21

1020-S
 Second Reading 21
 Third Reading Final Passage 21

1031
 Committee Report 4

1054
 Second Reading 21

1054-S
 Second Reading 22
 Third Reading Final Passage 22
 Colloquy 22

1055
 Second Reading 22

1055-S
 Second Reading Amendment 23
 Third Reading Final Passage 30

1068
 Committee Report 4

1074
 Committee Report 4

1082
 Second Reading 30
 Third Reading Final Passage 31

1086
 Second Reading 31
 Third Reading Final Passage 31

1092
 Second Reading 31
 Third Reading Final Passage 32

1102
 Committee Report 4

1103
 Committee Report 4

1131
 Second Reading 32
 Third Reading Final Passage 32

1157
 Second Reading Amendment 32
 Third Reading Final Passage 33

1160
 Second Reading 10
 Third Reading Final Passage 11

1161

Second Reading	11	1394	
Third Reading Final Passage	11		Committee Report 5
1171		1403	
Second Reading	11		Second Reading 16
1171-S			Third Reading Final Passage 17
Second Reading	11	1413	
Third Reading Final Passage	12		Committee Report 5
1197		1426	
Other Action	33		Second Reading 17
1198		1426-S	
Second Reading	12		Second Reading 17
Third Reading Final Passage	12		Third Reading Final Passage 17
1269		1471	
Second Reading	12		Second Reading 18
Third Reading Final Passage	13		Third Reading Final Passage 18
1279		1486	
Second Reading	13		Committee Report 5
Third Reading Final Passage	13	1492	
1280			Committee Report 5
Second Reading	14	1516	
1280-S			Committee Report 6
Second Reading	14	1560	
Third Reading Final Passage	14		Committee Report 6
1297		1579	
Other Action	14		Committee Report 6
1307		1622	
Second Reading	33		Committee Report 6
Third Reading Final Passage	34	1652	
1310			Committee Report 6
Second Reading	34	1668	
1310-S			Second Reading 18
Second Reading	34		Third Reading Final Passage 19
Third Reading Final Passage	34	1691	
1312			Committee Report 7
Second Reading	14	1702	
Third Reading Final Passage	15		Committee Report 7
1314		1793	
Committee Report	5		Committee Report 7
1328		1837	
Second Reading	15		Committee Report 7
Third Reading Final Passage	15	1841	
1329			Committee Report 7
Other Action	15	1872	
1331			Committee Report 8
Second Reading	34	1934	
Third Reading Final Passage	35		Committee Report 8
1337		1941	
Second Reading	15		Committee Report 8
1337-S		1952	
Second Reading	15		Committee Report 8
Third Reading Final Passage	16	1966	
1348			Committee Report 8
Second Reading	16	1986	
1348-S			Committee Report 9
Second Reading	16	1998	
Third Reading Final Passage	16		Committee Report 9

2028
 Committee Report 9

2029
 Committee Report 9

2070
 Committee Report 9

2163
 Committee Report 9

2245
 Introduction & 1st Reading 1

2246
 Introduction & 1st Reading 1

2247
 Introduction & 1st Reading 1

2248
 Introduction & 1st Reading 2

2249
 Introduction & 1st Reading 2

2250
 Introduction & 1st Reading 2

5013-S
 Introduction & 1st Reading 2
 Messages 1

5035-S
 Introduction & 1st Reading 2
 Messages 1

5049
 Committee Report 10

5070
 Introduction & 1st Reading 2
 Messages 1

5086
 Introduction & 1st Reading 2
 Messages 1

5134
 Introduction & 1st Reading 2
 Messages 1

5290-S
 Introduction & 1st Reading 3
 Messages 1

5329
 Introduction & 1st Reading 3
 Messages 1

5356
 Introduction & 1st Reading 3
 Messages 1

5390-S
 Introduction & 1st Reading 3
 Messages 1

5723
 Introduction & 1st Reading 3
 Messages 1

8018-S
 Introduction & 1st Reading 3
 Messages 1

Point of Personal Privilege: Representative Clements 12
 Point of Personal Privilege: Representative Hunt . . . 18