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## TWENTY SIXTH DAY

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House Chamber, Olympia, Friday, February 5, 2010

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

The flags were escorted to the rostrum by a Sergeant at Arms Color Guard, Pages Jess Nyland and Sarah Swartz. The Speaker (Representative Moeller presiding) led the Chamber in the Pledge of Allegiance. The prayer was offered by Representative Richard Debolt, 20th District.

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

### INTRODUCTIONS AND FIRST READING

HB 3177 by Representatives Nelson, White, Chase, Orwall and Ormsby

AN ACT Relating to a new surcharge on certain recorded documents for affordable housing purposes; adding a new section to chapter 36.22 RCW; adding a new chapter to Title 43 RCW; and making an appropriation.

Referred to Committee on Capital Budget.

There being no objection, the bill listed on the day's introduction sheet under the fourth order of business was referred to the committee so designated.

### REPORTS OF STANDING COMMITTEES

HB 2451 February 3, 2010  
Prime Sponsor, Representative Dunshee:  
Authorizing use of voter approved local excess tax levies to pay financing contracts under the local option capital asset lending program and clarifying which "other agencies" may participate in the program. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson; Blake; Chase; Hope; Jacks; Maxwell; McCune; Morrell; Orwall and White.

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

Passed to Committee on Rules for second reading.

HB 2675 February 3, 2010  
Prime Sponsor, Representative Haigh:  
Concerning an alternative process for selecting an electrical contractor or a mechanical contractor, or both, for general contractor/construction manager

projects. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson; Blake; Chase; Hope; Jacks; Maxwell; McCune; Morrell; Orwall; Smith and White.

Passed to Committee on Rules for second reading.

HB 3047 February 3, 2010  
Prime Sponsor, Representative White:  
Concerning the University of Washington's public works contracting procedures. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson; Blake; Chase; Hope; Jacks; Maxwell; McCune; Morrell; Orwall; Smith and White.

Passed to Committee on Rules for second reading.

HB 3136 February 3, 2010  
Prime Sponsor, Representative Dunshee:  
Concerning water pollution control. Reported by Committee on Capital Budget

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Blake; Chase; Jacks; Maxwell; Morrell; Orwall and White.

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

Passed to Committee on Rules for second reading.

HJR 4222 February 3, 2010  
Prime Sponsor, Representative Ormsby:  
Resolving to define "interest" in the state Constitution. Reported by Committee on Capital Budget

MAJORITY recommendation: Do pass. Signed by Representatives Dunshee, Chair; Ormsby, Vice Chair; Warnick, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Anderson; Chase; Hope; Jacks; Maxwell; McCune and White.

MINORITY recommendation: Do not pass. Signed by Representatives Blake; Morrell; Orwall and Smith.

Passed to Committee on Rules for second reading.

#### SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

HB 2630 February 4, 2010  
Prime Sponsor, Representative Probst: Creating the opportunity express program. Reported by Committee on Education Appropriations

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Higher Education. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Anderson; Carlyle; Hunter; Kagi; Maxwell; Quall; Rolfes and Wallace.

MINORITY recommendation: Do not pass. Signed by Representatives Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Haler and Nealey.

Passed to Committee on Rules for second reading.

HB 2687 February 4, 2010  
Prime Sponsor, Representative Kagi: Creating the home visiting services account. Reported by Committee on Education Appropriations

MAJORITY recommendation: The second substitute bill by Committee on Early Learning & Children's Services be substituted therefor and the second substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Anderson; Carlyle; Haler; Hunter; Kagi; Maxwell; Nealey; Quall and Rolfes.

Referred to Committee on Ways & Means.

HB 2759 February 4, 2010  
Prime Sponsor, Representative Maxwell: Adjusting local school finance related to nonresident students enrolled in online learning. Reported by Committee on Education Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Probst, Vice Chair; Anderson; Carlyle; Hunter; Kagi; Maxwell; Quall and Rolfes.

MINORITY recommendation: Do not pass. Signed by Representatives Haigh, Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Haler; Nealey and Wallace.

Referred to Committee on Ways & Means.

HB 2893 February 4, 2010  
Prime Sponsor, Representative Sullivan: Changing school levy provisions. Reported by Committee on Education Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Hope, Assistant Ranking Minority Member; Carlyle; Haler; Hunter; Kagi; Maxwell; Nealey; Quall; Rolfes and Wallace.

MINORITY recommendation: Do not pass. Signed by Representatives Priest, Ranking Minority Member and Anderson.

Referred to Committee on Ways & Means.

HB 3026 February 4, 2010  
Prime Sponsor, Representative Santos: Regarding school district compliance with state and federal civil rights laws. Reported by Committee on Education Appropriations

MAJORITY recommendation: The substitute bill by Committee on Education be substituted therefor and the substitute bill do pass. Signed by Representatives Haigh, Chair; Probst, Vice Chair; Priest, Ranking Minority Member; Hope, Assistant Ranking Minority Member; Carlyle; Haler; Hunter; Kagi; Maxwell; Quall; Rolfes and Wallace.

MINORITY recommendation: Do not pass. Signed by Representatives Anderson and Nealey.

Referred to Committee on Ways & Means.

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

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

There being no objection, the rules were suspended, and HOUSE BILL NO. 1139 was returned to second reading for the purpose of amendment.

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

#### SECOND READING

##### HOUSE BILL NO. 1139, by Representative Liias

##### **Increasing the authority membership of single county public transportation benefit areas.**

Representative Liias moved the adoption of amendment (1003).

On page 2, line 9, after "area" insert "with boundaries that encompass a population greater than five hundred thousand"

On page 2, line 9, after "members" insert ", otherwise in no case shall the governing body of a single county benefit area be greater than nine"

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

Amendment (1003) 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 Liias and Roach spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 1139.

### MOTION

On motion of Representative Santos, Representative Simpson was excused.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed House Bill No. 1139, and the bill passed the House by the following vote: Yeas, 96; Nays, 1; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representative Anderson.

Excused: Representative Simpson.

ENGROSSED HOUSE BILL NO. 1139, having received the necessary constitutional majority, was declared passed.

### THIRD READING

**HOUSE BILL NO. 1690, by Representatives Hasegawa, Hunt, Hudgins, Anderson and Kenney.**

**Authorizing alternative public works contracting procedures.**

The bill was read the third time.

Representatives Hasegawa and Warnick spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1690.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1690, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

HOUSE BILL NO. 1690, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1785, by Representatives Armstrong, O'Brien, Condotta and Kelley.**

**Concerning the chief for a day program.**

The bill was read the third time.

Representatives Armstrong, Hurst and Ericks spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of House Bill No. 1785.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 1785, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

HOUSE BILL NO. 1785, having received the necessary constitutional majority, was declared passed.

There being no objection, the rules were suspended, and HOUSE BILL NO. 2360 was returned to second reading for the purpose of amendment.

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

### SECOND READING

**HOUSE BILL NO. 2360, by Representative Darneille****Concerning consolidation of administrative services for AIDS grants in the department of health.**

Representative Darneille moved the adoption of amendment (1011).

On page 4, line 29, after "January 1," strike "2010" and insert "2011"

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

Amendment (1011) 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 Darneille and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed House Bill No. 2360.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed House Bill No. 2360, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

ENGROSSED HOUSE BILL NO. 2360, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 1541, by Representatives Seaquist, Conway, Crouse and Simpson****Granting half-time service credit for half-time educational employment prior to January 1, 1987, in plans 2 and 3 of the school employees' retirement system and the public employees' retirement system.**

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 Seaquist and Alexander spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 1541.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 1541, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

HOUSE BILL NO. 1541, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2398, by Representatives Hunt and Armstrong****Modifying election notice 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 Hunt and Armstrong spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2398.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2398, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos,

Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

HOUSE BILL NO. 2398, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2456, by Representatives Schmick, Springer, Short and Fagan**

**Concerning population thresholds that determine the number of local councilmembers and receipt of local funds.**

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 Schmick and Nelson spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2456.

**ROLL CALL**

The Clerk called the roll on the final passage of House Bill No. 2456, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

HOUSE BILL NO. 2456, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2464, by Representatives Liias, Johnson, O'Brien, Morrell, Maxwell, Sullivan, Simpson, Van De Wege, Kenney, Ericks and Sells**

**Implementing rules and penalties for drivers when approaching certain emergency, roadside assistance, or police vehicles in emergency zones.**

The bill was read the second time.

There being no objection, Substitute House Bill No. 2464 was substituted for House Bill No. 2464 and the substitute bill was placed on the second reading calendar.

SUBSTITUTE HOUSE BILL NO. 2464 was read the second time.

Representative Liias moved the adoption of amendment (1036).

On page 2, line 23, after "emergency" insert "zone"

On page 2, line 24, after "emergency" insert "zone"

On page 2, line 29, after "emergency" insert "zone"

On page 5, line 10, after "emergency" insert "zone"

On page 7, line 34, after "emergency" insert "zone"

Representatives Liias and Klippert spoke in favor of the adoption of the amendment.

Amendment (1036) 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 Liias, Johnson, Morrell and Klippert spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of Engrossed Substitute House Bill No. 2464.

**ROLL CALL**

The Clerk called the roll on the final passage of Engrossed Substitute House Bill No. 2464, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

ENGROSSED SUBSTITUTE HOUSE BILL NO. 2464, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 2490, by Representative Angel**

**Concerning persons with intellectual disabilities.**

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 Angel and Hunt spoke in favor of the passage of the bill.

The Speaker (Representative Moeller presiding) stated the question before the House to be the final passage of House Bill No. 2490.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2490, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

HOUSE BILL NO. 2490, having received the necessary constitutional majority, was declared passed.

### **HOUSE BILL NO. 2510, by Representatives Kelley, Rodne, Hurst, Bailey, Kirby, Simpson and Morrell**

#### **Authorizing public hospital districts to execute security instruments.**

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 Kelley and Bailey spoke in favor of the passage of the bill.

The Speaker Representative Moeller presiding stated the question before the House to be the final passage of House Bill No. 2510.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 2510, and the bill passed the House by the following vote: Yeas, 97; Nays, 0; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Lias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Santos,

Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Excused: Representative Simpson.

HOUSE BILL NO. 2510, having received the necessary constitutional majority, was declared passed.

The Speaker (Representative Moeller presiding) called upon Representative Morris to preside.

### **HOUSE JOINT RESOLUTION NO. 4220, by Representatives Hope, Kelley, Green, Conway, Parker, Hurst, Campbell, Wallace, Orcutt, Simpson, Ericks, Ericksen, Van De Wege, Morrell, Takko, Appleton, Maxwell, Orwall, Pearson, Kirby, Sells, Kenney, Johnson, Dammeier, Roberts and McCune**

#### **Amending the state Constitution so that the provision relating to bailable crimes by sufficient sureties is modified.**

The resolution was read the second time.

There being no objection, Substitute House Joint Resolution No. 4220 was substituted for House Joint Resolution No. 4220 and the substitute resolution was placed on the second reading calendar.

SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4220 was read the second time.

With the consent of the House, amendments (1028), (1031), (1033), (1034) and (1037) were withdrawn.

Representative Pedersen moved the adoption of amendment (1029).

On page 1, after line 7, strike all material through "great." on line 12 and insert:

"Article I, section 20. All persons charged with crime shall be bailable by sufficient sureties, except for ((capital offenses)) the following offenses when the proof is evident, or the presumption great:

(a) Capital offenses and other serious violent offenses as defined by the legislature; and

(b) Offenses that may result in a mandatory life sentence without the possibility of release."

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

Representatives Pearson and Hurst spoke against the adoption of the amendment.

An electronic roll call was requested.

The Clerk called the roll on the adoption of the amendment, and the amendment was not adopted by the following vote: Yeas, 24; Nays, 73; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Carlyle, Chase, Cody, Darneille, Flannigan, Hasegawa, Hudgins, Hunter, Kagi, Kenney, Linville, Moeller, Nelson, Ormsby, Pedersen, Pettigrew, Roberts, Santos, Seaquist, Upthegrove, White, Williams and Wood.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Campbell, Chandler, Clibborn, Condotta, Conway, Crouse, Dammeier, DeBolt, Dickerson,

Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hunt, Hurst, Jacks, Johnson, Kelley, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Maxwell, McCoy, McCune, Miloscia, Morrell, Morris, Nealey, O'Brien, Orcutt, Orwall, Parker, Pearson, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Schmick, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Van De Wege, Wallace, Walsh, Warnick and Mr. Speaker.

Excused: Representative Simpson.

Amendment (1029) was not adopted.

Representative Appleton moved the adoption of amendment (1035).

On page 1, beginning on line 8, after "section 20." strike all material through "great." on line 12 and insert "All persons charged with crime shall be bailable by sufficient sureties, except for capital offenses and offenses that result in a mandatory life sentence without the possibility of release upon conviction, when the proof is evident, or the presumption great."

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

Representatives Hope and Hurst spoke against the adoption of the amendment.

An electronic roll call was requested.

The Clerk called the roll on the adoption of the amendment, and the amendment was not adopted by the following vote: Yeas, 16; Nays, 81; Absent, 0; Excused, 1.

Voting yea: Representatives Appleton, Carlyle, Chase, Flannigan, Hasegawa, Hunt, Hunter, Kagi, Ormsby, Pedersen, Pettigrew, Roberts, Upthegrove, White, Williams and Wood.

Voting nay: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Campbell, Chandler, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hudgins, Hurst, Jacks, Johnson, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, Nelson, O'Brien, Orcutt, Orwall, Parker, Pearson, Priest, Probst, Quall, Roach, Rodne, Rolfes, Ross, Santos, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Van De Wege, Wallace, Walsh, Warnick and Mr. Speaker.

Excused: Representative Simpson.

Amendment (1035) was not adopted.

Representative Hurst moved the adoption of amendment (1044).

Strike everything after "ASSEMBLED:" on page 1, line 2 and insert the following:

"THAT, At the next general election to be held in this state the secretary of state shall submit to the qualified voters of the state for their approval and ratification, or rejection, an amendment to Article 1, section 20 of the Constitution of the state of Washington by adding a new section to read as follows:

Article I, section 20. Notwithstanding any other provision of this Constitution, all persons charged with crime shall be bailable by sufficient sureties, except for capital offenses and offenses for

which the maximum sentence is the possibility of life in prison, when the proof is evident, or the presumption great.

BE IT FURTHER RESOLVED, That the secretary of state shall cause notice of this constitutional amendment to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state.

BE IT FURTHER RESOLVED, That this act shall be known as the Lakewood law enforcement memorial act."

Representatives Hurst and Hope spoke in favor of the adoption of the amendment.

Amendment (1044) was adopted.

The resolution was ordered engrossed

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

Representatives Hope, Hurst, Klippert, Taylor and Goodman spoke in favor of the passage of the resolution.

Representative Nelson spoke against the passage of the resolution.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of Engrossed Substitute House Joint Resolution No. 4220.

### ROLL CALL

The Clerk called the roll on the final passage of Engrossed Substitute House Joint Resolution No. 4220, and the resolution passed the House by the following vote: Yeas, 80; Nays, 17; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Armstrong, Bailey, Blake, Campbell, Chandler, Clibborn, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Goodman, Green, Haigh, Haler, Herrera, Hinkle, Hope, Hudgins, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, O'Brien, Orcutt, Orwall, Parker, Pearson, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Van De Wege, Wallace, Walsh, Warnick and Mr. Speaker.

Voting nay: Representatives Appleton, Carlyle, Chase, Cody, Flannigan, Hasegawa, Hunt, Kenney, Nelson, Ormsby, Pedersen, Pettigrew, Santos, Upthegrove, White, Williams and Wood.

Excused: Representative Simpson.

ENGROSSED SUBSTITUTE HOUSE JOINT RESOLUTION NO. 4220, having received the necessary constitutional majority, was declared passed.

**HOUSE BILL NO. 3056, by Representatives Pearson, Hurst, Kessler, Klippert, Kirby, Kenney and Kelley**

**Concerning pretrial release or detention.**

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 Pearson and Hurst spoke in favor of the passage of the bill.

The Speaker (Representative Morris presiding) stated the question before the House to be the final passage of HOUSE BILL NO. 3056.

### ROLL CALL

The Clerk called the roll on the final passage of House Bill No. 3056, and the bill passed the House by the following vote: Yeas, 95; Nays, 2; Absent, 0; Excused, 1.

Voting yea: Representatives Alexander, Anderson, Angel, Appleton, Armstrong, Bailey, Blake, Campbell, Carlyle, Chandler, Chase, Clibborn, Cody, Condotta, Conway, Crouse, Dammeier, Darneille, DeBolt, Dickerson, Driscoll, Dunshee, Eddy, Ericks, Ericksen, Fagan, Finn, Flannigan, Goodman, Green, Haigh, Haler, Hasegawa, Herrera, Hinkle, Hope, Hudgins, Hunt, Hunter, Hurst, Jacks, Johnson, Kagi, Kelley, Kenney, Kessler, Kirby, Klippert, Kretz, Kristiansen, Liias, Linville, Maxwell, McCoy, McCune, Miloscia, Moeller, Morrell, Morris, Nealey, O'Brien, Orcutt, Ormsby, Orwall, Parker, Pearson, Pedersen, Pettigrew, Priest, Probst, Quall, Roach, Roberts, Rodne, Rolfes, Ross, Schmick, Seaquist, Sells, Shea, Short, Smith, Springer, Sullivan, Takko, Taylor, Upthegrove, Van De Wege, Wallace, Walsh, Warnick, White, Williams, Wood and Mr. Speaker.

Voting nay: Representatives Nelson and Santos.

Excused: Representative Simpson.

HOUSE BILL NO. 3056, having received the necessary constitutional majority, was declared passed.

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

There being no objection, the Committee on Finance was relieved of HOUSE BILL NO. 2603 and the bill was referred to the Committee on Ways and Means.

The Speaker (Representative Morris presiding) called upon Representative Kessler to preside.

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

### SECOND SUPPLEMENTAL REPORTS OF STANDING COMMITTEES

February 5, 2010

HB 2197 Prime Sponsor, Representative Armstrong: Abolishing the department of social and health services and creating new departments to take over its functions. Reported by Committee on Health & Human Services Appropriations

MAJORITY recommendation: Do pass. Signed by Representatives Seaquist, Vice Chair; Schmick, Ranking Minority Member; Alexander, Assistant Ranking Minority Member; Appleton; Fagan; Johnson; Miloscia; O'Brien and Walsh.

MINORITY recommendation: Do not pass. Signed by Representatives Pettigrew, Chair; Cody; Dickerson; Morrell; Roberts and Wood.

Referred to Committee on Ways & Means.

February 3, 2010

HB 2739 Prime Sponsor, Representative Simpson: Concerning the enforcement of certain school or playground crosswalk violations. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong; Campbell; Dickerson; Driscoll; Eddy; Ericksen; Finn; Flannigan; Herrera; Johnson; Klippert; Kristiansen; Moeller; Morris; Nealey; Rolfes; Sells; Shea; Springer; Takko; Upthegrove; Williams and Wood.

Passed to Committee on Rules for second reading.

February 3, 2010

HB 2742 Prime Sponsor, Representative Goodman: Addressing accountability for persons driving under the influence of intoxicating liquor or drugs. Reported by Committee on Transportation

MAJORITY recommendation: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Judiciary. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong; Campbell; Dickerson; Driscoll; Eddy; Ericksen; Finn; Flannigan; Herrera; Johnson; Klippert; Kristiansen; Moeller; Morris; Nealey; Rolfes; Sells; Shea; Springer; Takko; Upthegrove; Williams and Wood.

Passed to Committee on Rules for second reading.

February 3, 2010

HB 2897 Prime Sponsor, Representative Rolfes: Concerning the administration, collection, use, and enforcement of tolls. Reported by Committee on Transportation

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Liias, Vice Chair; Dickerson; Eddy; Finn; Flannigan; Moeller; Morris; Rolfes; Sells; Springer; Takko; Upthegrove; Williams and Wood.

MINORITY recommendation: Do not pass. Signed by Representatives Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong; Campbell; Driscoll; Ericksen; Herrera; Johnson; Klippert; Kristiansen; Nealey and Shea.

Passed to Committee on Rules for second reading.

February 3, 2010

HB 2941 Prime Sponsor, Representative Clibborn: Authorizing the use of express toll lanes in the Interstate 405 corridor. Reported by Committee on Transportation



MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Clibborn, Chair; Lias, Vice Chair; Dickerson; Eddy; Finn; Flannigan; Moeller; Morris; Rolfes; Sells; Springer; Takko; Upthegrove; Williams and Wood.

Referred to Committee on Ways & Means.

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

MINORITY recommendation: Do not pass. Signed by Representatives Roach, Ranking Minority Member; Rodne, Assistant Ranking Minority Member; Armstrong; Campbell; Driscoll; Ericksen; Herrera; Johnson; Klippert; Kristiansen; Nealey and Shea.

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

There being no objection, the House adjourned until 9:55 a.m., February 8, 2010, the 29th Day of the Regular Session.

Passed to Committee on Rules for second reading.

FRANK CHOPP, Speaker

BARBARA BAKER, Chief Clerk

February 5, 2010

HB 2956 Prime Sponsor, Representative Pettigrew:  
Concerning hospital safety net assessment.  
Reported by Committee on Health & Human  
Services Appropriations

MAJORITY recommendation: The substitute bill be substituted therefor and the substitute bill do pass. Signed by Representatives Pettigrew, Chair; Seaquist, Vice Chair; Appleton; Cody; Dickerson; Miloscia; Morrell; O'Brien; Roberts; Walsh and Wood.

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

1139	Second Reading .....	2
	Amendment Offered .....	2
	Third Reading Final Passage .....	3
	Other Action .....	2
1541	Second Reading .....	4
	Third Reading Final Passage .....	4
1690	Third Reading .....	3
	Third Reading Final Passage .....	3
1785	Third Reading .....	3
	Third Reading Final Passage .....	3
2197	Committee Report .....	8
2360	Second Reading .....	3
	Amendment Offered .....	3
	Third Reading Final Passage .....	4
	Other Action .....	3
2398	Second Reading .....	4
	Third Reading Final Passage .....	4
2451	Committee Report .....	1
2456	Second Reading .....	4
	Third Reading Final Passage .....	5
2464	Second Reading .....	5
2464-S	Second Reading .....	5
	Amendment Offered .....	5
	Third Reading Final Passage .....	5
2490	Second Reading .....	5
	Third Reading Final Passage .....	6
2510	Second Reading .....	6
	Third Reading Final Passage .....	6
2603	Other Action .....	7
2630	Committee Report .....	2
2675	Committee Report .....	1
2687	Committee Report .....	2
2739	Committee Report .....	8
2742	Committee Report .....	8
2759	Committee Report .....	2
2893	Committee Report .....	2
2897	Committee Report .....	8
2941	Committee Report .....	8
2956	Committee Report .....	8
3026	Committee Report .....	2
3047		

Committee Report ..... 1  
3056  
    Second Reading ..... 7  
    Third Reading Final Passage ..... 7  
3136  
    Committee Report ..... 1  
3177  
    Introduction & 1st Reading ..... 1  
4220  
    Second Reading ..... 6  
4220-S  
    Second Reading ..... 6  
    Amendment Offered ..... 6, 7  
    Third Reading Final Passage ..... 7  
4222  
    Committee Report ..... 1